

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: RULE TITLE:
2-2.002 Advertising in a Language Other
 Than English

PURPOSE AND EFFECT: The agency proposes the development of a rule to address advertising in a language other than English.

SUBJECT AREA TO BE ADDRESSED: Consumer advertising in a language other than English.

SPECIFIC AUTHORITY: 501.205 FS.

LAW IMPLEMENTED: 501.204(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lisa Raleigh, Special Counsel, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2-2.002 Advertising in a Language Other Than English.

It shall be an unfair or deceptive act or practice to disseminate any advertisement without including therein all required disclosures or limitations on the offer in the language principally used in the advertisement.

Specific Authority 501.205 FS. Law Implemented 501.204(1) FS. History—New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09401 Student Performance Standards

PURPOSE AND EFFECT: The purpose of this rule development workshop is to provide an opportunity for the public (including educators, administrators, students and parents) to provide input revisions to the K-12 Science Sunshine State Standards. The workshop will give an opportunity for DOE personnel and members of the standards writing team to explain and describe the revision process as well as allow for questions from the audience on the revised Science standards. The effect of the meeting will be a better

informed public on how the science standards revision process was conducted as well as answered questions attendees may have regarding the revised mathematics standards.

SUBJECT AREA TO BE ADDRESSED: Revised Sunshine State Standards – Science.

SPECIFIC AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: Wednesday, November 7, 2007, 5:30 p.m. – 7:00 p.m.; 5:30 p.m. – 7:00 p.m., Thursday, November 15, 2007. Public input is also requested online beginning Friday, October 19, 2007 at this site: <http://flstandards.org>.

PLACES: November 7, 2007 – Leon County, R A. Gray Building, 500 South Bronough Street Tallahassee, FL 32399-0250

November 15, 2007 – Orange County, Jones High School, 801 South Rio Grande Avenue, Orlando, FL 32805

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Todd Clark, Deputy Director, Florida’s Office of Mathematics and Science, Department of Education, 325 West Gaines Street, Room 501, Tallahassee, FL, (850)245-0764, todd.clark@fldoe.org

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-4.0021 Florida Teacher Certification
 Examinations

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to update the fee structure for the Florida Teacher Certification Examination program. The rule will increase fees for first-time examinees and examinees retaking a failed examination. The effect of this change is that examinees will be required to pay a fee more aligned with the real cost of the examinations.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.

SPECIFIC AUTHORITY: 1012.59(1) FS.

LAW IMPLEMENTED: 1012.59(1) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: November 19, 2007, 1:00 p.m. – 3:00 pm.; November 26, 2007, 10:00 a.m. – 12:00 Noon; November 28, 2007, 10:00 a.m. – 12:00 Noon

PLACES: November 19, 2007 – Broward County Main Library, 1st Floor Auditorium, 100 South Andrews Avenue, Fort Lauderdale, Florida 33301

November 26, 2007 – Zora Neale Hurston Complex, Conference Room D, 400 West Robinson Street, Orlando, Florida 32801

November 28, 2007 – Florida Department of Education, 1721 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Mike Jones, Program Director, Postsecondary Assessment, Office of Assessment and School Performance, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.00821
 RULE TITLE: Florida Educational Leadership Examination

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to update the fee structure for the Florida Educational Leadership Examination program. The rule will increase fees for first-time examinees and examinees retaking a failed examination. The effect of this change is that examinees will be required to pay a fee more aligned with the real cost of the examinations.

SUBJECT AREA TO BE ADDRESSED: Florida Educational Leadership Examination.

SPECIFIC AUTHORITY: 1001.59(1) FS.

LAW IMPLEMENTED: 1001.59(1) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: November 19, 2007, 1:00 p.m. – 3:00 p.m.; November 26, 2007, 10:00 a.m. – 12:00 Noon; November 28, 2007, 10:00 a.m. – 12:00 Noon

PLACES: November 19, 2007 – Broward County Main Library, 1st Floor Auditorium, 100 South Andrews Avenue, Fort Lauderdale, Florida 33301

November 26, 2007 – Zora Neale Hurston Complex, Conference Room D, 400 West Robinson Street, Orlando, Florida 32801

November 28, 2007 – Florida Department of Education, 1721 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Mike Jones, Program Director, Postsecondary Assessment, Office of

Assessment and School Performance, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.043
 RULE TITLE: Manufacturing

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.043, F.A.C. (Manufacturing), is to: (1) reflect the court’s ruling in Department of Revenue v. Lockheed Martin Corporation (905 So 2d 1017, 2005 WL 1544773, 07/05/2005), which provides that materials incorporated or fabricated into research or development end products or prototypes are exempt from sales tax; (2) remove provisions stating that the purchase, rental, or repair of real property or tangible personal property employed in research or development is subject to tax rendered obsolete by Section 1, Chapter 2006-57, L.O.F.; and (3) include the exemption provided in Section 212.08(18), F.S., for machinery and equipment used predominantly for research and development as created by Section 2, Chapter 2006-57, L.O.F.

The proposed amendments to subsection (6) of Rule 12A-1.043, F.A.C., when adopted, will: (1) provide that items of tangible personal property manufactured, produced, compounded, processed, or fabricated for use directly and solely in research or development are exempt; (2) remove obsolete provisions stating that tax is due on the purchase, rental, or repair of real property or tangible personal property employed in research or development; (3) provide that machinery and equipment used predominantly for research or development purposes is exempt; (4) define the terms “machinery and equipment” and “predominantly”; (5) provide how materials may be used directly and solely for research or development purposes, as provided in Section 212.052, F.S., and how machinery and equipment used predominantly in research or development activities, as provided in Section 212.08(18), F.S., may be purchased tax-exempt when the purchaser issues an exemption certificate to the selling dealer certifying the tax-exempt use of the item or issues a copy of the purchaser’s direct pay permit to the selling dealer; (6) provide a suggested exemption certificate to be used for purposes of these exemptions; and (7) clarify that a prototype or product of research or development used by the developer, including being offered for sale, is subject to tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is: (1) the removal of provisions regarding the tax on tangible personal property incorporated into prototypes or products of research or development to reflect the court’s ruling in Department of Revenue v. Lockheed Martin

Corporation; and (2) the proposed provisions regarding the exemption in Section 212.052, F.S., for materials and labor used in research or development and the exemption provided in Section 212.08(18), F.S., for machinery and equipment used predominantly for research and development.

SPECIFIC AUTHORITY: 212.052(5), 212.08(18)(c), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(4), (7), 212.052, 212.06(1), 212.08(18), 212.085 212.12(12), 366.051 FS.

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

DATE AND TIME: November 13, 2007, 10:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jeffery Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.043 Manufacturing.

(1) through (5) No change.

(6)(a) Tangible personal property manufactured, produced, compounded, processed, or fabricated for use directly and solely in research or development, and machinery and equipment used predominantly for research or development purposes are exempt ~~Research or development labor shall not be taxable~~ when the research or development has one of the following as its ultimate goal:

1. Basic research or the advancement of advanced knowledge or of technology in a scientific or technical field of endeavor.

2. The development of a new product, the improvement of an existing product, or the development of new uses of an existing product, whether or not the product is offered for sale.

3. The design and development of prototypes, whether or not a resulting product is offered for sale.

(b) For the purpose of this ~~subsection rule~~:

1. “Machinery and equipment” includes, but is not limited to, molds, dies, machine tooling, and other appurtenances or accessories for machinery and equipment, testing and

measuring equipment, test beds, and computers and software. Such machinery and equipment may be purchased, leased, or self-fabricated. If self-fabricated, the machinery and equipment includes the materials and labor for the design, fabrication, and assembly of such items.

2. “Predominantly” means at least 50 percent of the time.

~~3.~~ “Product” means any item, device, technique, prototype, invention, or process, which is, was, or may become be, commercially exploitable.

~~2. The term “cost” means cost price as defined in s. 212.02(4), F.S.~~

(c) Research or development does not include ordinary testing or inspection of materials or products used for quality control, market research, efficiency surveys, consumer surveys, advertising and promotions, management studies, or research in connection with literature, history, literary, historical, social science, psychology, or other similar nontechnical activities.

(d) Materials may be purchased tax-exempt when the purchaser extends an exemption certificate to the vendor or supplier certifying that the materials will be used directly and solely for research or development purposes, as provided in Section 212.052, F.S. Any person, including affiliated groups, as defined in s. 1504 of the Internal Revenue Code, as amended, who manufactures, produces, compounds, processes, or fabricates in any manner tangible personal property for such taxpayer’s own use directly and solely in research or development shall not be subject to the tax upon the cost of the product so manufactured, produced, compounded, processed, or fabricated for the purpose of research and development. However, the tax shall be due on the purchase, rental, or repair of real property or tangible personal property employed in research or development.

(e) Machinery and equipment, including materials and labor used in the self-fabrication of machinery and equipment, may be purchased or leased tax-exempt when the purchaser extends an exemption certificate to the vendor or supplier certifying that the item(s) will be used predominantly for research or development purposes, as provided in Section 212.08(18), F.S.

(f) The following is a suggested exemption certificate:

EXEMPTION CERTIFICATE

ITEMS USED IN RESEARCH OR DEVELOPMENT

This is to certify that purchases on or after _____ (date) from _____ (Selling Dealer’s Business Name) are either: materials used directly and solely in research or development activities, as provided in Section 212.052, Florida Statutes; or purchases or leases of machinery and equipment, including materials and labor used in the self-fabrication of machinery and equipment, used predominantly in research or development activities, as provided in Section 212.08(18), Florida Statutes.

These research or development activities are located at:

(Street)

(City and State)

I understand that if I fraudulently issue this certificate to evade the payment of tax, I will be liable for payment of the tax plus a penalty of 200% of the tax and be liable for fine and punishment provided by law for conviction of a felony of the third degree, as provided in Sections 775.082, 775.083, or 775.084, Florida Statutes.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Purchaser's Name (Print or Type)	Purchaser's Address
Signature and Title	Florida Sales and Use Tax Number (if applicable)
Date	Federal Employer's Identification Number (if applicable)

(g) In lieu of furnishing an exemption certificate, any purchaser who holds a valid Sales and Use Tax Direct Pay Permit, as provided in Rule 12A-1.0911, F.A.C., may extend a copy of the permit to the selling dealer to make purchases tax-exempt under this subsection.

(h)(e) The tax imposed by Section 212.052, Florida Statutes shall apply to any product of research or development that is tangible personal property which is offered for sale. When a prototype or product of research or development is used by the developer for any purpose other than research or development, including being offered for sale, it is subject to tax shall be taxable.

Specific Authority 212.052(5), 212.08(18)(c), 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), (7), 212.052, 212.06(1), 212.08(18), 212.085, 212.12(12), 366.051 FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 1-19-74, 12-26-83, Formerly 12A-1.43, Amended 1-2-89, 2-28-90, 3-20-96, 7-27-99, 10-2-01.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-10.025
RULE TITLE: Wall Murals
PURPOSE AND EFFECT: New Rule 14-10.025, F.A.C., Wall Murals, is being adopted to implement provisions of Section 479.156, Florida Statutes, regulating wall murals as defined in Section 479.01(27), Florida Statutes. A new application form is incorporated by reference.
SUBJECT AREA TO BE ADDRESSED: This is a new rule to implement the provisions of Section 479.156, Florida Statutes, regulating wall murals.
SPECIFIC AUTHORITY: 334.044(2), 479. 02(7) FS.
LAW IMPLEMENTED: 479.156 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-10.025 Wall Murals.

(1) Wall murals displaying commercial messages within 660 feet of the nearest edge of the right of way of an interstate or federal aid primary highway must obtain Department approval prior to installation.

(2) Application for approval of a wall mural is made by completing and submitting the form Application for Wall Mural Approval, Form 575-070-31, 09/07, incorporated herein by reference, to the address listed in subsection 14-10.003(2), F.A.C. The application form may be obtained from the State Outdoor Advertising License and Permit Office.

(a) A separate application is required for each wall mural.

(b) Priority of applications will be based upon the order of the receipt of completed applications.

1. An application will be considered complete when all items on the application form have been filled in, and all required attachments received.

2. Incomplete applications will be returned to the applicant without Departmental action. Applications containing incorrect information will be returned to the applicant as denied.

3. Once an application form has been received by the Department, any change or addition to the application form as submitted must be initialed by the applicant on the original application document.

(c) Each application must include the following attachments:

1. A statement from the local government within whose jurisdiction the mural is to be located that the property on which the mural is to be located is zoned for commercial or industrial use.

2. A statement from the local government approving the placement of the wall mural as described in the Application.

3. A copy of the local ordinance enacted in conformance with Section 479.156, F.S., allowing for the placement of wall murals.

4. A photograph of the building on which the mural will be displayed, and

5. Payment of the initial fee in the amount set forth in Rule 14-10.0043, F.A.C., for outdoor advertising permit fees.

(3) In order to be approved by the Department, all the following requirements must be met:

(a) The property on which the wall mural is to be located must be zoned for commercial or industrial uses.

(b) The height of the mural may not exceed 30 feet.

(c) The width of the mural may not exceed 60 feet.

(d) The total area of the mural may not exceed 1200 square feet.

(e) Wall murals must meet minimum spacing requirements from any permitted outdoor advertising sign or previously approved wall mural. Minimum spacing is 500 feet on the federal aid primary highway system and 1,000 feet on the Interstate highway system. Measurements are taken from the midpoint of a mural placed parallel to the controlled roadway and from the point of the mural closest to the roadway for right or left read displays.

(f) Wall murals may not be located within 500 feet of an interstate interchange outside an incorporated area.

(g) In lieu of the requirements set forth in paragraphs (3)(a) through (3)(f) the applicant must demonstrate that the wall mural constitutes a customary use which was recognized as a widespread, long-standing and common general practice within the local jurisdiction as of the January 27, 1972, agreement between the State of Florida and the United States Department of Transportation implementing the requirements of the Highway Beautification Act of 1965, 23 U.S.C. Sec. 131, and has been continuously maintained in the same location to the date of application.

(h) An annual fee in the amount established in Rule 14-10.0043, F.A.C., for outdoor advertising permit fees must be paid.

(4) The Department shall deny any application for a wall mural and will revoke any previously issued permit if the Department receives notification from the Federal Highway Administration that the wall mural is not approved under federal laws or regulations.

(5) The Department will approve or deny complete applications within 30 days of receipt by the Department.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 479.156 FS. History--New _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-8.624	Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: To amend Chapter 40D-8, Florida Administrative Code, to incorporate the next priority lake pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum lake levels and guidance levels for Crooked Lake in Polk County, Florida. Staff will present an overview of minimum levels development and discussion of the proposed minimum levels for the lake.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.086 FS.

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

DATE AND TIMES: November 5, 2007, 2:30 p.m. and 6:30 p.m.

PLACE: Weber International University, Rex Yentes Conference Center, 1201 North Scenic Highway, Babson Park, Florida 33827

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878/SUNCOM 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, Chief Environmental Scientist, Resource Conservation and Development Department, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4272

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

LAND AND WATER ADJUDICATORY COMMISSION

Huntington Hammocks Community Development District

RULE NOS.:	RULE TITLES:
42LLL-1.001	Establishment
42LLL-1.002	Boundary
42LLL-1.003	Supervisors

PURPOSE AND EFFECT: The petition, filed by Seville LLC, requests the Commission establish a community development district located entirely within unincorporated Hernando County, Florida. The land area proposed to be served by the

District comprises approximately 1,036.71 acres. A general location map is contained as Exhibit 1B to the petition to establish the District. The proposed land area is generally located in Northern Hernando County, with its Northern boundary comprised of the Hernando County/Citrus County Line. The proposed District is further located West of US 98 and East of US 19. There are 83 parcels of real property located within the external boundaries of the proposed District which are to be excluded from the District. Exhibit 2 to the petition depicts the location and provides a list of the real properties located within the external boundaries of the proposed District which are to be excluded from the District. The 83 parcels generally include road rights-of-way; a future electric utility site; a water treatment well site; and, 79 parcels of real property consisting of residential platted lots and common ground green space tracts. The Petitioner has obtained written consent to establish the District from the landowners of 100% of the real property located within the proposed District. The proposed infrastructure plan consists of roads, paving and street lighting; water and wastewater; stormwater management; and an irrigation system.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Huntington Hammocks Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

DATE AND TIME: Thursday, November 8, 2007, 10:00 a.m.

PLACE: The Capitol, Room 2103, Tallahassee, Florida 32399-0001

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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

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

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

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

TWO VERSIONS OF DOEA FORM H-002, INCORPORATED BY REFERENCE IN RULE 58A-2.005, F.A.C., WILL BE REVIEWED: ONE VERSION INCLUDES IDENTIFYING INFORMATION AND OUTCOME MEASURES; THE SECOND VERSION INCLUDES IDENTIFYING INFORMATION, OUTCOME MEASURES AND REPORTING INFORMATION REQUIRED IN RULE 58A-2.012, F.A.C. THE DEPARTMENT WILL DECIDE ON WHICH FORM TO UTILIZE BASED ON INPUT FROM INTERESTED PARTIES AT THE WORKSHOP. The two versions of DOEA Form H-002, the rule language, and Form SCHS-4-2006 (April 2006) may be obtained from the department's Web site at <http://elderaffairs.state.fl.us>. Click on DOEA RULEMAKING, then click on HOSPICE.

SPECIFIC AUTHORITY: 400.605, 400.60501 FS.

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

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

DATE AND TIME: November 7, 2007, 9:00 a.m. – 12:00 Noon EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference 309, Tallahassee, FL 32399-7000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone number (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-2.002 Definitions.

In addition to definitions contained in Chapter 400, Part IV ~~VI~~, F.S., the following terms shall apply:

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

~~(2) Agency: Agency for Health Care Administration.~~

~~(3) AHCA: Agency for Health Care Administration.~~

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

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

~~(6) Department: Department of Elder Affairs.~~

~~(7)(3) Employ: means To engage the services of an individual, on either a salary or volunteer basis.~~

~~(8)(4) Home: means The patient's current primary place of residence, including a private residence, assisted living facility, nursing home, hospice residential unit, or other place of permanent or temporary residence.~~

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

~~(10)(6) Licensed Practical Nurse: means An individual licensed pursuant to Chapter 464, F.S., to practice practical nursing.~~

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

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

~~(13)(9) Patient and Family Unit: means The patient and the patient's family.~~

~~(14)(10) Registered Nurse: means An individual who is licensed pursuant to Chapter 464, F.S., to practice professional nursing.~~

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

58A-2.003 License Requirements Required.

(1) The face of the license ~~must shall~~ contain the following information:

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

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

~~(c) All counties served by the hospice;~~

~~(d) The name of the owner; and~~

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

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

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

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

(b) Documented evidence that the change of ownership has taken place or will take place upon approval of the license; and

(c) A statement that records pertaining to the administrative operation of the provider must be retained and made available for official inspection by the agency.

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

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

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

58A-2.005 Administration of the Hospice.

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

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

(b) No change.

(c) Duties of the governing body must shall include:

1. ~~Adoption in writing, with updates as necessary,~~ of the following documents which must shall be in compliance with provisions of Chapter 400, Part ~~IV~~ ~~VI~~, F.S., and these rules, with updates as necessary:

a. through c. No change.

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

e. No change.

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

a. through c. No change.

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

e. A mechanism for the administrator’s appointment by the administrator of the medical director and other professional and ancillary personnel.

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

(a) No change.

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

(3) Administrative Policies and Practices.

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

1. through 2. No change.

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

4. No change.

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

a. through b. No change.

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

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

6. No change.

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

8. No change.

9. Policies and procedures for maintenance, confidentiality, and retention of clinical records for a minimum five-year period following the patient's death.

10. through 11. No change.

12. Notice to the public that the hospice provides services regardless of ability to pay.

13. through 14. No change.

15. Policies and procedures for completion, retention, and submission of reports and records as required by the Department, the agency, AHCA and other authorized agencies.

16. No change.

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

(c) No change.

(4) Outcome Measures.

Effective 2009, hospices must annually report the outcome measures outlined in this subsection on DOEA Form H-002, State of Florida Department of Elder Affairs Hospice Demographic and Outcome Measures Report, January 2008. The form is hereby incorporated by reference and may be obtained from the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. The form may be also obtained from the department's Web site at <http://elderaffairs.state.fl.us/english/forms/DOEAformH002.pdf>. The reporting time frame is January 1 through December 31. The report must be submitted to the following Web site address no later than March 31 of the following year: hospicereport@elderaffairs.org. The report may alternately be submitted to the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, FL 32399-7000. In addition to the outcome measure regarding pain management pursuant to Section 400.60501, F.S., each

hospice must conduct the National Hospice and Palliative Care Organization (NHPCO) Patient/Family Satisfaction Survey, or a similar survey, with its patients and families.

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

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

2. Based on the care the patient received, would the patient and/or family member/caregiver/legal representative/surrogate/proxy recommend hospice services to others?

(b) The acceptable standard for this measure must be an affirmative response on at least fifty (50) percent of the survey responses received by the hospice.

(5) National Initiatives.

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

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

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

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

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

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

those meetings of the governing body at which QAUR findings and recommendations are presented ~~must shall~~ be kept in an administrative file.

(1) through (2) No change.

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

(a) No change.

~~(b) After the patient's death and the end of the bereavement period, the master record may be moved to storage shall be stored in a secure and accessible location after termination of bereavement services or a minimum of one year after the patient's death.~~

(4) No change.

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

(a) through (e) No change.

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

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

~~1. If the plan of care was directly related to the identified physical and psychosocial needs of the patient and the patient's family;~~

~~2. If the services, medications and treatments prescribed were in accordance with the current hospice plan of care; and~~

~~3. If the hospice program of care was primarily a home-care program that utilized inpatient hospice care on a short-term or respite basis only.~~

(6) through (7) No change.

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

58A-2.012 Program Reporting Requirements.

(1) The hospice shall complete ~~an annual~~ report annually for the period January 1 through December 31 and shall submit the report to the Department no later than March 31 ~~February 28~~ of the following year. The report must be submitted

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

(a) Total number of patients served by the hospice during the reporting period by:

1. Age:-

a. 0-18 years of age;

b. 19-64 years of age;

c. 65 years of age and older;:

2. Diagnosis:-

a. Cancer;

b. Illness due to Acquired Immune Deficiency Syndrome

(AIDS);

c. ~~End-Stage Chronic Obstructive Pulmonary Disease (COPD);~~

d. End-Stage Renal Disease (ESRD);

e. ~~End-Stage Congestive Heart Disease failure;~~

f. Other;:

(b) Percent reimbursement by;:

1. Medicare;:-

2. Medicaid;:-

3. Third party insurance;:-

~~4. Sliding fee scale.~~

~~4.5. Self-pay;:-~~

~~5.6. Uncompensated.~~

~~a. Charitable;~~

~~b. Non-billable;~~

~~6.7. Other.~~

(c) Total number of patient-days in:

1. Private residence;:-

2. Assisted living facility;:-

3. Adult family-care home;:-

4. Hospice residential unit;:-

5. Nursing home;:-

6. ~~Freestanding hospice inpatient facility;:-~~

~~7.a. Hospital or nursing home;:-~~

~~8.b. Other Free-standing.~~

(d) Self-declared race/ethnicity

1. Asian;

2. Black;

3. Caucasian;

4. Hispanic;

5. Other.

(e) Total number of discharges by disposition:

1. Deaths;

2. Non-deaths.

(2) A copy of the annual report shall at all times be available to any member of the public.

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

58A-2.014 Medical Direction.

(1) No change.

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

(b) No change.

(3) through (4) No change.

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

58A-2.0232 Advance Directives.

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

(2) The hospice’s policies and procedures must shall include:

(a) At the time of admission ~~to a hospice program,~~ providing each patient, or the patient’s surrogate or proxy, with a copy of Form SCHS-4-2006, “Health Care Advance Directives – The Patient’s Right to Decide,” ~~as prepared by the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308, effective 4-2006 (April 2006) 4-11-93, which is hereby incorporated by reference,~~ or with a copy of some other substantially similar document which incorporates information regarding advance directives included in is a written description of Chapter 765, F.S., regarding advance directives. The form is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or

the agency’s Web site at: http://ahca.myflorida.com/MCHQ/Health Facility Regulation/HC Advance Directives/docs/adv_dir.pdf.

(b) through (c) No change.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:

RULE TITLES:

59G-13.081

Developmental Disabilities Waiver Provider Rate Table

59G-13.082

Developmental Disabilities Waiver Services Procedure Codes

PURPOSE AND EFFECT: The purpose of Rule 59G-13.081, F.A.C., is to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, October 1, 2007. The effect will be to incorporate by reference in rule Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, October 1, 2007.

The purpose of Rule 59G-13.082, F.A.C., is to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes, October 1, 2007, in rule. The effect will be to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes, October 1, 2007.

SUBJECT AREA TO BE ADDRESSED: Developmental Disabilities Waiver Provider Rate Table and Developmental Disabilities Waiver Services Procedure Codes.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

TIME AND DATE: Tuesday, November 6, 2007, 2:00 p.m. – 3:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756, Kyllonep@ahca.myflorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.081 Developmental Disabilities Waiver Provider Rate Table.

(1) No change.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, October 1, 2007 ~~January 1, 2007~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

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

59G-13.082 Developmental Disabilities Waiver Services Procedure Codes.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service, October 1, 2007 ~~November 2003~~, which is incorporated by reference. The Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service is available from the Medicaid fiscal agent website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 11-22-06, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE

61G2-2.006 Reinstatement of Null and Void Licenses

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt a new rule to clarify the procedures for reinstating a Null & Void license.

SUBJECT AREA TO BE ADDRESSED: Reinstatement of Null & Void Licenses.

SPECIFIC AUTHORITY: 455.271(6)(b), 468.384, 468.386 FS.

LAW IMPLEMENTED: 455.271(6)(b), 468.393 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-3.001 Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language clarify fees for reinstatement of a void license.

SUBJECT AREA TO BE ADDRESSED: Reinstatement of a void license fees.

SPECIFIC AUTHORITY: 455.2281, 455.271, 468.384(2), 468.386(1), 468.393(1) FS.

LAW IMPLEMENTED: 455.217(2), 455.2171, 455.219(6), 455.2281, 455.271, 468.385(2), (4), (6), (7), 468.3851, 468.386(1), 468.387, 468.393(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:

61G10-11.001 Examination for Licensure

PURPOSE AND EFFECT: The Board proposes to amend the rule to incorporate changes in CLARB examination and fees.

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure.

SPECIFIC AUTHORITY: 455.217(1)(b), 481.306 FS.

LAW IMPLEMENTED: 455.217(1)(b), 481.309 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:
61G10-12.001 Application and Examination Fees

PURPOSE AND EFFECT: The Board proposes to amend the rule to incorporate changes in CLARB examination and fees.
SUBJECT AREA TO BE ADDRESSED: Application for Examination Fees.

SPECIFIC AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 481.307 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:
61G14-19.001 Percentage of Gross Pilotage Assessed

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

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.:	RULE TITLES:
61J1-10.001	Definitions
61J1-10.002	Registered Trainee Real Estate Appraiser
61J1-10.003	Certified Residential Appraiser
61J1-10.004	Certified General Appraiser

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to create the qualifications for licensure.
SUBJECT AREA TO BE ADDRESSED: Qualifications for Licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.613, 475.615, 475.617 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas O'Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-10.001 Definitions.

(1) "Accredited" means accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

(2) "AOB" means Appraiser Qualifications Board, which is an independent board of the Appraisal Foundation.

(3) "Classroom hour" is defined as 50 minutes out of each 60-minute segment.

(4) “USPAP” means Uniform Standards of Professional Appraisal Practice, and are the most recent standards approved and adopted by the Appraisal Standards Board of the Appraisal Foundation.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.613, 475.615, 475.617 FS. History—New _____.

61J1-10.002 Registered Trainee Real Estate Appraiser.

(1) An applicant for registration as a trainee real estate appraiser must present evidence satisfactory to the Board that the applicant has successfully completed at least 100 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required curriculum:

- (a) Basic appraisal principles (30 hours);
- (b) Basic appraisal procedures (30 hours);
- (c) The 15-hour National USPAP course, or its equivalent, taught by an AQB-certified USPAP instructor; and
- (d) Appraisal Subject Matter Electives (20 hours) which shall include the Florida laws and rules and Roles and Responsibilities of Supervisors and Trainees.

(2) An applicant must have passed examinations in the prerequisite courses set forth in subsection 61J1-10.002(1), F.A.C., for the courses to be acceptable.

(3) An applicant must have completed the 15-hour National USPAP course, or its equivalent, within the 2 years immediately preceding the receipt of the application for registration by the Board or department.

(4) An applicant who was previously registered as a trainee real estate appraiser and whose registration expired due to failure to renew pursuant to Rule 61J1-4.007, F.A.C., may not use the qualifying education for the void trainee real estate appraiser registration to obtain another trainee real estate appraiser registration.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New _____.

61J1-10.003 Certified Residential Appraiser.

An applicant for certification as a residential real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

- (1) Education requirement.
 - (a) An Associate degree, or higher, from an accredited college, junior college, community college, or university; or
 - (b) Successful passage of at least 21 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:
 - 1. English Composition;
 - 2. Principles of Economics (Micro or Macro);
 - 3. Finance;
 - 4. Algebra, Geometry, or higher mathematics;

- 5. Statistics;
- 6. Computer Science; and
- 7. Business or Real Estate Law.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.

(c) Satisfactory completion of at least 200 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

- 1. Basic appraisal principles (30 hours);
- 2. Basic appraisal procedures (30 hours);
- 3. The 15-hour National USPAP course, or its equivalent, taught by an AQB-certified USPAP instructor;
- 4. Residential Market Analysis and Highest and Best Use (15 hours);
- 5. Residential Appraiser Site Valuation and Cost Approach (15 hours);
- 6. Residential Sales Comparison and Income Approaches (30 hours);
- 7. Residential Report Writing and Case Studies (15 hours);
- 8. Statistics, Modeling and Finance (15 hours);
- 9. Advanced Residential Applications and Case Studies (15 hours); and
- 10. Appraisal Subject Matter Electives (20 hours) which shall include the Florida laws and rules and the Roles and Responsibilities of Supervisors and Trainees.

(2) Experience requirements. At least 2500 hours as set forth in Rule 61J1-6.001, F.A.C.

(3) Examination. Successful completion of the AQB-approved Certified Residential Real Property Examination and the Florida laws and rules examination.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New _____.

61J1-10.004 Certified General Appraiser.

An applicant for certification as a general real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

- (1) Education requirement.
 - (a) A Bachelors degree, or higher, from an accredited college or university; or
 - (b) Successful passage of at least 30 semester credit hours or its equivalent, including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:
 - 1. English Composition;
 - 2. Micro Economics;
 - 3. Macro Economics;

4. Finance;
5. Algebra, Geometry, or higher mathematics;
6. Statistics;
7. Computer Science;
8. Business or Real Estate Law; and
9. Two electives courses in accounting, geography, agricultural economics, business management, or real estate.

If an accredited college or university accepts the College-Level Examination Program (CLEP) examinations(s) and issues a transcript for the exam, showing its approval, it will be considered as credit for the college course.

(c) Satisfactory completion of at least 300 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. Basic appraisal principles (30 hours);
 2. Basic appraisal procedures (30 hours);
 3. The 15-hour National USPAP course, or its equivalent, taught by an AQB certified USPAP instructor;
 4. General Appraiser Market Analysis and Highest and Best Use (30 hours);
 5. Statistics, Modeling and Finance (15 hours);
 6. General Appraiser Sales Comparison Approach (30 hours);
 7. General Appraiser Site Valuation and Cost Approach (30 hours);
 8. General Appraiser Income Approach (60 hours);
 9. General Appraiser Report Writing and Case Studies (30 hours); and
 10. Appraisal Subject Matter Electives (30 hours) which shall include the Florida laws and rules and the Roles and Responsibilities of Supervisors and Trainees.
- (2) Experience requirements. At least 3000 hours as set forth in Rule 61J1-6.001, F.A.C.
- (3) Examination. Successful completion of the AQB-approved Certified General Real Property Appraiser Examination and the Florida laws and rules examination.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

PURPOSE AND EFFECT: The purpose of the notice is to correct errors that were present in the version of this rule that became effective on July 9, 2007.

SUBJECT AREA TO BE ADDRESSED: The academic qualifications of clinical laboratory personnel supervisors.

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 483.805(4), 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, and have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and one of the following:

Specialty	Option	Education	Training/Experience	Examination
(a) Microbiology, Serology/ Immunology, Clinical Chemistry, Hematology, Immunohematology, Blood Banking (Donor Processing), and Cytogenetics	1	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	2	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology
	3	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	4	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience with at least 1 year experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology
	5	Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences	Five years of pertinent clinical laboratory experience with at least 2 years experience at the Technologist level, and at least 1 year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	

Specialty	Option	Education	Training/Experience	Examination
	6	Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences	Five years of pertinent clinical laboratory experience with at least 2 years experience at the Technologist level, and at least 1 year experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology
(b), (c), (d) and (e)				
no change				
Specialty	Option	Education	Training/Experience	Examination
(f) Molecular Pathology	1	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	2	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought	The Molecular Diagnostics examination given by ABB
	3	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience and 25 hours of Board-approved continuing education in supervision and administration	
	4	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought	The Molecular Diagnostics examination given by ABB
	5	Bachelors Degree wWith 16 semester hours of academic science	Five years of pertinent clinical laboratory experience with at least 2 years experience at the Technologist level and 25 hours of Board-approved continuing education in supervision and administration	
	6	Bachelors Degree wWith 16 semester hours of academic science	Five years of pertinent clinical laboratory experience, and with at least 2 years experience at the Technologist level	The Molecular Diagnostics examination given by ABB

(2) In lieu of one year of experience required by subsection 64B3-5.002(1), F.A.C., an applicant may use Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of The American Society for Clinical Pathology, ~~the ASCP~~, National Credentialing Agency of Laboratory Personnel, The National Registry of Certified Chemists, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis ~~Misanalysis~~ Biocatalysts, American Association of Bioanalysts, ~~American Board of Bioanalysis~~, American Board of Clinical Chemistry, American Board of Medical

Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(3) No change.

(4) The Board approved Supervision and Administration examinations, used in lieu of the required 25 hours of supervision and administration continuing education are:

(a) through (h) No change.

(i) The National Registry of Certified Chemists (NRCC).

Specific Authority 483.805(4), 483.823 FS. Law Implemented 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-06, 5-25-06, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist

PURPOSE AND EFFECT: The purpose of this notice is to correct errors that were present in the version of this rule that became effective on July 9, 2007.

SUBJECT AREA TO BE ADDRESSED: The qualifications of technologists.

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-5.003 Technologist.

(1) through (2) No change.

(3) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases there are multiple options for meeting the requirement.

Specialty	Option	Education	Training/Experience	Examination
(a) Microbiology, Serology/ Immunology, Clinical Chemistry, Hematology, Immunohematology, and Molecular Pathology	1	Bachelors Degree in Clinical Laboratory, Chemical, or Biological Science	Clinical laboratory training program or 3 years experience (1 year in each specialty for which licensure is sought)	MT(ASCP), CLS(NCA), MT(AMT), MT(AAB), <u>NRCC</u> examinations, or specialist examinations in single disciplines for licensure in that specialty area
	2	90 semester hours college credit	Clinical laboratory training program	MT(ASCP), CLS(NCA), MT(AMT), MT(AAB) examinations, or specialist examinations in single disciplines for licensure in that specialty area
	3	Associate Degree in Clinical/Medical Laboratory Technology		MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area
	4	Associate Degree	Successfully completed a military clinical laboratory training program of at least 1500 clock hours	MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area
	5	Associate Degree	5 years of pertinent clinical laboratory experience with one year of experience in each category for which licensure is sought	MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area
(b) through (c) No change.				

Specialty	Option	Education	Training/Experience	Examination
(d) Cytogenetics	1	Bachelors Degree <u>with 36 hours of academic science in Clinical Laboratory, Chemical, or Biological Science</u>	Board approved training program in cytogenetics at the technologist level	CLS(NCA) Cytogenetics examination
	2	Bachelors Degree <u>with 36 hours of academic science in Clinical Laboratory, Chemical, or Biological Science</u>	One year of pertinent clinical laboratory experience in cytogenetics	CLS(NCA) Cytogenetics examination
(e) through (f) No change.				
(g) Histology	1			HTL(ASCP), or HT(ASCP) QIHC
	2	Associate Degree	NAACLS-approved Histotechnology Program	HT(ASCP)
	3		Five years of pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques	HT(ASCP)
	<u>4</u>		<u>Five years of pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and licensure as a technician in the specialty of histology</u>	
(h) Histocompatibility	1			CHT(ABHI)
	<u>4</u>		<u>Five years of pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and licensure as a technician in the specialty or histology</u>	

Specific Authority 483.805(4), 483.823 FS. Law Implemented 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 590-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05, 5-25-06, 7-9-07.

DEPARTMENT OF HEALTH

Board of Massage

RULE NOS.: RULE TITLES:
64B7-25.001 Examination Requirements
64B7-25.004 Endorsements

PURPOSE AND EFFECT: The purpose and effect is to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Examination Requirements; Endorsements.

SPECIFIC AUTHORITY: 456.013(2)(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2)(4)(c), 480.042(1) FS.

LAW IMPLEMENTED: 456.013(2)(7), 456.017(1)(c), 456.034, 480.041(4)(c), 480.042 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-26.002 Licensure of Massage Establishments

PURPOSE AND EFFECT: The purpose and effect is to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Licensure of Massage Establishments.

SPECIFIC AUTHORITY: 480.035(7), 480.043(2) FS.

LAW IMPLEMENTED: 480.043(1), (2), 483.043(7) FS.

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

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

King, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-5.001 Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The purpose and effect is to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Requirements for Reactivation of an Inactive or Retired License.

SPECIFIC AUTHORITY: 486.025, 486.085(2), (4)(a), 486.108(2), 456.036 FS.

LAW IMPLEMENTED: 486.085, 486.108, 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-5.001 Requirements for Reactivation of an Inactive or Retired License.

Depending upon the time of reactivation, an inactive or retired license shall be reactivated upon demonstration that the licensee has paid the reactivation fee, the biennial renewal fee for an active license or the difference between the inactive or retired status renewal fee and the active status renewal fee, and if applicable, a change of status and/or delinquency fee, provided that the licensee has:

- (1) No change.
- (2) ~~Documented completion of the required HIV/AIDS course as prescribed in Rule 64B17-8.001, F.A.C., for each biennium the license was inactive.~~

~~(2)(3)~~ Documented completion of the required medical errors prevention courses as prescribed in Rule 64B17-8.002, F.A.C., for each biennium after the effective date of the statutory requirement while the license was inactive.

~~(3)~~(4) Documented proof of completion of 24 hours of approved continuing education as provided in Rule 64B17-9.001, F.A.C., including ~~HIV/AIDS~~ and medical errors prevention for the preceding biennium during which the licensee held an active license.

~~(4)~~(5) Documented successful passage of the Laws & Rules examination.

Specific Authority 486.025, 486.085(2), (4)(a), 486.108(2), 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History—New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended 8-9-04, 7-19-06,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-8.001
 RULE TITLE: Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

PURPOSE AND EFFECT: The purpose and effect is to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

SPECIFIC AUTHORITY: 456.033, 486.025 FS.

LAW IMPLEMENTED: 456.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-8.001 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

(1) No change.

(2) Each licensee must complete at least one clock hour on HIV/AIDS education no later than upon the licensee's first renewal of licensure. The Board shall accept coursework from schools of physical therapy, provided such coursework was completed no more than five (5) years preceding initial licensure date after July 1, 1994.

(3) No change.

Specific Authority 456.033, 486.025 FS. Law Implemented 456.033 FS. History—New 6-3-90, Amended 9-30-91, 6-3-92, Formerly 21MM-8.001, 61F11-8.001, Amended 4-20-97, Formerly 59Y-8.001, Amended 4-5-07,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-9.001
 RULE TITLE: Continuing Education
 PURPOSE AND EFFECT: The purpose and effect is to update the existing language in this rule.
 SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-9.001 Continuing Education.

(1) through (5) No change.

(6) The Board approves for continuing education credit:

(a) No change.

(b) Courses sponsored or approved by the American Physical Therapy Association or any of its components; or

(c) Courses sponsored or approved by the Florida Physical Therapy Association, so long as they meet the criteria set forth in subsection 64B17-9.001(3), F.A.C.; or

(d) Courses sponsored or approved by the Federation of State Boards of Physical Therapy.

~~(e)~~(d) Attendance at Florida Board meetings where disciplinary cases are being heard if the licensee is not on the agenda or appearing for another purpose. The number of risk management contact hours for such attendance is based on the definition of contact hour as set forth in subsection (2).

~~(f)~~(e) Members of the Board's Probable Cause Panel shall receive five hours of continuing education risk management credit per biennium for their service on the Panel.

~~(g)~~(f) Licensees who take and pass the Florida laws and rules examination shall receive two (2) hours of continuing education per biennium. The continuing education credit shall be awarded only for the biennium in which the examination was taken and passed. Continuing education credit shall not be

awarded to licensees that take and pass the examination as a result of a disciplinary proceeding or as a board ordered condition of initial licensure, re-activation or reinstatement.

(7) through (8) No change.

Specific Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History--New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-170.0155 RULE TITLE: Forms

PURPOSE AND EFFECT: To adopt the Personal Injury Protection Provider Certification of Eligibility Form as required by amendments to Section 627.736, F.S.

SUBJECT AREA TO BE ADDRESSED: Personal injury protection.

SPECIFIC AUTHORITY: 627.736 FS.

LAW IMPLEMENTED: 627.736 FS.

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

DATE AND TIME: November 6, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michal Milnes, Office of Insurance Regulation, E-mail michael.milnes@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michal Milnes, Office of Insurance Regulation, E-mail michael.milnes@fldfs.com

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-560.102 RULE TITLE: Application Forms, Procedures and Requirements

PURPOSE AND EFFECT: Rule 69V-560.102, F.A.C., is being amended to reduce fingerprint processing fees from \$47 to \$42.25. The current fee of \$47 represents \$23 charged by the Florida Department of Law Enforcement for a state criminal history check and \$24 charged by the U.S. Department of Justice for a national criminal history check. The U.S. Department of Justice will be reducing its fee from \$24 to \$19.25. Therefore, the rule is being amended to reduce fingerprint processing fees from \$47 to \$42.25.

SUBJECT AREA TO BE ADDRESSED: Money Transmitter Regulation/Fingerprint Processing Fees.

SPECIFIC AUTHORITY: 215.405, 560.105(3), 560.305 FS.

LAW IMPLEMENTED: 215.405, 560.205, 560.305, 560.306, 560.102, 560.106 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-560.102 Application Forms, Procedures and Requirements.

(1) through (4) no change.

(5) The responsible person who will be in charge of the applicant’s business activities in this state, and each existing or proposed director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, member, joint venturer, and all controlling shareholders, unless exempt under Section 560.205(1) or 560.306(1), F.S., shall file a completed Florida Fingerprint Card (FL922720Z), effective 7/15/07, which is hereby incorporated by reference, accompanied by a nonrefundable ~~\$42.25~~ ~~\$47~~ processing fee. If the Federal Bureau of Investigation cannot process the fingerprint card because of illegible fingerprints, a second card must be submitted. Any applicant claiming the statutory exemption from the fingerprint requirement shall submit evidence to support its claim to the exemption.

(6) through (10) No change.

Specific Authority 215.405, ~~560.105~~ ~~560.105(3)~~, 560.118(2), 560.205(1), (2), 560.209(2)(a), 560.403(1) FS. Law Implemented 215.405, 560.102, 560.118, 560.129, 560.204, 560.205, 560.209, 560.303(1), 560.305, 560.306, 560.307, 560.403 FS. History--New 9-24-97, Amended 11-4-01, 12-11-03, Formerly 3C-560.102, Amended 7-15-07,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-560.902
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Office proposes the development of a rule amendment to define the term “check” as that term is used in Chapter 560, Part IV, Florida Statutes, relating to deferred presentation transactions.

SUBJECT AREA TO BE ADDRESSED: The definition of the term “check” as that term is used in Chapter 560, Part IV, Florida Statutes, relating to deferred presentation transactions.

SPECIFIC AUTHORITY: 560.105(2), 560.404(23) FS.

LAW IMPLEMENTED: 560.402(6), 560.404, 560.106, 560.102 FS.

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

DATE AND TIME: November 16, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: Office of Financial Regulation, 101 E. Gaines Street, The Fletcher Building, Room 547, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mike Ramsden, Bureau Chief, Bureau of Money Transmitters, 200 E. Gaines Street, Tallahassee, FL 32399, (850)410-9805 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mike Ramsden, Bureau Chief, Bureau of Money Transmitters, 200 E. Gaines Street, Tallahassee, FL 32399, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 69V-560.902 Definitions.
- (1) through (12) No change.

(13) The term “check” includes but is not limited to any authorization to transfer or withdraw funds from an account signed by the drawer, including any authorization by a drawer to execute an Automated Clearing House debit transaction.

Specific Authority 560.105(2), 560.404(23) FS. Law Implemented 560.402, 560.404 FS. History–New 12-17-01, Amended 4-17-02, Formerly 3C-560.902, Amended 9-14-04,_____.

**Section II
 Proposed Rules**

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-19.100
 RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms): (1) provide which version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed on or after January 1, 2008; and (2) adopt, by reference, those versions of Form DR-700016, Communications Services Tax Return, that are to be used to report the tax during the specified period.

SUMMARY: The proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), provide that the January 2008 version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed on or after January 1, 2008, and adopt, by references, changes to Form DR-700016.

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

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

SPECIFIC AUTHORITY: 202.151, 202.16(2), 202.26(3)(a), (c), (d), (e), (j), 202.27(7) FS.

LAW IMPLEMENTED: 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.30, 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS.

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

DATE AND TIME: November 13, 2007, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-19.100 Public Use Forms.

(1)(a) The Department employs the following public-use forms and instructions in the administration of Chapter 202, F.S., Communications Services Tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

(2) The following versions of Form DR-700016, Florida Communications Services Tax Return, are applicable to the reporting periods and service billing dates indicated:

REVISION DATE	REPORTING PERIODS --	SERVICE BILLING DATES --
01/08	January 2008 --	January 1, 2008 --
09/07	September 2007 -- December 2007	September 1, 2007 -- December 31, 2007
06/07	June 2007 -- August 2007	June 1, 2007 -- August 31, 2007
02/07	February 2007 -- May 2007	February 1, 2007 -- May 31, 2007
01/07	January 2007	January 1, 2007 -- January 31, 2007
06/06	June 2006 -- December 2006	June 1, 2006 -- December 31, 2006
01/06	January 2006 -- May 2006	January 1, 2006 -- May 31, 2006
11/05	November 2005 -- December 2005	November 1, 2005 -- December 31, 2005
06/05	June 2005 -- October 2005	June 1, 2005 -- October 31, 2005
01/05	January 2005 -- May 2005	January 1, 2005 -- May 31, 2005
11/04	November 2004 -- December 2004	November 1, 2004 -- December 31, 2004
10/04	October 2004	October 1, 2004 -- October 31, 2004
06/04	June 2004 -- September 2004	June 1, 2004 -- September 30, 2004
01/04	January 2004 -- May 2004	January 1, 2004 -- May 31, 2004
12/03	December 2003	December 1, 2003 -- December 31, 2003
11/03	November 2003	November 1, 2003 -- November 30, 2003
10/03	October 2003	October 1, 2003 -- October 31, 2003
06/03	June 2003 -- September 2003	June 1, 2003 -- September 30, 2003
03/03	March 2003 -- May 2003	March 1, 2003 -- May 31, 2003
01/03	January 2003 -- February 2003	January 1, 2003 -- February 28, 2003
12/02	December 2002	December 1, 2002 -- December 31, 2002
11/02	November 2002	November 1, 2002 -- November 30, 2002
10/02	October 2002	October 1, 2002 -- October 31, 2002
01/02	January 2002 -- September 2002	January 1, 2002 -- September 30, 2002
12/01	October 2001 -- December 2001	October 1, 2001 -- December 31, 2001

Form Number Title Effective Date
 (3) No change.
 (4)(a) DR-700016 Florida Communications Services Tax Return
 (R. 01/08) _____
 (a) through (x) renumbered (b) through (y) No change.
 (5) through (12) No change.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Buzz McKown, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4721

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The proposed amendments to Rule Chapter 12A-19, F.A.C. (Communications Services Tax), were noticed in the Florida Administrative Weekly on August 24, 2007 (Vol. 33, No. 34, pp. 3892-3893). A rule development workshop was held on September 11, 2007. No one appeared to provide comment regarding these proposed rule changes. No written comments have been received by the Department.

Specific Authority 202.151, 202.16(2), 202.26(3)(a), (c), (d), (e), (j), 202.27(7) FS. Law Implemented 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.30, 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS. History-New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, 6-28-05, 11-14-05, 7-16-06, 4-5-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.:	RULE TITLES:
12C-2.001	Definitions
12C-2.002	Property Subject to Tax – Annual and Nonrecurring
12C-2.003	Exemptions
12C-2.004	Property Subject to Tax – Government Leasehold Estates and Nonrecurring
12C-2.005	Reporting Requirements – Due Date – Payment of Tax – Discounts Allowed
12C-2.006	Taxable Situs – Reporting Requirements – Who Shall File a Return
12C-2.0061	Transfer of Intangible Personal Property to Certain Out-of-State Entities
12C-2.0062	Management or Control
12C-2.0063	Intangible Personal Property Held in Trusts
12C-2.007	Penalties and Interest
12C-2.008	Information Reports
12C-2.010	Valuations
12C-2.0105	Tax Credits
12C-2.011	Administration
12C-2.0115	Public Use Forms
12C-2.012	Refunds

PURPOSE AND EFFECT: The purpose of the proposed changes to Rule Chapter 12C-2, F.A.C. (Intangible Personal Property Tax), is to remove provisions regarding the administration of the annual intangible personal property tax repealed effective January 1, 2007, by Chapter 2006-312, L.O.F. These proposed changes: (1) remove provisions from the rule chapter that have been rendered obsolete with the repeal of the annual personal property tax; and (2) update, consolidate, and simplify provisions for the administration of the 1 mill tax imposed on the value of leases of government-owned property and the 2 mill nonrecurring tax imposed on the value of notes, bonds, and other obligations for payment of money that is secured by a mortgage, deed of trust, or other lien on Florida real property.

SUMMARY: The following rule sections have been rendered obsolete and are proposed to be repealed from Rule Chapter 12C-2, F.A.C. (Intangible Personal Property Tax):

- 12C-2.002 Property Subject to Tax – Annual and Nonrecurring
- 12C-2.003 Exemptions
- 12C-2.006 Taxable Situs – Reporting Requirements – Who Shall File a Return
- 12C-2.0061 Transfer of Intangible Personal Property to Certain Out-of-State Entities
- 12C-2.0062 Management or Control

- 12C-2.0063 Intangible Personal Property Held in Trust
 - 12C-2.008 Information Reports
 - 12C-2.0105 Tax Credits
- The proposed amendments to the following rule sections in Rule Chapter 12C-2, F.A.C., provide for the continued administration of the one mill tax imposed on government leasehold estates and the nonrecurring two mill tax imposed on notes, bonds, and other obligations for payment of money secured by Florida real property:
- 12C-2.001 Definitions
 - 12C-2.004 Property Subject to Tax – Government Leasehold Estates and Nonrecurring
 - 12C-2.005 Reporting Requirements – Due Date – Payment of Tax – Discounts Allowed
 - 12C-2.007 Penalties and Interest
 - 12C-2.010 Valuations
 - 12C-2.011 Administration
 - 12C-2.0115 Public Use Forms
 - 12C-2.012 Refunds

These rule sections: (1) retain the definitions for just value and other synonymous terms; (2) provide for the imposition of the one mill tax imposed on government leasehold estates and the two mill nonrecurring tax imposed on value of notes, bonds, and other obligations for payment of money that is secured by a mortgage, deed of trust, or other lien on Florida real property; (3) provide for the valuation of leases of governmental property subject to tax and for the valuation of property subject to the nonrecurring tax; (3) provide for the requirements for the administration of the taxes, including the due dates, discounts allowed, the methods of payment, and the imposition of penalties and interest; (4) provide for the administration of refunds for the overpayment of the tax; (5) remove obsolete forms no longer used by the Department and adopt revisions to forms that continue to be used for reporting the government leasehold tax; and (6) update information on how to obtain copies of forms from the Department.

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

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

SPECIFIC AUTHORITY: 199.202(2), 213.06(1) FS.

LAW IMPLEMENTED: 196.199, 199.133, 199.135, 199.143, 199.145, 199.155, 199.183, 199.232, 199.292, 213.235, 213.255(2), (3), 215.26(2) FS.

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

DATE AND TIME: November 13, 2007, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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: Joe Parramore, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4709

THE FULL TEXT OF THE PROPOSED RULES IS:

12C-2.001 Definitions.

The following terms and phrases when used in these regulations and in the interpretation thereof, shall have the meaning ascribed to them as follows:

(1) "Domicile and Residence" For the purpose of these regulations the two terms are synonymous. The terms domicile and residence describe where a person has his true, fixed and permanent home and principal establishment, and to which when absent, he has the intention of returning. The following criteria will give rise to a presumption of Florida domicile unless refuted by competent evidence: qualifying for Homestead exemption or voting rights. Other factors which may be considered but which are not conclusive are: ownership of Florida residence, having Florida licenses, or declaration of Florida residency on Federal income tax returns. Any alien political refugee possessing a permanent visa meeting the criteria above will be considered domiciled in this state.

(2) "Foreign" Belonging or attached to a political jurisdiction other than the State of Florida, its counties or municipalities.

(3) "Just Value, Just Valuation, Cash Value, Full Cash Value, Present Cash Value, Market Value, Actual Value and Value" These terms are synonymous. These terms mean the The price which the vendor's interest would bring if offered for sale by one who desires to sell but is not compelled to sell, and bought by one willing to buy but not compelled to buy, with both seeking to maximize their gains and neither being in a position to take advantage of the other.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 196.199(2)(b) ~~199.023~~ FS. History--New 4-17-72, Amended 9-27-76, Formerly 12C-2.01, Amended 11-21-91, _____.

12C-2.002 Property Subject to Tax – Annual and Nonrecurring.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.023, 199.032, 199.042, 199.052, 199.057, 199.062, 199.175, 199.103, 199.133, 199.135, 199.143, 199.145, 199.155, 199.175, 199.183, 199.185, 199.202 FS. History--New 4-17-72, Revised 12-20-73, Amended 11-17-74, Formerly 12C-2.02, Amended 11-21-91, 10-9-01, Repealed.

12C-2.003 Exemptions.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.183, 199.185, 213.12(2) FS. History--New 4-17-72, Revised 12-20-73, Amended 11-17-74, 4-21-75, Formerly 12C-2.03, Amended 11-21-91, 10-9-01, Repealed.

12C-2.004 Property Subject to Levy of Tax – Government Leasehold Estates ~~Annual~~ and Nonrecurring.

(1) Annual Tax on Government Leasehold Estates – All leases of government-owned property are subject to tax if rental payments are due as consideration for the lease. (The tax is imposed every year.) An annual tax on the just value of intangible property having a taxable situs in Florida is levied as follows:

(a)1. All firms, partnerships, joint ventures, associations, corporations, estates, trusts, trustees, personal representatives, receivers, guardians, custodians and other fiduciaries are subject to the full tax rate of \$1.00 per thousand dollars (1 mill) of just value of intangible property having a taxable situs in Florida.

2. Example: Artificial entities and fiduciaries:

Stocks	150,000.00
Bonds	125,000.00
Loans to Stockholders (outstanding balances)	50,000.00
Taxable Assets	\$325,000.00
Exemption	250,000.00
Tax Rate	x .001
Tax Due	\$75.00

(b) Natural persons filing an individual or joint return are subject to the tax rate of \$1.00 per thousand dollars (1 mill) of just value of intangible property in excess of \$250,000.00 (\$500,000.00 for a married couple filing a joint return).

Examples:

1. Individual having taxable assets valued at \$300,000.00.

Taxable Assets	\$300,000.00
Exemption	250,000.00
Net Taxable Assets	\$ 50,000.00
Tax Rate	x .001
Tax Due	<u>\$50.00</u>
Total Tax Due	\$0 (tax due is less than \$60.00)

~~2. Individual having taxable assets valued at \$430,000:~~

Taxable Assets	\$430,000.00
Exemption	-250,000.00
Net Taxable Assets	\$180,000.00
Tax Rate	x .001
Tax Due	\$180.00
Total Tax Due	\$180.00

~~3. Married couple filing jointly having taxable assets valued at \$555,000:~~

Taxable Assets	\$555,000.00
Exemption	-500,000.00
Net Taxable Assets	\$55,000.00
Tax Rate	x .001
Tax Due	\$55.00
Total Tax Due	\$0 (tax due is less than \$60.00)

~~4. Married couple filing jointly having taxable assets valued at \$760,000.00~~

Taxable Assets	\$760,000.00
Exemption	-500,000.00
Net Taxable Assets	\$260,000.00
Tax Rate	x .001
Tax Due	\$260.00
Total Tax Due	\$260.00

~~(2) Nonrecurring tax:~~

~~(2)(a)1. A There shall be levied a nonrecurring tax is imposed at the rate of \$2.00 per thousand dollars (2 mills) of the just value of a note or other obligation for payment of money that which is secured by a mortgage, deed of trust, or other lien on Florida real property. Agreements and contracts for deeds and written agreements not to encumber or convey realty are subject to this levy.~~

~~(b) The following are examples of property subject to the nonrecurring tax:~~

- ~~1. Agreements or contracts for deed.~~
- ~~2. Agreements not to encumber real property if the agreement attaches as a lien on the real property.~~
- ~~3. Future Advances – to the extent secured by a lien on Florida real property.~~
- ~~4. Line of Credit – to the extent secured by a lien on Florida real property, as described in Section 199.143, F.S.~~

~~(c)2- Example: Note and mortgage given to secure loan with a principal amount of \$1,000,000.~~

Tax computation:

Principal	\$1,000,000.00
Tax rate	x .002
Tax due	\$2,000.00
Tax due	\$2,000.00

~~(3)(a)(b)1. Where a note, bond or other obligation for the payment of money is secured by realty located both inside and outside in and out of the state and by personal property located both inside and outside in and out of the state, the nonrecurring~~

~~tax is required to shall be apportioned based on each type of property's relative percentage of the principal amount of debt at the time the obligation is created.~~

~~(b)2-a. Example: Note and mortgage given to secure a loan of \$1,000,000. The mortgage includes real property realty located in and out of Florida as well as personal property personalty located in and out of Florida. The lender is a Florida Business:~~

Security	Value	Percentage	Tax
Value of Florida Real Property Realty	\$250,000.00	25%	\$500.00(*)
Value of NonFlorida Real Property Realty	250,000.00	25%	-0-
Total Value of All Real Property Realty	500,000.00	50%	N/A
Value of Florida Personal Property Personalty	250,000.00	25%	\$375.00(**)
Value of NonFlorida Personal Property Personalty	250,000.00	25%	\$375.00(**)
Total Value of All Personal Property Personalty	500,000.00	50%	\$750.00(**)
Total Collateral	\$1,000,000.00	100%	

~~(*) Nonrecurring 2 mill tax~~

~~(**) There is no tax on personal property. Annual tax on outstanding balance January 1 of tax year.~~

~~b. Example:~~

~~Note and mortgage given to secure a loan of \$1,000,000. The mortgage includes realty located in and out of Florida as well as personalty located in and out of Florida. Assume the lender does not have a taxable situs within Florida.~~

Security	Value	Percentage	Tax
Value of Florida Realty	\$250,000.00	25%	\$500.00
Value of NonFlorida Realty	250,000.00	25%	0
Total Value of All Realty	500,000.00	50%	N/A
Value of Florida Personalty	-250,000.00	25%	0
Value of NonFlorida Personalty	250,000.00	25%	0
Total Value of All Personalty	500,000.00	50%	N/A
Total Collateral	\$1,000,000.00	100%	

~~(c)1-a. Notes and mortgages securing future advances or lines of credit are taxable at the time each advance is made whether or not a note is recorded and tax is due only on the amount of the advance.~~

~~b. Example: A mortgage on Florida real estate provides for future advances up to a total of \$1,000,000. A future advance is made for \$500,000. Nonrecurring tax in the amount of \$1,000 (\$500,000 x .002 = \$1,000) is due.~~

~~2-a. A line of credit secured by the equity in a borrower's home is subject to nonrecurring tax on the maximum amount of the line. Subsequent borrowings under the line are not subject to nonrecurring tax.~~

~~b. Example: A borrower establishes a \$50,000 line of credit with a bank and secures the line with a mortgage on the equity in his home. The borrower initially draws the full line of \$50,000 and pays nonrecurring tax on this maximum amount. The borrower later repays \$30,000 of the initial amount borrowed and then draws another \$15,000. The \$15,000 draw~~

~~of funds under the line is not subject to nonrecurring tax, since the nonrecurring tax was already paid on \$50,000, the maximum credit limit under the line.~~

~~(3)(a)(d)1-~~ Where the value of real property estate pledged to secure an obligation is less than the balance of the obligation, ~~then the annual tax is applicable to that amount of the obligation exceeding the value of the real estate if the lender has a taxable situs in the state.~~ The amount of the obligation secured by the value of Florida real property estate is subject to the nonrecurring tax.

~~(b)2-~~ Example:

Principal Amount of Loan	\$1,000,000.00
Less Value of Florida Real Property Estate	- 500,000.00
Amount (subject to nonrecurring tax)	<u>\$ 500,000.00</u>
Amount Not Secured by Real Estate (subject to annual tax)	<u>\$500,000.00</u>

Specific Authority 199.202, 213.06(1) FS. Law Implemented 196.199(2)(b), 199.032, 199.133, 199.135, 199.143, 199.145, 199.155, 199.183, 199.185 FS., s. 1, Ch. 2001-885, L.O.F. History—New 4-17-72, Revised 12-20-73, Amended 5-8-79, Formerly 12C-2.04, Amended 11-21-91, 5-18-93, 10-9-01, _____.

12C-2.005 Reporting Requirements – Due Date – Payment of Tax – Discounts Allowed.

~~(1)(a)1-~~ Governmental Leasehold Annual Tax –

~~(a)1.a-~~ Every person, regardless of domicile, who leases property from a governmental entity in this state, is required to file a return with the Department. All intangible personal property subject to tax is required to ~~shall~~ be assessed at its just value as of January 1 of each year. The tax is to be reported on a Governmental Leasehold Intangible Personal Property Tax Return (Form DR-601G, incorporated by reference in Rule 12C-2.0115, F.A.C.). The return and the tax are ~~shall~~ be due June 30 and ~~shall~~ be paid on or before June 30 of each the year it is due to be paid.

~~2.b-~~ A No return, accompanied with tax due, for the current tax year, that is postmarked or delivered to received by the Department on or before ~~department shall be considered delinquent if it bears a postmark date of June 30 of the tax year will be considered timely filed or earlier. A return that bears a postmark, or is delivered to the Department, after June 30 of the tax year is delinquent.~~

~~e-~~ When June 30 falls on a Saturday, Sunday, or legal state or federal holiday, returns postmarked or delivered to the Department ~~department~~ on the next succeeding workday will be ~~deemed to have been~~ filed timely. For purposes of this rule, a legal holiday means a holiday that is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A “legal holiday” pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal

holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

~~d-~~ The full amount of the tax shown on a return must accompany the return at the time it is filed.

~~2.e-~~ The following discounts may be claimed Annual taxes paid during the following periods shall be entitled to a discount for early payment when the return and payment are postmarked or delivered to the Department on or before the last day of the month of the following periods:

- ~~a.(H)~~ 4% during January and February;
- ~~b.(HH)~~ 3% during March;
- ~~c.(HHH)~~ 2% during April;
- ~~d.(IVV)~~ 1% during May;
- ~~e.(VV)~~ No discount during for taxes paid in June.

~~3.2-~~ The postmark date will determine the date of payment for payments mailed to the department. If no postmark is available, ~~then~~ the date indicated by the taxpayer on the return signature line or the date of delivery to the Department ~~department~~ will be the date of payment.

~~(b)1-~~ When the tax due, before discount is less than \$60, no return is required to be filed and no tax is due. Taxpayers who receive a Government Leasehold Intangible Personal Property Tax Return from the Department for which no tax is due may file the return, without payment, to inform the Department that no tax is due. Filing this informational return will eliminate additional inquiries from the Department regarding the filing of the return. Taxpayers who are under audit, examination, or investigation by the Department will be required to file a completed return, even the amount of tax due with the return is less than sixty dollars (\$60). No person subject to the annual tax shall be required to file a return or pay a tax if the tax due, before discount, is less than sixty dollars (\$60.00).

~~2-~~ The annual return filing requirement will be satisfied by a corporation filing an annual report with the Department of State which indicates whether the corporation has a liability for the intangible tax. Corporations not required to file an annual report with the Department of State must file an intangible tax return even though no tax is due.

(2) Nonrecurring Tax –

(a) The nonrecurring 2 mill tax on notes, bonds and other obligations for the payment of money which are secured by mortgage, deed of trust or other lien on Florida real property is ~~shall~~ be due and payable at the time the instrument is presented for recordation.

(b) If there is no written instrument, or if the written instrument is not presented for recordation, the nonrecurring tax of 2 mills is ~~shall~~ be due and payable within 30 days following the creation of the obligation.

(c) If a mortgage, deed of trust, or other instrument evidencing a lien subject to the nonrecurring tax secures a revolving line of credit, a line of credit, or future advances, the

tax is due, shall be paid as provided in paragraphs (a) and (b) of this subsection on the initial debt or obligation, excluding future advances. Thereafter, each time a future advance is made under a future advance mortgage additional nonrecurring tax is due shall be paid.

(3) Extension of Time ~~time~~ for Filing ~~filing~~ Government Leasehold Tax Return ~~annual tax~~ –

(a)1. The Department will ~~department shall~~ grant an extension of time of 3 months for filing a return or ~~reporting report~~ and paying the tax when it is determined there is reasonable cause for granting the extension. Reasonable cause for the purpose of administering these provisions shall be deemed to be one of the following:

a. Having been granted an extension of time to file federal income taxes. A copy of the extension from the Internal Revenue Service ~~IRS~~ must accompany the request for extension of time; or

b. A tax payment of 100% of last year’s intangible tax or 90% of the current year’s tax accompanies the request for extension; or

c. The records necessary to complete the return are not available due to fire, illness or death of the person having the knowledge to complete the return; or

d. Reasonable cause is established under the provisions of Rule 12-13.007, F.A.C.

2. All requests for extensions of time, for filing returns or ~~reporting reports~~ and paying the tax, must be filed with the Department on a Governmental Leasehold Intangible Personal Property Tax Application for Extension of Time to File Return (Form DR-602G, incorporated by reference in rule 12C-2.0115, F.A.C.) made in writing and must be received by the Department on or before June 30 of the tax year ~~department prior to the due date. Request for extension of time to file an intangible tax return is to be made on form DR-602 (Intangible Tax Application for Extension of Time to File Return, incorporated by reference in Rule 12C-2.0115, F.A.C.): The Department will notify inform taxpayers only if the request is of requests that are denied.~~

~~2.3. The extension of time covers the period July 1 through September 30. No penalty will be assessed if the return is filed and the tax due is paid on or before September 30 of the tax year. All taxes paid after June 30 of the tax year with an extension of time are subject to interest as provided prescribed in Rule 12C-2.007, F.A.C. Interest will be assessed on tax paid after June 30, including those taxes for which an extension of time to file and pay has been granted.~~

(b) Examples:

1. A taxpayer requested and was granted an extension of time to file ~~a an~~ intangible tax return and paid the tax due with the return. The extension was granted through September 30 of the tax year. On September 30 of the tax year, intangible tax in

the amount of \$100 is paid. No penalties are due because of the approved extension of time to file. However, interest in the amount of \$3.00 is due. (See Rule 12C-2.007, F.A.C.)

Tax Due With Return	\$100
Penalties	0
<u>Interest</u>	<u>3</u>
<u>Total Due With Return</u>	<u>\$103</u>
Interest	3
Total Due With Return	\$103

2. A taxpayer is granted an extension of time to file ~~a an~~ intangible tax return and pay the tax due with the return. The extension was granted through September 30 of the tax year. On October 1 of the tax year a return is filed and the intangible tax is paid. On October 1, this date the extension of time to file is void. The taxpayer is liable for all penalties and interest from June 30 of the tax year date until the date paid. (See Rule 12C-2.007, F.A.C.)

Tax Due With Return	\$100
Penalties: Delinquency (40%)	
Late Filing (40%)	
[Maximum delinquency and late filing Penalty (40%)]	40
<u>Interest</u>	<u>3</u>
<u>Total Due With Return</u>	<u>\$143</u>
Interest	3
Total Due With Return	\$143

Specific Authority 199.202, 213.06(1) FS. Law Implemented 196.199(2)(b), ~~199.042, 199.052, 199.135, 199.202, 607.1622~~ FS. History–New 4-17-72, Revised 12-20-73, Amended 11-17-74, Formerly 12C-2.05, Amended 11-21-91, 10-9-01, 5-4-03, _____.

12C-2.006 Taxable Situs – Reporting Requirements – Who Shall File a Return.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.052, 199.057, 199.062, 199.175, 199.202 FS. History–New 4-17-72, Revised 12-20-73, Amended 11-17-74, 9-27-76, 9-6-77, Formerly 12C-2.06, Amended 11-21-91, 1-5-94, 6-2-98, 10-9-01, 5-4-03, Repealed _____.

12C-2.0061 Transfer of Intangible Personal Property to Certain Out-of-State Entities.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.052, 199.175 FS. History–New 6-2-98, Repealed _____.

12C-2.0062 Management or Control.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.052, 199.175 FS. History–New 6-2-98, Repealed _____.

12C-2.0063 Intangible Personal Property Held in Trusts.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.052, 199.175 FS. History–New 6-2-98, Amended 10-9-01, Repealed _____.

12C-2.007 Penalties and Interest.

(1) Delinquent Penalty.

(a) ~~Any annual or nonrecurring tax which is not paid by the due date shall accrue a delinquent penalty of 10 percent of the tax due, per month or portion of a month, will accrue on the governmental leasehold estates intangible tax and the nonrecurring intangible tax that is not paid on or before the due date. The delinquent penalty will not to exceed a maximum of 50 percent of the tax due.~~

(b) Example:

1. Tax Return and payment postmarked July 5th of current tax year-

2. Tax due \$100

3. Calculation of Penalty:

Tax Due	\$100.00	
1 month late (1 .10 = .10)	x	10
Penalty	\$	10.00

(2) Late Filing Penalty. A late filing penalty of 10 percent of the tax due, per month or portion of a month, will accrue on governmental leasehold estates intangible tax returns not filed on or before the due date. The late filing penalty will not exceed 50 percent of the tax due.

~~(a) Any annual tax return not filed by the due date shall be charged a specific late filing penalty for each year or portion of a year the return remains unfiled. The late filing penalty accrues at the rate of 30 percent of the tax due with the return for each year or portion of a year until paid. This penalty is in addition to any other penalty which may be due.~~

(b) Example:

1. Tax return and payment postmarked July 5th of current tax year-

2. Tax due \$100-

3. Calculation of Penalty:

Tax due	\$100
Delinquency penalty	\$10
Late filing penalty	\$30
Tax and penalty due	\$140
Tax & penalty due	\$140

~~(3) The combined penalties provided in subsections (1) and (2) will not exceed 10 percent of the tax due per month, or portion of a month, and is limited to 50 percent of the tax due. Beginning with tax year 1999 and thereafter, when a tax payment is delinquent and the tax return is filed after June 30 of the tax year, the maximum for the combined penalties shall be 10 percent per month, not to exceed a maximum of 50 percent of the tax due with the return.~~

(4) Omitted Property Penalty.

~~(a) Property which is omitted from a return shall be subject to a specific penalty of 30 percent of the tax due on the omitted property and is also subject to the delinquency penalty.~~

(b) I. Examples:

Tax due on omitted property	\$100
Delinquent penalty for 1 month	\$10-

Omitted property penalty (.30)	\$30
Tax & penalty due	\$140

~~2. Same as Example 1. except omitted property was discovered during an audit 2 years after the tax was due-~~

Tax due on omitted property	\$100
Delinquent penalty for 1 month (50% Maximum)	\$50
Tax & penalty due	\$30
	\$180

~~(4)(5) Undervaluation Penalty.~~

~~(a) Governmental leasehold estate property Property which has been reported at an amount a value less than market just value is shall be subject only to a specific undervaluation penalty of 10 percent 30% of the tax due attributed to the undervaluation.~~

~~(b) Example: Property reported at a value of \$100,000. Its just value is \$200,000-~~

Tax due on undervaluation	\$100
Undervaluation penalty (100 x .30)	30
Total Tax plus penalty	\$110

~~(6) Penalty for Late Filing of a Security Position Statement.~~

~~(a) Security dealer/investment advisors who fail to timely file their Florida customer position statements are subject to an initial penalty of \$10 per customer position statement, plus the greater of 1% of the initial penalty or \$50 per month until the position statements are filed. The minimum penalty charged for failure to provide the customer position statements is \$100.~~

~~(b) Security dealer/investment advisors who do not hold securities on account for customers must notify the Department that they do not hold securities for customers. Failure to provide this notice on or before June 30 will subject the security dealer/investment advisor to a \$100 penalty.~~

~~(c) Position statements which are submitted in a form which is not compatible with the Department's data processing equipment or which are inaccurate are not consider filed.~~

~~(5)(7)(a) Interest accrues. All taxpayers shall pay interest at the following rate:~~

~~1. One Percent per month (prorated daily using the daily factor of .000328767) for payments due prior to January 1, 2000.~~

~~2. For payments due on or after January 1, 2000, the rate of interest established pursuant to Section 213.235, F.S., and Rule 12-3.0015, F.A.C. (prorated daily).~~

~~(b) Interest is due based on the amount of tax paid after June 30 of the tax year regardless of any extension of time granted by the Department for paying the tax or filing a return. Interest accrues on the unpaid tax beginning July 1 of the tax year and is calculated through and including the date of payment.~~

~~(8) Penalties for delinquency, late filing, undervaluation, or omission will be settled or compromised upon a showing by the taxpayer that the result was due to reasonable cause and not~~

~~willful neglect as provided in Chapter 12-13, F.A.C. Interest cannot be waived unless there is doubt as to liability or collectability.~~

Specific Authority 199.202, 213.06(1), 213.21 FS. Law Implemented ~~196.199(2)(b), 499.052, 199.282, 213.235 FS. History—New 4-17-72, Revised 12-20-73, Amended 9-27-76, 4-2-78, Formerly 12C-2.07, Amended 11-21-91, 5-18-93, 4-2-00, 10-9-01, 5-4-03, _____.~~

12C-2.008 Information Reports.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.052, 199.057, 199.062, 199.185, 607.1622, 733.702 FS. History—New 4-17-72, Revised 12-20-73, Amended 4-21-75, Formerly 12C-2.08, Amended 7-31-90, 11-21-92, 1-5-94, 10-9-01, 5-4-03, Repealed _____.

12C-2.010 Valuations.

(1) Annual Tax.

~~(a) Shares of stock of corporations regularly listed on any stock exchange or regularly traded over the counter shall be valued at their closing price on the last business day of the previous calendar year.~~

~~(b) Shares of stock of corporations which are subject to restrictions or are letter stock shall be valued based on the facts and circumstances of each case. Taxpayers owning shares of restricted stock, wishing to establish a discount prior to filing a return, may request a letter of technical advice or a technical assistance advisement.~~

~~(c) Shares of stock in corporations which are closely held and are not regularly traded over the counter, having no actual sales within a reasonable period of time, shall be valued using generally accepted valuation methods applied to the following valuation approaches:~~

- ~~1. Capitalization of earnings or dividends;~~
- ~~2. Weighted average of factors;~~
- ~~3. Adjusted book value;~~

~~4. In addition, consideration shall be given to the influence of the following factors on the marketability of the shares being valued:~~

- ~~a. The nature of the business;~~
- ~~b. The history of the enterprise;~~
- ~~c. The economic outlook in general;~~
- ~~d. The economic condition and outlook for the industry;~~
- ~~e. The book value of the stock;~~
- ~~f. The adjusted book value of the stock;~~
- ~~g. The financial condition of the business;~~
- ~~h. The earning capacity of the business;~~
- ~~i. The dividend paying capacity — whether or not the company has paid a dividend;~~
- ~~j. The company's value of goodwill or other intangible value;~~
- ~~k. The sales of the stock;~~
- ~~l. The size of the block to be valued; and~~

~~m. The market price of stocks of corporations in the same or similar line of business.~~

~~(d) Shares of stock of corporations subject to restrictive agreements — Where shares of stock were acquired subject to an option reserved by the issuing corporation to repurchase at a certain price, the option may represent the fair market value. If the option or buy and sell agreement, is the result of voluntary action by the stockholder and is binding during his life as well as at death, such an agreement may or may not fix the value, depending on the facts and circumstances of each case. Where the stockholder is free to dispose of his shares during his life and the option is to become effective only upon death, the fair market value is not limited to the option price.~~

~~(e) Shares of stock have no taxable value until issued.~~

~~(f) Treasury stock acquired by the corporation for a specific purpose is valued based upon the purpose for which it was acquired.~~

~~(g) 1. The interest of a limited partner in a limited partnership registered with the Securities and Exchange Commission is to be valued at its traded market value when traded on an exchange or over the counter.~~

~~2. Those limited partnership interests having no current traded market value are to be valued at their acquisition cost.~~

~~3. A taxpayer who believes his limited partnership interest has a value less than the acquisition cost may submit evidence with his return to establish a lesser value.~~

~~4. The interest of a limited partner in a partnership which is organized as an investment fund is valued for tax purposes based only on the assets in the portfolio which are subject to tax under Chapter 199, F.S. For example: The fund holds in its portfolio of assets U.S. Government Debt obligations (50%), State of Florida bonds (25%), Corporate bonds (15%), and other securities (10%). The taxable value of an interest in this limited partnership (fund) would be 25% of the value of the limited partnership interest (net asset value).~~

~~(h) Accounts receivable shall be valued at their outstanding balance as of the close of business on the last day of the previous calendar year, less a deduction of a reasonable amount for uncollectible accounts. Such deduction shall be established by actual amounts or shown by the history of uncollectible accounts. This provision shall apply even if the business is on a cash basis accounting system. Cross Reference — subsection 12C-2.003(9), F.A.C.~~

~~(i) Notes not secured by realty — The fair market value of a note will be presumed to be the unpaid balance on January 1 of each year, unless it can be shown to the satisfaction of the department that the note has a value less than the unpaid balance on January 1.~~

~~(j) Business Trust — A money market or mutual fund which is organized under an agreement or indenture of trust shall be valued based upon the following guidelines to determine what portion, if any, of the net asset value of the trust will be exempt from taxation:~~

~~1. The portion of the net asset value of the trust that is attributable to direct obligations of the United States Government is exempt from taxation.~~

~~2. If the remaining portion of the net asset value of the trust, after removing the portion representing United States Government obligations, represents assets which are themselves exempt from Florida's intangible tax, then this portion of the net asset value of the trust's portfolio is also exempt from tax.~~

~~3. If the remaining portion of the net asset value of the trust, after removing the portion attributable to United States Government obligations, represents any asset which is taxable under Florida law, then the remaining portion of the net assets value of the trust is subject to tax.~~

~~(k) Bonds regularly traded on an exchange or over the counter are to be valued at their traded price. Bonds for which no traded value can be established can be valued at their face value.~~

~~(l) Taxpayers who feel that a security does not have a value equal to the published traded value at years end or whose security has no traded value may present evidence with their intangible tax return to establish a lesser value. Any value established by the taxpayer is subject to audit by the Department.~~

~~(1)(m) Leases of Governmental Property Leasehold estates and possessory interest in governmental property.~~

~~(a)†. The just value of a lease of lessee's leasehold estate or possessory interest in governmental property described in subsection 12D-3.003(3), F.A.C., is shall be determined by valuing the lease rental payments for the remaining term of the lease on January 1 of the tax year, subject to the following provisions:~~

~~1.a. The lease rental payments to be valued do shall not include any amount for taxes, interest, insurance, repairs, maintenance, exclusive franchise or concession fees, costs of utilities, or similar charges required to be paid the lessor, and shall include only the amount paid by the lessee for the use of real or tangible property provided or owned by the governmental lessor, whether designated as a fixed sum, a percentage, or a variable amount.~~

~~2.b. If lease rental payments are nominal amounts, such as \$1 or \$10 per year, or the payments are significantly less than a fair market rental for the property, the annual fair market rent which would be paid by the lessee in the open market for comparable property under similar terms and circumstances will shall be the lease rental payment to be valued.~~

~~3.e. If the lease rental payments required by the lease are based on some factor other than the passage of time, such as a percentage of sales or profits, the lease rental payment to be valued will shall be based on the average annual rent actually paid by the lessee in prior years, providing the amount so determined is not nominal or significantly less than the fair market rental for the property. The average annual rental used~~

~~will shall~~ be determined from the amounts paid by the lessee for a period not to exceed the previous five years. If the average so determined is nominal or is significantly less than fair market value for the property, the lease rental payment to be discounted ~~will shall~~ be the annual fair market rental for the property.

~~4.d. Otherwise, the analyzed lease rental payment required under the lease is shall be~~ the amount to be valued. The valuation factors to be used shall be based on the Federal Reserve discount rate – Atlanta – on the last business day of the preceding year, plus one percent.

~~5.e. The period for which the lease rental payments are to be valued shall be the number of years remaining under the lease, exclusive of renewal options, as of January 1 of the tax year. The year in which the lease will expire shall be considered a full year for the purpose of this rule.~~

~~6.f. If the final period for which the lease rental payment is to be valued is less than a year, the lease rental payment shall be valued using the 1 year value factor and the tax apportioned based on the number of months during the year that the lease is in effect.~~

~~(b)2. Nothing in this paragraph exempts tangible personal property, buildings, or real property improvements owned by the lessee from ad valorem taxation. Such items are not includable in the just value of the lessee's interest in leased governmental property classified as intangible property. Cross Reference – Chapter 12D-3, F.A.C.~~

~~(c)3. The following examples illustrate the provisions of this paragraph:~~

~~1.a. Lessee makes \$4,000.00 annual payments to lessor that which includes \$1,000.00 tax on a lease with 10 years remaining and the Federal Reserve discount rate – Atlanta – is 11%. The value of the lessee's interest is would be determined by discounting the net annual rent of \$3,000.00 for 10 years at 12%. This results in a taxable value of \$16,950.60.~~

~~2.b. A lessee has 10 years remaining on a percentage lease with an original term of 13 years and the Federal discount rate – Atlanta – is 11%. The lessee has paid \$5,000.00 in the first previous year, \$6,000.00 in the second previous year and \$4,000.00 in the third previous year. The value of the lessee's interest would be determined by averaging the prior payments of \$5,000.00, \$6,000.00, and \$4,000.00. The lessee's interest of \$5,000.00 would be discounted for 10 years at 12% or \$28,251.00.~~

~~(2) Nonrecurring Tax.~~

~~(a) All obligations for the payment of money, evidenced by note, bond, or deed of trust secured by a written specific lien on real property located in this state are valued at an amount shall have a value equal to the principal amount of indebtedness at the time of execution.~~

(b) Agreements for deed constitute intangible property within the classification subject to the nonrecurring tax as a lien in equity on real property. The agreements for deed or contracts for deed ~~are shall be~~ taxable at the principal amount of indebtedness at the time the agreement is executed.

~~(3) All other forms of intangible property not specifically covered by the preceding subsections of this section shall be valued in accordance with generally accepted valuation principles.~~

Specific Authority 199.202, 213.06(1) FS. Law Implemented 196.199(2)(b), ~~199.023, 199.052, 199.103,~~ 199.155 FS. History--New 4-7-72, Revised 12-0-73, Amended 9-27-76, 8-8-78, 12-31-80, Formerly 12C-2.10, Amended 11-21-91, 5-18-93, 10-9-01, _____.

12C-2.0105 Tax Credits.

Specific Authority 199.202(2), 213.06(1) FS. Law Implemented 199.104, 199.106 FS. History--New 5-18-93, Amended 10-9-01, Repealed _____.

12C-2.011 Administration.

(1) Nonrecurring Tax – Payments made directly to Department.

(+) Only nonrecurring tax due on obligations or advances made under instruments which have been previously recorded or which are not normally recorded or which are not normally taxed at the time of recording may be paid directly to the Department. This will include, but will not be limited to, tax payments due on an advance made under a future advance clause of a recorded mortgage on real property, advances made under a revolving line of credit secured by a recorded mortgage on real property, or the obligation created under an agreement or contract for deed.

(2) Persons paying the nonrecurring tax directly to the Department are required to file a report using ~~department shall use~~ the format described below to report and pay the tax:

(a)1. ~~Include Such report shall include~~ the taxpayer's name, mailing address, city and state, and the taxpayer's identification number.

2. ~~Identify To identify~~ the obligation for which tax is being paid, ~~including the following the report shall also contain:~~

- a. ~~The~~ name of the obligor;
- b. ~~The~~ county in which the real property is located;
- c. ~~The the~~ official record book and page number of the recording, if any;
- d. ~~The~~ parcel number assigned by the county property appraiser or legal description;
- e. ~~The~~ amount on which tax is being paid;
- f. ~~The~~ date on which obligation or advance was made; and
- g. ~~The~~ amount of tax.

(b) Taxpayers must mail these tax ~~Tax~~ payments to ~~shall~~ be mailed to Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100 or may be presented to a local office of the Department of Revenue.

(3) Taxpayers may apply to the ~~Department department~~ to pay the nonrecurring tax by attaching a list ~~attached to the~~ a report.

(a) ~~This No person shall use this procedure may not be used~~ without prior approval of the ~~Department department~~.

(b) Persons wishing to apply for approval should send a written request to report by list shall make requests to the Florida Department of Revenue, Central Registration, P. O. Box 6480, Tallahassee, Florida 32314-6480.

(c) All persons desiring or using this procedure ~~are shall be~~ subject to audit and are required to shall make their records available for inspection by the ~~Department department~~.

(d) All persons approved to use this procedure are required to shall keep a journal, account book or other record of original entry, showing a listing of all obligations or advances which have been made or executed. The journal must include shall show a daily listing, or a listing as required by the ~~Department, department~~ and ~~shall show~~ the county of recording, the official record book and page number of the recording, if any, the amount of each obligation or advance, the date the obligation was created or advance was made and the amount of tax paid, and the date on which the tax payment was made.

(e) The list must shall contain the same information as required by paragraph (2)(a).

~~(4)(a) The authority to use this procedure shall not be unreasonably withheld by the department.~~

~~(4)(a)(b) Any~~ However, any person having a history of delinquent tax payments for any tax or of returned checks will shall be denied the use of this procedure.

~~(b)(e) The authority to use this procedure will may~~ be canceled by the ~~Department department~~ when any person knowingly files a false report, fails or refuses, or neglects to file the proper report or fails to maintain proper records.

Specific Authority 199.202(2), 213.06(1) FS. Law Implemented ~~199.103,~~ 199.133, 199.135, ~~199.222,~~ 199.232, 199.292 FS. History--New 4-17-72, Amended 9-26-77, 10-16-80, Formerly 12C-2.11, Amended 11-21-91, _____.

12C-2.0115 Public Use Forms.

(1)(a) The following public use forms and instructions are employed by the Department in its dealings with the public related to administration of the intangible tax. These forms are hereby incorporated and made a part of this rule by reference.

(b) Copies of these forms are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms; or, 2) ~~faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Department at (800)352-3671, Monday through Friday, 8:00 a.m. to 7:00 p.m., Eastern Time Distribution Center at (850)488-8422; or, 3) visiting any local Department of Revenue Service Center; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida~~

32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

Form Number	Title	Effective Date
(2) DR-601-C	2006 Florida Intangible Personal Property Tax Return for Corporation, Partnership, and Fiduciary Filers as of January 1, 2006 (R. 01/06)	10/06
(3) DR-601CN	2006 Instructions for Filing Form DR-601C Intangible Personal Property Tax Return for Corporation, Partnership and Fiduciary Filers (R. 01/06)	10/06
(4) DR-601CS	2006 Schedules B, C, D, and E for use with DR-601C (R. 01/06)	10/06
(2)(5) DR-601-G	Government Leasehold Intangible Personal Property Tax Return for 2008 2006 Tax Year (R. 01/08 01/06)	10/06
(6) DR-601-I	2006 Florida Intangible Personal Property Tax Return for Individual and Joint Filers as of January 1, 2006 (R. 01/06)	10/06
(7) DR-601IN	2006 Instructions for Filing Form DR-601I Intangible Personal Property Tax Return for Individual and Joint Filers (R. 01/06)	10/06
(8) DR-601IS	2006 Schedules B, C, D, and E for use with DR-601I (R. 01/06)	10/06
(3)(9) DR-602G	Governmental Leasehold Intangible Personal Property Tax Application for Extension of Time to File Return (R. 01/07 01/05)	06/05
(4)(10) DR-350111	Intangible Tax Self-Audit Worksheet (R 06/07 07/06)	10/06
(5)(11) DR-350112	Taxpayer Affidavit (R. 06/01)	05/03

(12) DR-350617	Application for Exclusion from Filing Stockbroker Position Statement (R. 01/05)	06/05
(13) DR-350618	Stockbroker Instructions and Specifications for Reporting Information or Magnetic Media (R. 01/06)	10/06
(14) DR-350619	Stockbroker Filing Magnetic Media Transmittal (R. 01/05)	06/05
(15) DR-350620	Stockbroker Information Report (R. 01/05)	06/05

Specific Authority 199.202(2), 213.06(1) FS. Law Implemented 196.199(2), 199.023, 199.032, 199.042, 199.052, 199.062, 199.103, 199.105, 199.135, 199.232, 199.292 FS. History—New 11-21-91, Amended 1-5-94, 10-9-01, 5-4-03, 9-28-04, 6-28-05, 10-30-06, _____.

12C-2.012 Refunds.

(1)(a) Any person entitled to a refund of intangible personal property taxes may seek a refund by filing an Application for Refund-Intangible Personal Property Tax (Form form DR-26I, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department. Form DR-26I must be in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

~~(b)1. Form DR-26I, Application for Refund Intangible Personal Property Tax, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid.~~

~~(b)2. Form DR-26I, Application for Refund-Intangible Personal Property Tax, must be filed with the Department for tax paid on or after July 1, 1999, within three (3) years after the date the tax was paid.~~

(2)(a) An automatic refund of the amount of overpayment of tax will be granted by the Department when the Department determines upon examination that an overpayment of the tax with the return has occurred, that no additional information is required to determine the correct amount of tax due, and that the overpayment of tax is in accordance with the timing provisions of Section 215.26(2), F.S.

(b) For example, an automatic refund will be granted by the Department when an examination of the return reveals that:

1. The discount pursuant to Section 199.042(2), F.S. (2005), has been understated.

~~2. The exemption provided in Section 199.185(2), F.S., has been understated.~~

~~2.3. The payment made with a Governmental Leasehold Intangible Personal Property Tax an Application for Extension of Time to File Return (Form form DR-602, incorporated by reference in Rule 12C- 2.0115, F.A.C.) exceeds the amount of tax due when the return is filed; or~~

~~3.4.~~ A mathematical error on the return, such as the use of an incorrect tax rate or other calculation error, results in an overpayment.

Specific Authority 199.202, 213.06(1) FS. Law Implemented ~~196.199(2)(b), 199.042(2), 199.185(2), 199.232, 199.252, 213.255(2), (3), 215.26(2) FS.~~ History—New 4-17-72, Formerly 12C-2.12, Amended 11-21-91, 5-4-03, 9-28-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Parramore, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4709

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Buzz McKown, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4721

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The proposed amendments to Rule Chapter 12C-2, F.A.C. (Intangible Personal Property Tax), were noticed in the Florida Administrative Weekly on August 10, 2007 (Vol. 33, No. 32, pp. 3559-3576). A rule development workshop was held on August 27, 2007. No one appeared to provide comment regarding these proposed rule changes. No written comments have been received by the Department

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-22.0011	General Procedural Requirements
14-22.002	Regulations Covering Qualification of Contractors
14-22.006	Current Capacity Rating
14-22.009	Over-Bidding
14-22.012	Suspension, Revocation, or Denial of Qualification
14-22.0121	Reapplication and Reinstatement
14-22.0141	Contractor Non-Responsibility
14-22.015	Forms

PURPOSE AND EFFECT: This rule chapter amendment provides for electronic application for qualification with the Department and certification of current capacity. Although not included in the rule development notice, an amendment to Rule 14-22.009, F.A.C., is needed because there is a cross reference to one of the rules being amended.

SUMMARY: The contractor application for qualification process is being amended to establish an electronic application submittal. Although not included in the rule development notice, an editorial amendment to Rule 14-22.009, F.A.C., is needed because there is a cross reference in one of the rules being amended.

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

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

SPECIFIC AUTHORITY: 334.044(2), 337.14(1) FS.

LAW IMPLEMENTED: 120.569, 337.11(3)(b), 337.11(5)(a) 1.-3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.16, 337.165, 337.167 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-22.0011 General Procedural Requirements.

(1) This rule chapter sets forth requirements for applicants to be certified by the Department as qualified to bid for the performance of road, bridge, or public transportation construction contracts, in excess of \$250,000.

(2) Except for the provisions of Rules 14-22.012 and 14-22.0141, F.A.C., this rule chapter does not apply to bidders who wish to bid on construction contracts of \$250,000 or less, or other contracts not having to do with the construction of roads, bridges, or other public transportation projects, or where the Department has waived the qualification requirements of Construction projects having a contract price of less than \$500,000 due to the determination that the projects are of a noncritical nature and that waiver of qualification requirements will not endanger public health, safety, or property.

(3) through (4)(b)5. No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 120.569, 337.11(3)(b), 337.11(5)(a)1.-3., 337.11(7)(b)1., 337.11(7)(c), 337.14, 337.16, 337.165, 337.167 FS. History—New 11-10-82, Amended 8-25-83, Formerly 14-22.011, Amended 12-20-89, 1-4-94, 7-1-95, Amended 8-6-96, 1-17-99, 7-8-01, 6-27-04, _____.

14-22.002 Regulations Covering Qualification of Contractors.

(1) Application for Qualification.

(a) Persons or firms who desire to qualify with the Department in order to bid for the performance of road, bridge, or public transportation construction projects in excess of \$250,000, shall file annually with the Department ~~two copies of an~~ electronic application for qualification. An application for qualification shall be filed electronically on the website

<http://www.dot.state.fl.us/cc-admin/default.htm>. Information regarding the electronic application can be obtained by writing to the Department at the address listed below. Persons or firms may obtain information on how to obtain a user name and password to use the electronic application filing process by contacting the Contracts Administration Office at the address below. The electronic application will consist of requested information on the Applicant, Applicant's stakeholder, Applicant's affiliates, and would include the Applicant firm's background, current and historical contract detail, construction experience, and expertise, financial information and requested work classes. Persons or firms shall also file two hard copies of ~~including~~ audited financial statements as required by this section via hand delivery or mail to Department of Transportation, Contracts Administration Office, 605 Suwannee Street, MS 55, Room 60, Haydon Burns Building, Tallahassee, Florida 32399-0455. For purposes of this rule, "filing" is defined as receipt of the application and audited financial statements by the Contracts Administration Office, ~~MS 55, Room 60, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0455.~~

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

Specific Authority 334.044(2), 337.14(1), 337.167 FS. Law Implemented 337.14, 337.164, 337.167 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(1), (2), (3), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.02, Amended 12-20-89, 6-27-90, 1-4-94, 7-1-95, 6-27-04, 5-15-06,_____.

14-22.006 Current Capacity Rating.

(1) through (2) No change.

(3) In order for the Department to have the information required to determine a bidder's Current Capacity, it is necessary that the bidder certify the total dollar amount of all work the bidder has underway submit on the day of the letting, a Certification of Current Capacity, Form 375-020-22, Rev. 05/05, that shall be executed under oath. This certification shall be accomplished electronically in the manner directed by the Department concurrently with form must be included in the bid submittal for the first letting in the calendar month that the bidder submits a bid. ~~Failure to submit this document shall result in a determination that all bids submitted by the bidder for that letting are disqualified and are rejected, pursuant to Rule 14-22.009, F.A.C. The Department shall include instructions to meet this requirement the Certification of Current Capacity, Form 375-020-22, Rev. 05/05 with the proposal documents issued to the bidder.~~

(4) In ~~submitting this preparing the~~ cCertification of Current Capacity, Form 375-020-22, Rev. 05/05 the following shall apply:

(a) through (c) No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 337.11(3)(b), 337.11(5)(a)1.-3., 337.11(7)(b)1., 337.11(7)(c), 337.14, 337.164 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 7-24-75, Formerly 14-22.01(8), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.06, Amended 12-20-89, 6-27-90, 1-4-94, 7-1-95, 7-2-95, 12-18-05, 5-15-06,_____.

14-22.009 Over-Bidding.

(1) Any bid that exceeds the Current Capacity of the bidder shall be disqualified and rejected unless the bidder fulfills the requirements of subsection 14-22.009(3), F.A.C.

(2) In the event a bidder submits the low bid on two or more projects in the same letting where the aggregate dollar amount of the bids is greater than the Current Capacity of the bidder, and the bidder is unable to increase its Current Capacity by fulfilling the requirements of subsection 14-22.009(3), F.A.C., the Department shall select the particular project or projects for award that will result in the least cost to the Department.

(3) Before the Department takes action under the provisions of either of the preceding two paragraphs, the bidder shall be notified in writing of the Department's action and, except for the AF provisions of sub-subparagraph 14-22.003(2)(a)2.a., F.A.C., above, shall be allowed a period of 10 days from the date the bid was opened to submit a cCertification of work underway pursuant to Rule 14-22.006, F.A.C. Current Capacity form.

(4) The determination of the successful bidder on any project or projects in which bids have been disqualified under the provisions of this section shall be made without consideration of the disqualified bid(s).

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 337.11(3)(b), 337.11(5)(a)1.-3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.165 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(11), Amended 3-23-79, 11-10-82, 8-25-83, Formerly 14-22.09, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 7-8-01, 12-18-05,_____.

14-22.012 Suspension, Revocation, or Denial of Qualification.

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

3. The contractor made or submitted to the Department false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any Department contract, including the cCertification of work underway Current Capacity to the Department.

4. through (6) No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 334.044(2), 337.11, 337.14, 337.16, 337.165, 337.167 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(11), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.12, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 2-16-99, 7-8-01, 6-27-04,_____.

14-22.0121 Reapplication and Reinstatement.

(1) through (2) No change.

(3) If the petition for reapplication or reinstatement is granted, the contractor must file a current Application for Qualification, ~~Form 375-020-32, Rev. 12/98,~~ with the Contracts Administration Office, ~~MS-55, Room-60, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0455.~~ Reinstatement shall not be effective until issuance of a Certificate of Qualification. The financial statements submitted with the reinstatement application must comply with subsection 14-22.002(2), F.A.C.

Specific Authority 334.044(2), 337.14(1), 337.167(2) FS. Law Implemented 337.14, 337.16, 337.164, 337.165, 337.167 FS. History—New 8-25-83, Amended 10-1-85, Formerly 14-22.121, Amended 12-20-89, 1-4-94,_____.

14-22.0141 Contractor Non-Responsibility.

(1) Contractors who wish to bid for the performance of construction contracts less than or equal to \$250,000, or any maintenance contracts, are presumed to be responsible bidders unless the Department determines that good cause exists to declare the contractor non-responsible, which shall include the following:

(a) One of the circumstances specified in Section 337.16(2), Florida Statutes, occurs;

(b) The contractor or its affiliate defaulted on any contract, or the contract surety assumed control of or financial responsibility for, any contract of the contractor;

(c) The contractor's qualification to bid is suspended, revoked, or denied by any public agency or semi-public agency;

(d) The contractor made or submitted to the Department false, deceptive, or fraudulent statements, certifications, or materials in any claim for payments or any information required by any Department contract;

(e) The contractor failed to comply with contract requirements, or failed to follow Department direction in the execution of a contract;

(f) The contractor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents;

(g) The contractor or affiliate(s) has been convicted of a contract crime, as provided in Section 337.165, F.S.;

(h) An affiliate of the contractor has previously been determined by the Department to be non-responsible, and the specified period of suspension, revocation, or denial remains in effect.

(i) The contractor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects where liquidated damages were not paid, uncooperative attitude, contract litigation, claims, or defaults.

(j) When the Department determines that any other circumstance constituting "good cause" under Section 337.16(2), Florida Statutes, exists.

(2) Determination of Contractor Non-Responsibility. The Contractor will be determined to be non-responsible and ineligible to bid on Department contracts for a period of time, based on the seriousness of the deficiency.

(a) Examples of factors affecting the seriousness of a deficiency are:

1. Impacts on project schedule, cost, or quality of work;
2. Unsafe conditions allowed to exist;
3. Complaints from the public;
4. Delay or interference with the bidding process
5. The potential for repetition;
6. Integrity of the public construction process; and
7. Effect on the health, safety, and welfare of the public.

(b) The time frames associated with paragraphs 14-22.012(1)(a) through (b), F.A.C., shall be used as factors for the determination of seriousness of Contractor Non-Responsibility.

~~(c)(b)~~ This rule does not limit the Department's ability to reject a bid submitted by a contractor, or cancel an award, for a particular contract based upon the contractor being non-responsible.

(3) Notice of intended agency action under this section will be provided in accordance with Rule 28-106.111, F.A.C. The Department's action will become final unless a timely petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201 and 28-106.301, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice, in accordance with Rule 28-106.111, F.A.C.

Specific Authority 334.044(2) FS. Law Implemented 337.16(2) FS. History—New 4-11-95, Amended 12-7-97, 7-8-01, 6-27-04,_____.

14-22.015 Forms.

The following forms are incorporated by reference as part of the rules of the Department and are available from the Contracts Administration Office, 605 Suwannee Street, Mail Station 55, Room 1-B, Tallahassee, Florida 32399-0455:

Form Number	Date	Title
375-020-32	01/06	Application for Qualification
375-020-22	05/05	Certification of Current Capacity
700-010-25	09/05	Contractor Past Performance Report
375-020-37	07/06	Application for Qualification for Emergency Debris Removal

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 120.53(1)(b), 337.14, 337.167 FS. History--New 11-10-82, Amended 8-25-83, Formerly 14-22.15, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 7-8-01, 6-27-04, 12-18-05, 5-15-06, 11-5-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juanita Moore, Manager, Contracts Administration Office
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 24, 2007

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-91.007
 RULE TITLE: Selection and Award Process
 PURPOSE AND EFFECT: A new subsection (9) is added to Rule 14-91.007, F.A.C., to clarify the compensation of short-listed design-build firms.

SUMMARY: A new subsection (9) is being added to Rule 14-91.007, F.A.C.

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

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

SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.
 LAW IMPLEMENTED: 337.025, 337.11(7) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

- 14-91.007 Selection and Award Process.
- (1) through (8) No change.

(9) The Department shall pay short-listed design-build firms submitting fully responsive proposals that are not selected a lump sum amount, stipend, as determined by the solicitation in order to stimulate competition and for the work product contained in the firm’s responsive technical bid proposals. The Department will not pay the selected design-build firm a stipend. An unselected short list design-build firm that submits a responsive bid proposal in response to the Department request for detailed proposals will receive a stipend in exchange for the work product contained in that bid proposal. The Department reserves the right to use any of the concepts, ideas, technologies, techniques, methods, processes, and information that are contained within the bid proposals without any further compensation therefore.

(a) In order to receive the stipend, the unselected short listed design-build firms must enter into a contract with the Department immediately after short listing. The contract is required to document the terms and conditions for the stipend.

(b) The Department’s criteria to determine the stipend amount shall include the following: complexity of the project, technical expertise, time and resources required for the proposal, and value of work product contained in the technical proposal. The intent to compensate and the stipulated amount of the stipend will be set forth in the request for proposals package.

(c) A stipend is not intended to compensate the design-build firms for the total cost of preparing the bid proposal.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.025, 337.11(7) FS. History--New 3-13-88, 6-13-90, Amended 2-20-96, 9-3-96, 10-18-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brian Blanchard, Director, Office of Construction
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-8.021	Definitions
40B-8.061	Minimum Surface Water Levels and Flows for the Santa Fe River

PURPOSE AND EFFECT: The purpose of the rule development is to codify minimum flows and levels for the Upper Santa Fe River within Chapter 40B-8, F.A.C. The effect of the rule will be to provide protection for these areas from significant harm resulting from uses of ground and surface water.

SUMMARY: This proposed rule development will establish minimum flows and levels for the Upper Santa Fe River, in accordance with Rule 62-40.473, F.A.C., and Sections 373.042 and 373.0421, F.S.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.103, 373.415 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULES IS:

40B-8.021 Definitions.

(1) "Fanning Spring" means single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 33 minutes 14 seconds north latitude and 82 degrees 56 minutes 07 seconds west longitude.

(2) "Flow Duration Curve" means a statistical representation of flows, actual or synthetic, and their recurrence probabilities over a determined period of record.

(3) "Flow duration frequency" means the historic probability of a particular flow over a specified period of record.

(4)(3) "Historic period" means the period of record as documented in each technical report establishing minimum flow or level.

(5)(4) "Levy Blue Spring" means a single spring vent located within Levy County, near the Town of Bronson, adjacent to the Waccasassa River at 29 degrees 27 minutes 03 seconds latitude and 82 degrees 41 minutes 56 seconds longitude.

(6)(5) "Little Fanning Spring" means the single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 35 minutes 09 seconds north latitude and 82 degrees 56 minutes 04 seconds west longitude.

(7)(6) "Lower Suwannee River" means the river segment below the Wilcox gauge to the estuary.

(8)(7) "Madison Blue Spring" means the single vent spring system located within Madison County, adjacent to the Withlacoochee River at 30 degrees 28 minutes 48 seconds north latitude and 83 degrees 14 minutes 40 seconds west longitude.

(9)(8) "Manatee Spring" means the single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 29 minutes 21 seconds north latitude and 82 degrees 58 minutes 37 seconds west longitude.

(10)(9) "Minimum surfacewater flow" means a flow, expressed in cubic feet per second combined with a temporal element. The temporal element may be specifically expressed as a duration and return interval.

(11)(10) "Minimum surfacewater level" means an elevation in feet NGVD combined with a temporal element. The temporal element, for purposes of this chapter, may be specifically expressed as a duration and return interval.

(12)(11) "NGVD" means National Geodetic Vertical Datum of 1929.

(13)(12) "Withlacoochee River Near Pinetta, FL Pinetta gauge" means stream flow measuring gauge number 02319000 located on the Withlacoochee River approximately 10 miles upstream from Madison Blue Spring at 30 degrees 35 minutes 43 seconds north latitude and 83 degrees 15 minutes 35 seconds west longitude.

(14)(13) "Stage Duration Curve" means a statistical representation of stages, actual or synthetic, and their recurrence probabilities over a determined period of record.

(15)(14) "Suwannee River" means the riverine waterbody which originates in south central Georgia and flows southeast and south into Florida discharging into the Gulf of Mexico north of Cedar Key.

(16) "Santa Fe River" means the riverine waterbody which originates in Lake Santa Fe, Alachua County, Florida and flows west discharging into the Suwannee River south of Branford, Florida.

(17) "Santa Fe River Near Graham, FL gauge" means stream flow measuring gauge number 02320700 located on the Santa Fe River approximately 1.5 miles upstream from Sampson River at 29 degrees 50 minutes 46 seconds north latitude and 82 degrees 13 minutes 11 seconds west longitude, in Alachua County, Florida.

(18) “Santa Fe River at Worthington Springs, FL gauge” means stream flow measuring gauge number 02321500 located on the Santa Fe River 0.8 mile downstream from New River at 29 degrees 55 minutes 18 seconds north latitude and 82 degrees 25 minutes 35 seconds west longitude, in Alachua County, Florida.

(19)(15) “Suwannee River Near Wilcox, FL Wilcox gauge” means stream flow measuring gauge number 02323500 located on the Suwannee River at 29 degrees 05 minutes 90 seconds north latitude and 82 degrees 09 minutes 37 seconds west longitude.

(20)(16) “Waccasassa River and Estuary” means the riverine waterbody which originates in Gilchrist and Alachua Counties and flows southwest discharging into the Gulf of Mexico between Cedar Key and Yankeetown.

(21) “Waccasassa River Near Gulf Hammock, FL gauge” means stream flow measuring gauge number 02313700 located on the Waccasassa River 0.5 mile upstream from Otter Creek at 29 degrees 12 minutes 14 minutes north latitude, 82 degrees 46 minutes 09 seconds west longitude in Levy County, Florida.

(22)(17) “Withlacoochee River” means the riverine waterbody which originates in south-central Georgia and flows southeast and south into Florida discharging into the Suwannee River at Ellaville.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.415 FS. History–New 9-15-05, Amended 8-7-06, 7-29-07, _____.

40B-8.061 Minimum Surface Water Levels and Flows for the Santa Fe River.

The Governing Board hereby establishes the following minimum surfacewater flows. The Governing Board finds that the following minimum surfacewater flows are the limit at which further withdrawals would be significantly harmful to the water resources or ecology.

(1) The minimum surfacewater flows for the Santa Fe River Near Graham, FL, gage are the following points on the flow duration curve defined in “Technical Report – MFL Establishment for the Upper Santa Fe River, May 2007”:

- (a) 171 cubic feet per second (cfs) for a flow duration frequency of five percent;
- (b) 109 cfs for a flow duration frequency of 10 percent;
- (c) 44 cfs for a flow duration frequency of 25 percent;
- (d) 13 cfs for a flow duration frequency of 50 percent;
- (e) 2.3 cfs for a flow duration frequency of 75 percent;
- (f) 0.4 cfs for a flow duration frequency of 90 percent;
- (g) 0.2 cfs for a flow duration frequency of 95 percent.

(2) The minimum surfacewater flows for the Santa Fe River at Worthington Springs, FL, gage are the following points on the flow duration curve defined in “Technical Report – MFL Establishment for the Upper Santa Fe River, May 2007”:

- (a) 1,513 cfs for a flow duration frequency of five percent;
- (b) 935 cfs for a flow duration frequency of 10 percent;
- (c) 367 cfs for a flow duration frequency of 25 percent;
- (d) 111 cfs for a flow duration frequency of 50 percent;
- (e) 42 cfs for a flow duration frequency of 75 percent;
- (f) 15 cfs for a flow duration frequency of 90 percent;
- (g) 9 cfs for a flow duration frequency of 95 percent.

Specific Authority: 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 24, 2007

LAND AND WATER ADJUDICATORY COMMISSION

Tuscany Community Development District

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

PURPOSE AND EFFECT: The Petition, as supplemented, was filed by the Tuscany Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel. Further, Petitioner indicates the landowners of all the property within the current boundaries of the District are the same landowners whose consent to the creation of the District was documented in the original Petition to establish the District. The consenting landowners within the current District boundaries are also the consenting landowners of all the property within the parcel proposed by the Petition to be added to the District. Each landowner consent documents ownership for all the lands owned, both within the parcel to be added to the District by the Petition and within the current external boundaries of the District. According to the Statement of Estimated Regulatory Costs, although the District’s boundary will be expanded through the amendment process, the District’s development plan will remain the same as when the District was established. The District will continue to support

4,138 single-family residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office and 41,368 square feet of community/neighborhood services. The 322.07 acre expansion is planned for 842 single-family residential units, which are already included in the above totals. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary. The District intends to finance road, water, wastewater, stormwater, entry monumentation, landscaping, irrigation and recreational facilities in the expansion area.

SUMMARY: The Petition, as supplemented, was filed by the Tuscan Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel. Further, Petitioner indicates the landowners of all the property within the current boundaries of the District are the same landowners whose consent to the creation of the District was documented in the original Petition to establish the District. The consenting landowners within the current District boundaries are also the consenting landowners of all the property within the parcel proposed by the Petition to be added to the District. Each landowner consent documents ownership for all the lands owned, both within the parcel to be added to the District by the Petition and within the current external boundaries of the District. According to the Statement of Estimated Regulatory Costs, although the District's boundary will be expanded through the amendment process, the District's development plan will remain the same as when the District was established. The District will continue to support 4,138 single-family residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office and 41,368 square feet of community/neighborhood services. The 322.07 acre expansion is planned for 842 single-family residential units, which are already included in the above totals. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary. The District intends to finance road, water, wastewater, stormwater, entry monumentation, landscaping, irrigation and recreational facilities in the expansion area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, as supplemented, 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 "10" to the Petition, as supplemented. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the households within the geographic area of the amendment. The SERC estimates that rule amendment implementation and enforcement costs to state government entities and Citrus County will be modest and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, assessments and fees will be imposed on the District property owners. Finally, the SERC concludes that the amendment of the District's boundary will have no impact on small businesses and should not have negative impact on small counties and cities as defined in Section 120.52, F.S. Citrus County is not a small county as defined by Section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory and input was received from the District's Engineer and other professionals associated with the District.

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: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: Tuesday, November 13, 2007, 10:00 a.m.

PLACE: The Capitol, Room 2103, Tallahassee, Florida 32399-0001

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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42GG-1.002 Boundary

The boundaries of the district are as follows:

Commence at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491 and being 50 feet from measured at right angles to, the centerline of said County Road No. 491, thence S. 51° 02' 53" E. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 400 feet to the POINT OF BEGINNING, thence N. 38° 56' 39" E. parallel to and 400 feet from, said Southeasterly right-of-way line, a distance of 4347.25 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 6167.33 feet, thence Northeasterly along the arc of said curve, a distance of 1493.96 feet to the P.T. of said curve, thence N. 25° 03' 54" E. parallel to and 400 feet from, said Southeasterly right-of-way line a distance of 1734.33 feet to a point on the boundary of lands described in Deed recorded in Official Record, Book 385, page 466, public records of Citrus County, Florida, thence S. 1° 39' 30" E. along said boundary a distance of 836.98 feet to the SW Corner of said lands, thence N. 88° 20' 30" E. along the South line of said lands, a distance of 1377.72 feet to the SE Corner of said lands, thence N. 1° 39' 30" W. along the East line of said lands, a distance of 1200 feet to the NE Corner of said lands, thence S. 88° 20' 30" W. along the North line of said lands, a distance of 1306.83 feet to the SE Corner of lands described in Deed recorded in Official Record, Book 538, page 632, of said records, thence N. 25° 03' 54" E. along the East line of said lands, a distance of 190.26 feet to the NE Corner of said lands, said point being on the South line of lands described in Deed recorded in Official Record, Book 423, page 128, of said records, thence N. 88° 20' 30" E. along said South line a distance of 346.97 feet to the SE Corner of said lands, thence N. 1° 39' 30" W. along the East line of said lands a distance of 330.02 feet to the NE Corner of said lands, said point also being on the North line of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence N. 88° 20' 30" E. along said North line a distance of 1869.43 feet to the NE Corner of said Section 1, said point also being the NW Corner of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, thence N. 89° 28' 20" E. along the North line of said Section 6, a distance of 2636.38 feet to the NW Corner of the NE 1/4 of said Section 6, thence N. 89° 53' 45" E. along the North line of said Section 6, a distance of 2645.54 feet to the NE Corner of said Section 6, thence S. 0° 12' 24" E. along the East line of said Section 6, a distance of 1328.53 feet to the SE Corner of the N 1/2 of NE 1/4 of said Section 6, thence S. 89° 53' 40" W. along the South line of said N 1/2 of NE 1/4, a distance of 2646.85 feet to the SW Corner of said N 1/2 of the NE 1/4, thence S. 0° 09' E. along the East line of the NW 1/4 of said Section 6, a distance of 1328.59 feet to the NE Corner of

the SW 1/4 of said Section 6, thence S. 0° 03' 50" E. along the East line of said SW 1/4 a distance of 2648.43 feet to the SE Corner of said SW 1/4, said point also being the NE Corner of the NW 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, thence S. 0° 07' 56" E. along the East line of said NW 1/4 a distance of 2648.76 feet to the SE Corner of said NW 1/4, thence N. 89° 42' 40" W. along the South line of said NW 1/4, a distance of 2641.84 feet to the SW Corner of said NW 1/4, said point also being the SE Corner of the NE 1/4 of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence S. 89° 23' 09" W. along the South line of said NE 1/4 a distance of 1315.58 feet to the NE Corner of the W 1/2 of SE 1/4 of said Section 12, thence S. 0° 09' 37" W. along the East line of said W 1/2 of SE 1/4, a distance of 2636.62 feet to the SE Corner of said W 1/2 of SE 1/4, thence S. 89° 28' 48" W. along the South line of said Section 12, a distance of 1302.33 feet, thence N. 2° 06' 48" W. a distance of 170 feet, thence S. 89° 28' 48" W. parallel to said South line, a distance of 690.91 feet to a point on a curve, concaved Westerly, having a central angle of 90° and a radius of 280 feet, thence Northwesterly along the arc of said curve a distance of 246.92 feet to the P.T. of said curve (chord bearing and distance between said points being N. 25° 46' 44" W. 238.99 feet), thence N. 51° 02' 31" W. a distance of 2102.26 feet, thence N. 59° 40' 08" W. a distance of 200 feet to the most Easterly Corner of lands described in Deed recorded in Official Record, Book 196, page 218, of said records, thence N. 51° 02' 31" W. along the Northeasterly line of said lands, a distance of 449.63 feet to the most Northerly corner of said lands, said point being on the Southeasterly line of BEVERLY HILLS, UNIT NO. 3, according to the map or plat thereof recorded in Plat Book 4, page 123, public records of Citrus County, Florida, thence N. 38° 58' 52" E. along the Southeasterly line of said BEVERLY HILLS, UNIT NO. 3, and along the Southeasterly line of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, a distance of 399.96 feet to the most Easterly corner of said BEVERLY HILLS, UNIT 3A, thence N. 51° 02' 53" W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 1649.50 feet to the Point of Beginning.

AND,

Begin at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491, and being 50 feet from, measured at right angles to, the centerline of said County Road No. 491, thence N. 38° 56' 39" E. along said Southeasterly right-of-way line a distance of 4347.20 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 5767.33 feet, thence Northeasterly along the arc of said curve a distance of 1397.06 feet to the P.T. of said curve, thence N. 25° 03' 54" E. along said right-of-way line a distance of 1639.31 feet to the most Westerly Corner of lands described in Deed recorded in

Official Record, Book 385, page 466, public records of Citrus County, Florida, thence N. 88° 20' 30" E. along the boundary of said lands a distance of 400 feet, thence S. 1° 39' 30" E. along the boundary of said lands a distance of 95.00 feet to a point that is 400 feet from, measured at right angles to, the Southeasterly right-of-way line of said County Road No. 491, thence S. 25° 03' 54" W., parallel to said right-of-way line, a distance of 1734.33 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 6167.33 feet, thence Southwesterly along the arc of said curve a distance of 1493.96 feet to the P.T. of said curve, thence S. 38° 56' 39" W., parallel to and 400 feet from, said right-of-way line, a distance of 4347.25 feet to a point on the Northeasterly line of said BEVERLY HILLS, UNIT 3A, thence N. 51° 02' 53" W. along said Northeasterly line a distance of 400 feet to the Point of Beginning.

AND

The Northeast 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida,

AND

The Northwest 1/4 of Section 8, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida,

AND

The East 1/2 of the Southeast 1/4 of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida,

LESS AND EXCEPT land in Warranty Deed from Beverly Hills Development Corporation, to Rolling Oaks Utilities, Inc., dated June 6, 1986, filed August 18, 1986, and recorded in Official Record, Book 710, page 849, public records of Citrus County, Florida, being more particularly described as follows:

Commence at the most Easterly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, thence N. 51° 02' 53" W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 289.49 feet, thence N. 38° 56' 39" E. a distance of 593.12 feet to the POINT OF BEGINNING, thence N. 75° 59' 21" W. a distance of 62.48 feet, thence North 155.26 feet, thence N. 13° 10' 38" E. a distance of 155.26 feet, thence N. 11° 58' 12" W. a distance of 405.23 feet, thence N. 24° E. a distance of 244.86 feet, thence N. 60° E. a distance of 268.59 feet, thence S. 66° E. a distance of 336.93 feet, thence N. 72° E. a distance of 126.01 feet, thence S. 78° 42' 12" E. a distance of 313.71 feet, thence S. 33° E. a distance of 317.81 feet, thence S. 11° 13' 17" E. a distance of 237.44 feet, thence S. 46° 05' 58" W. a distance of 238.07 feet, thence S. 67° 37' 34" W. a distance of 481.20 feet, thence S. 55° W. a distance of 268.27 feet, thence N. 75° 59' 21" W. a distance of 351.69 feet to the Point of Beginning.

AND, LESS AND EXCEPT NORTH FOREST RIDGE BOULEVARD, according to the map or plat thereof recorded in Plat Book 14, pages 29, 30 and 31, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS PHASE ONE, according to the map or plat thereof recorded in Plat Book 14, pages 10 to 14 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS, PHASE 2, according to the map or plat thereof recorded in Plat Book 14, pages 15 to 18 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT that portion of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, that lies North of the North boundary and West of a Northerly projection of the Easterly boundary of lands described in Official Record, Book 385, pages 466 and 467, public records of Citrus County, Florida,

AND, LESS AND EXCEPT the Legal Description of the Clubhouse Parcel, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida, thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 811.51 feet, thence West 3400.82 feet to the POINT OF BEGINNING, thence S. 48° 04' 48" W. a distance of 523.35 feet to the Northerly right-of-way line of Forest Ridge Boulevard, as recorded in Plat Book 14, pages 29-31 inclusive, public records of Citrus County, Florida, said point being on the arc of a curve concaved Southwesterly having a central angle of 13° 36' 50" and a radius of 1335.00 feet, thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 317.21 feet (chord bearing and distance between said points being N. 62° 00' 58" W. 316.46 feet) thence N. 21° 10' 37" E. a distance of 431.33 feet, thence S. 68° 36' 06" E. a distance of 551.04 feet to the Point of Beginning.

CONTAINS 4.47 ACRES ±.

AND, LESS AND EXCEPT BEVERLY HILLS DEVELOPMENT CORPORATION of holes 7, 10, 11, 12, 14, 15, 16 and 18 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 310.65 feet, thence West a distance of 792.03 feet to the POINT OF BEGINNING, thence S. 61° 11' 25" W. a distance of 565.54 feet, thence S. 83° 43' 59" W. a distance of 71.24 feet, thence S. 87° 50' 28" W. a distance of 41.99 feet, thence N. 41° 21' 17" W. a distance of 106.65 feet, thence N. 33° 54' 28" E. a distance of 110.89 feet, thence N. 58° 32' 03" E. a distance of 390.59 feet, thence N. 35° 46' 56" E. a distance of 644.88 feet, thence N. 40° 40' 40" W. a distance of 230.45 feet, thence S. 87° 47' 27" W. a distance of 384.52 feet, thence S. 14° 53' 57" W. a distance of 300.41 feet, thence N. 63° 53' 57" W. a distance of 574.81 feet, thence N. 80° 47' 51" W. a distance of 256.25 feet, thence S. 87° 28' 03"

W. a distance of 301.13 feet, thence S. 79° 48' 51" W. a distance of 137.30 feet, thence S. 42° 29' 19" W. a distance of 1523.30 feet, thence N. 68° 36' 06" W. a distance of 570.85 feet, thence N. 21° 23' 54" E. a distance of 222.57 feet, thence N. 01° 08' 02" E. a distance of 172.22 feet to the P.C. of a curve concaved Southeasterly having a central angle of 26° 29' 46" and a radius of 170.00 feet, thence Northeasterly along the arc of said curve a distance of 78.62 feet to the P.T. (chord bearing and distance between said points being N. 14° 22' 55" E. 77.92 feet) thence N. 27° 37' 48" E. a distance of 467.17 feet to the P.C. of a curve concaved Southeasterly having a central angle of 33° 26' 40" and a radius of 170.00 feet, thence Northeasterly along the arc of said curve a distance of 99.23 feet to the P.T. (chord bearing and distance between said point being N. 44° 21' 08" E. 97.83 feet) thence N. 61° 04' 28" E. a distance of 798.84 feet, thence S. 27° 36' 37" E. a distance of 111.17 feet to a point on the arc of a non-tangent curve concaved Southeasterly having a central angle of 12° 57' 57" and a radius of 1250.00 feet, thence Southeasterly along the arc of said curve a distance of 282.87 feet to the P.T. (chord bearing the distance between said points being S. 52° 32' 55" W. 282.27 feet) thence S. 46° 03' 57" W. a distance of 364.80 feet to the P.C. of a curve concaved Southeasterly having a central angle of 17° 19' 56" and a radius of 750.00 feet, thence Southwesterly along the arc of said curve a distance of 226.88 feet to the P.T. (chord bearing and distance between said points being S. 37° 23' 58" W. 226.02 feet) thence S. 28° 44' 00" W. a distance of 287.57 feet to the P.C. of a curve concaved Northeasterly having a central angle of 188° 58' 16" and a radius of 170.00 feet, thence Southeasterly along the arc of said curve a distance of 560.09 feet to a point (chord bearing and distance between said points being S. 65° 45' 08" E. 338.96 feet) thence N. 22° 37' 44" E. a distance of 262.55 feet to a point on the arc of a non-tangent curve concaved Southeasterly having a central angle of 17° 19' 56" and a radius of 440.00 feet, thence Northeasterly along the arc of said curve a distance of 133.10 feet to the P.T. (chord bearing and distance between said points being N. 37° 23' 58" E. 132.60 feet) thence N. 46° 03' 57" E. 364.80 feet to the P.C. of a curve concaved Southeasterly having a central angle of 22° 25' 13" and a radius of 940.00 feet, thence Northeasterly along the arc of said curve a distance of 367.83 feet to the P.T. (chord bearing and distance between said points being N. 57° 16' 33" E. 365.49 feet) thence N. 68° 29' 10" E. a distance of 491.96 feet, to the P.C. of a curve concaved Northwesterly having a central angle of 149° 52' 33" and a radius of 170.00 feet, thence Northeasterly along the arc of said curve a distance of 444.69 feet, to the P.T. (chord bearing and distance between said points being N. 35° 41' 05" E. 328.32 feet) thence N. 05° 58' 14" W. a distance of 280.07 feet to the P.C. of a curve concaved Southeasterly having a central angle of 13° 50' 21" and a radius of 890.00 feet, thence Northeasterly along the arc of said curve a distance of 214.97 feet to the P.T. (chord bearing and distance between said points being N. 00° 56' 56" E. 214.45 feet) thence N. 07° 52' 07" E. a

distance of 55.20 feet, thence N. 87° 02' 36" E. a distance of 109.59 feet, thence S. 57° 26' 16" E. a distance of 151.86 feet, thence S. 04° 39' 02" W. a distance of 453.10 feet, thence S. 55° 50' 25" E. a distance of 79.92 feet, thence N. 71° 50' 06" E. a distance of 350.07 feet, thence S. 88° 40' 48" E. a distance of 365.17 feet, thence S. 46° 57' 42" E. a distance of 308.03 feet, thence S. 66° 54' 36" E. a distance of 139.76 feet, thence N. 49° 25' 06" E. a distance of 572.04 feet, thence S. 89° 22' 12" E. a distance of 420.67 feet, thence S. 86° 08' 42" E. a distance of 289.17 feet, thence S. 88° 40' 00" E. a distance of 117.50 feet, thence S. 46° 32' 46" E. a distance of 56.26 feet, thence S. 35° 11' 02" W. a distance of 48.75 feet, thence S. 65° 17' 42" W. a distance of 122.60 feet, thence S. 82° 21' 18" W. a distance of 332.02 feet, thence S. 67° 37' 41" W. a distance of 249.73 feet, thence S. 71° 48' 20" W. a distance of 186.88 feet, thence S. 53° 42' 38" W. a distance of 286.90 feet, thence S. 38° 25' 15" W. a distance of 101.84 feet, thence S. 06° 35' 05" E. a distance of 88.86 feet, thence S. 19° 36' 08" W. a distance of 213.10 feet, to the P.C. of a curve concaved Southeasterly having a central angle of 04° 03' 14" and a radius of 2825.59 feet, thence Southwesterly along the arc of said curve a distance of 199.92 feet, to the P.T. (chord bearing and distance between said points being S. 17° 34' 31" W. 199.87 feet) thence S. 15° 32' 54" W. a distance of 419.45 feet, to the Point of Beginning.

CONTAINS 56.26 ACRES ±.

AND LESS AND EXCEPT THE DRIVING RANGE and holes 1, 8 and 9 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida, thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South 651.37 feet, thence West 1575.04 feet to the POINT OF BEGINNING, thence S. 35° 09' 50" W. a distance of 616.66 feet, thence S. 74° 14' 24" W. a distance of 92.59 feet, thence S. 39° 41' 28" W. a distance of 139.47 feet, thence N. 85° 55' 16" W. a distance of 632.63 feet, thence S. 14° 11' 41" W. a distance of 71.83 feet, thence S. 27° 10' 55" W. a distance of 119.68 feet, thence S. 40° 54' 33" W. a distance of 101.83 feet, thence S. 55° 12' 05" W. a distance of 201.30 feet, thence S. 18° 28' 50" E. a distance of 212.30 feet, thence S. 07° 18' 21" E. a distance of 270.31 feet, thence S. 10° 42' 35" E. a distance of 187.63 feet, thence S. 42° 56' 35" E. a distance of 265.65 feet, thence S. 19° 42' 48" E. a distance of 112.13 feet, thence S. 34° 31' 47" W. a distance of 77.08 feet, thence S. 72° 48' 49" W. a distance of 110.16 feet, thence N. 48° 12' 17" W. a distance of 169.19 feet, thence N. 58° 28' 57" W. a distance of 227.80 feet, thence S. 54° 08' 03" W. a distance of 87.56 feet to a point on the Easterly right-of-way line of Forest Ridge Boulevard as recorded in Plat Book 14, pages 29-31 inclusive, public records of Citrus County, Florida, thence N. 03° 41' 02" E. along said Easterly right-of-way line a distance of 137.26 feet to the P.C. of a curve concaved Southwesterly having a

central angle of 58° 53' 35" and a radius of 1335.00 feet, thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 1372.21 feet to a point (chord bearing and distance between said points being N. 25° 45' 45" W. 1312.60 feet) thence N. 48° 04' 48" E. a distance of 704.58 feet, thence S. 66° 49' 03" E. a distance of 97.25 feet, thence S. 50° 33' 59" E. a distance of 157.53 feet, thence S. 56° 51' 15" E. a distance of 278.73 feet, thence S. 67° 01' 20" E. a distance of 142.36 feet, thence S. 76° 53' 45" E. a distance of 567.49 feet, thence N. 06° 49' 50" E. a distance of 200.33 feet, thence N. 53° 40' 16" E. a distance of 615.10 feet, thence S. 41° 21' 17" E. a distance of 65.62 feet to the Point of Beginning.

CONTAINS 26.87 ACRES ±.

SUBJECT TO EASEMENT "E" AS DESCRIBED ON THE PLAT OF NORTH FOREST RIDGE BOULEVARD, AS RECORDED IN PLAT BOOK 14, PAGES 29-31 INCLUSIVE, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA,

AND, LESS AND EXCEPT A LEGAL DESCRIPTION of holes 2 and 3 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE corner of said Section 12, thence South a distance of 2026.28 feet, thence West a distance of 1046.56 feet to the POINT OF BEGINNING, thence S. 30° 49' 53" W. a distance of 295.91 feet, thence S. 31° 01' 05" W. a distance of 214.62 feet, thence S. 43° 28' 01" W. a distance of 444.65 feet, thence S. 40° 11' 30" W. a distance of 189.26 feet, thence S. 33° 59' 03" W. a distance of 177.11 feet, thence S. 15° 09' 32" E. a distance of 81.80 feet, thence S. 06° 16' 52" E. a distance of 138.89 feet, thence S. 56° 27' 36" W. a distance of 98.38 feet, thence N. 61° 46' 28" W. a distance of 100.75 feet, thence N. 30° 11' 18" W. a distance of 269.13 feet, thence N. 35° 15' 36" W. a distance of 747.44 feet, thence N. 34° 53' 16" W. a distance of 127.32 feet, thence N. 45° 02' 13" E. a distance of 63.28 feet, thence S. 48° 27' 15" E. a distance of 322.22 feet, thence S. 46° 42' 05" E. a distance of 595.22 feet, thence N. 30° 52' 58" E. a distance of 497.48 feet, thence N. 28° 55' 19" E. a distance of 554.41 feet, thence N. 42° 30' 30" E. a distance of 183.19 feet, thence N. 77° 56' 29" E. a distance 113.63 feet, thence S. 27° 22' 57" E. a distance of 186.15 feet to the Point of Beginning.

CONTAINS 11.58 ACRES ±.

AND, LESS AND EXCEPT A LEGAL DESCRIPTION of holes 4, 5, 6 and 13 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12 a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 190.00 feet, thence West a distance of 158.17 feet to the POINT OF BEGINNING, thence S. 30° 29' 42" E. a distance of 217.25 feet, thence S. 41° 50' 28" E. a distance of

120.54 feet, thence S. 66° 54' 39" E. a distance of 671.07 feet, thence N. 77° 38' 51" E. a distance of 280.07 feet, thence S. 67° 07' 14" E. a distance of 109.97 feet, thence S. 16° 14' 47" E. a distance of 57.49 feet, thence S. 24° 52' 07" W. a distance of 122.00 feet, thence S. 73° 28' 47" W. a distance of 294.01 feet, thence S. 70° 11' 48" W. a distance of 685.32 feet, thence S. 62° 16' 49" W. a distance of 268.34 feet, thence S. 27° 09' 05" E. a distance of 112.23 feet, thence S. 08° 54' 06" E. a distance of 132.76 feet, thence S. 43° 14' 33" W. a distance of 108.13 feet, thence S. 72° 29' 54" W. a distance 332.94 feet, thence S. 65° 51' 13" W. a distance of 336.54 feet, thence N. 28° 35' 53" W. a distance of 83.18 feet, thence N. 51° 20' 40" E. a distance of 719.02 feet, thence N. 36° 45' 04" W. a distance of 65.82 feet, thence N. 53° 58' 45" E. a distance of 545.00 feet, thence N. 02° 28' 19" W. a distance of 278.48 feet, thence N. 81° 47' 25" W. a distance of 342.91 feet, thence N. 16° 38' 38" W. a distance of 601.60 feet, thence N. 67° 20' 38" W. a distance of 160.29 feet, thence N. 33° 10' 47" W. a distance of 94.29 feet, thence N. 19° 26' 37" E. a distance of 157.91 feet, thence N. 21° 28' 46" E. a distance of 175.28 feet, thence S. 37° 53' 13" E. a distance of 64.80 feet, thence S. 80° 37' 29" E. a distance of 176.79 feet, thence S. 88° 44' 08" E. a distance of 296.88 feet, thence S. 85° 38' 28" E. a distance of 362.74 feet, thence N. 49° 43' 31" E. a distance of 371.54 feet, thence N. 26° 11' 35" E. a distance of 140.70 feet, thence N. 03° 38' 39" E. a distance of 307.34 feet, thence N. 34° 11' 58" E. a distance of 53.15 feet, thence S. 88° 50' 33" E. a distance of 206.30 feet, thence S. 03° 10' 58" E. a distance of 205.27 feet, thence S. 10° 49' 38" E. a distance of 287.64 feet, thence S. 53° 32' 16" W. a distance of 322.50 feet, thence S. 47° 10' 10" W. a distance of 402.40 feet, thence S. 83° 36' 46" W. a distance of 233.47 feet, thence N. 80° 01' 56" W. a distance of 252.20 feet, thence S. 59° 11' 22" W. a distance of 91.12 feet, thence S. 59° 01' 28" W. a distance of 119.30 feet, thence S. 01° 17' 27" E. a distance of 130.40 feet to the Point of Beginning.

CONTAINS 29.88 ACRES ±.

AND, LESS AND EXCEPT, A LEGAL DESCRIPTION FOR BEVERLY HILLS DEVELOPMENT CORPORATION of hole 17 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence North a distance of 1240.16 feet, thence West a distance of 2325.97 feet to the POINT OF BEGINNING, thence S. 05° 58' 14" E. a distance of 118.96 feet to the P.C. of a curve concaved Northwesterly having a central angle of 74° 27' 24" and a radius of 145.00 feet, thence Southwesterly along the arc of said curve a distance of 188.43 feet to the P.T. (chord bearing and distance between said point being S. 31° 15' 28" W. of 175.45 feet) thence S. 68° 29' 10" W. a distance of 372.74 feet to the P.C. of a curve concaved Southeasterly having a central

angle of 06° 42' 09" and a radius of 1250.00 feet, thence Southwesterly along the arc of said curve a distance of 146.22 feet to a point (chord bearing and distance between said points being S. 65° 08' 06" W. 146.14 feet) thence N. 27° 36' 37" W. a distance of 207.18 feet, thence N. 02° 32' 06" W. a distance of 38.44 feet, thence N. 64° 58' 32" E. a distance of 232.08 feet to the P.C. of a curve concaved Northwesterly having a central angle of 44° 24' 49" and a radius of 370.00 feet, thence Northeasterly along the arc of said curve a distance of 286.81 feet to the P.T. (chord bearing and distance between said points being N. 43° 04' 16" E. 279.68 feet), thence N. 20° 51' 52" E. a distance of 489.41 feet, thence N. 14° 12' 06" E. a distance of 72.00 feet, thence S. 79° 38' 03" E. a distance of 107.27 feet, thence S. 07° 52' 07" W. a distance of 279.37 feet to the P.C. of a curve concaved Southeasterly having a central angle of 13° 50' 21" and a radius of 1200.00, thence Southwesterly along the arc of said curve a distance of 289.85 feet to the P.T. (chord bearing and distance between said points being S. 00° 56' 56" W. 289.14 feet) said point also being the Point of Beginning.

CONTAINS 6.38 ACRES ±.

AND, LESS AND EXCEPT GREENSIDE, according to the map or plat thereof recorded in Plat Book 16, pages 22 and 23, public records of Citrus County, Florida,

AND, LESS AND EXCEPT LAUREL RIDGE NUMBER ONE, according to the map or plat thereof recorded in Plat Book 15, pages 13 to 23 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT LAUREL RIDGE NUMBER TWO, according to the map or plat thereof recorded in Plat Book 15, pages 113 to 120 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE, according to the map or plat thereof recorded in Plat Book 13, page 96, public records of Citrus County, Florida,

AND, LESS AND EXCEPT,

Parcel "A"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF BEVERLY HILLS UNIT NO. 11, PARCEL "A", LYING WITHIN SECTIONS 1 AND 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, as follows:

Commence at the most Westerly Corner of Lot 1, Block 12, of Laurel Ridge Number Two, as shown on the map or plat thereof, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence N. 41° 21' 17" W. along the Easterly right-of-way line of W. Rexford Drive as shown on the map or plat, a distance of 25.39 feet, to the POINT OF BEGINNING, said point being a point on the Northwesterly boundary of said LAUREL RIDGE NUMBER TWO, thence continue N. 41° 21' 17" W. along said right-of-way line, a distance of 8.90 feet, to the P.C. of a curve concaved Easterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Northwesterly along the arc of said

curve, and along said right-of-way line, a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 17° 15' 36" W. 20.41 feet), to a point of reverse curvature with a curve concaved Southeasterly, having a radius of 50.00 feet and a central angle of 276° 22' 46", thence Northerly, Westerly and Southerly, along the arc of said curve and along said right-of-way line, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 48° 38' 43" W. 66.67 feet), to a point of reverse curvature with a curve concaved Southwesterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Southeasterly along the arc of said curve and along said right-of-way line a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 65° 26' 59" E. 20.41 feet), to the point of intersection with a non-tangent line, said point being on the boundary of an existing golf course as described in Official Records Book 852, page 111, of the public records of Citrus County, Florida, thence along said boundary the following courses and distances S. 53° 40' 16" W. a distance of 615.10 feet, S. 06° 49' 50" W. a distance of 200.33 feet, N. 76° 53' 45" W. a distance of 567.49 feet, N. 67° 01' 20" W. a distance of 142.36 feet, N. 56° 51' 15" W. a distance of 278.73 feet, N. 50° 33' 59" W. a distance of 157.53 feet, N. 66° 49' 03" W. a distance of 97.25 feet, S. 48° 04' 48" W. a distance of 181.23 feet, to a point on the Northeasterly boundary of lands as described in Official Records Book 920, page 1950 of the public records of Citrus County, Florida, thence N. 68° 36' 06" W. along said lands, a distance of 551.04 feet, thence N. 21° 10' 37" E. leaving said lands, a distance of 60.00 feet, to the aforementioned boundary of said golf course, thence along said boundary the following courses and distances, S. 68° 36' 06" E. a distance of 373.54 feet, N. 42° 29' 19" E. a distance of 1523.30 feet, N. 79° 48' 51" E. a distance of 137.30 feet, N. 87° 28' 03" E. a distance of 301.13 feet, S. 80° 47' 51" E. a distance of 256.25 feet, S. 63° 53' 57" E. a distance of 574.81 feet, thence N. 14° 53' 57" E. a distance of 300.41 feet, N. 87° 47' 27" E. a distance of 384.52 feet, S. 40° 40' 40" E. a distance of 230.45 feet, S. 35° 46' 56" W. a distance of 644.88 feet, thence S. 58° 32' 03" W. a distance of 390.59 feet, thence S. 33° 54' 28" W. a distance of 110.89 feet, to a point on the boundary of said LAUREL RIDGE NUMBER TWO, thence S. 58° 44' 02" W. along said boundary a distance of 121.88 feet, to the Point of Beginning.

CONTAINS 58.67 ACRES ±.

AND, LESS AND EXCEPT,

Parcel "B"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF PARCEL "B", LYING WITHIN SECTIONS 1 AND 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, as follows:

Commence at the most Westerly Corner of Lot 1, Block 12, of LAUREL RIDGE NUMBER TWO, as shown on the map or plat thereof as recorded in Plat Book 15, pages 113-120 inclusive, of the Public Records of Citrus County, Florida, thence N. 41° 21' 17" W. along the Easterly right-of-way line of W. Rexford Drive, as shown on said map or plat, a distance of 25.39 feet, to a point on the boundary of said LAUREL RIDGE NUMBER TWO, thence N. 41° 21' 17" W. along said right-of-way line a distance of 8.90 feet, to the P.C. of a curve concave Easterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 17° 15' 36" W. 20.41 feet), to a point of reverse curvature with a curve concave Southeasterly, having a radius of 50.00 feet and a central angle of 276° 22' 46", thence Northerly, Westerly and Southerly, along the arc of said curve and along said right-of-way line, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 48° 38' 43" W. 66.67 feet), to a point of reverse curvature with a curve, concave Southwesterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Easterly along the arc of said curve and along said right-of-way line, a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 65° 25' 59" E. 20.41 feet), to the point of intersection with a non-tangent line, said point being on the boundary of an existing golf course as described in Official Records Book 852, page 111, of the public records of Citrus County, Florida, thence along said boundary the following courses and distances, S. 53° 40' 16" W. a distance of 615.10 feet, S. 06° 49' 50" W. a distance of 200.33 feet, N. 76° 53' 45" W. a distance of 567.49 feet, N. 67° 01' 20" W. a distance of 142.36 feet, N. 56° 51' 15" W. a distance of 278.73 feet, N. 50° 33' 59" W. a distance of 157.53 feet, N. 66° 49' 03" W. a distance of 97.25 feet, thence S. 48° 04' 48" W. a distance of 181.23 feet, to a point on the Northerly line of lands described in Official Records Book 920, page 1950, of the public records of Citrus County, Florida, thence N. 68° 36' 06" W. along said lands a distance of 551.04 feet, to the POINT OF BEGINNING, thence continue N. 68° 36' 06" W., leaving said lands, a distance of 197.55 feet, to the P.C. of a curve concave Southerly, having a radius of 310.00 feet and a central angle of 33° 15' 03", thence Westerly along the arc of said curve, a distance of 179.90 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 85° 13' 38" W. 177.39 feet), thence S. 78° 08' 50" W. a distance of 24.78 feet, to the P.C. of a curve concave Southeasterly, having a radius of 25.00 feet and a central angle of 98° 28' 15", thence Westerly along the arc of said curve a distance of 42.97 feet to the P.T. of said curve (chord bearing and distance between said points being S. 28° 54' 43" W. 37.87 feet), to a point of reverse curvature with a curve concave Westerly, having a radius of 640.00 feet and a central angle of 32° 25' 24", thence Southerly along the arc of

said curve a distance of 362.17 feet to the P.T. of said curve (chord bearing and distance between said points being S. 04° 06' 42" E. 357.36 feet), to a point of reverse curvature with a curve concave Northeasterly, having a radius of 25.00 feet and a central angle of 85° 37' 45", thence Southerly along the arc of said curve, a distance of 37.36 feet to the P.T. of said curve (chord bearing and distance between said points being S. 30° 42' 53" E. 33.98 feet) thence N. 73° 31' 45" W. a distance of 217.41 feet to the P.C. of a curve concave Northwesterly, having a radius of 25.00 feet and a central angle of 96° 29' 17", thence Easterly along the arc of said curve, a distance of 42.10 feet to the P.T. of said curve (chord bearing and distance between said points being N. 58° 13' 37" E. 37.30 feet) to a point of compound curvature with a curve concave Westerly, having a radius of 473.53 feet and a central angle of 34° 10' 35", thence Northerly along the arc of said curve a distance of 282.46 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 07° 06' 20" W. 278.29 feet) to a point of reverse curvature with a curve concave Easterly, having a radius of 726.47 feet and a central angle of 06° 31' 58", thence Northwesterly along the arc of said curve, a distance of 82.83 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 20° 55' 38" W. 82.79 feet), to the point of intersection with a non-tangent line, thence N. 78° 08' 50" E. a distance of 232.99 feet, to the P.C. of a curve concave Southerly, having a radius of 370.00 feet and a central angle of 33° 15' 03", thence Easterly along the arc of said curve, a distance of 214.73 feet to the P.T. of said curve (chord bearing and distance between said points being S. 85° 13' 38" E. 211.72 feet) thence S. 68° 36' 06" E. a distance of 197.32 feet, thence S. 21° 10' 37" W. a distance of 60.00 feet, to the Point of Beginning.

CONTAINING 2.30 ACRES ±.

AND, LESS AND EXCEPT,

Parcel "C"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF A PORTION OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, IN THE VICINITY OF LOT 1, BLOCK 11, LAUREL RIDGE NUMBER TWO, TO BE ACQUIRED FROM BEVERLY HILLS DEVELOPMENT CORP, as follows:

Commence at the most Southerly Corner of Lot 2, Block 11, of LAUREL RIDGE NUMBER TWO, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence S. 28° 35' 53" E. along the boundary of said LAUREL RIDGE NUMBER TWO, a Southeasterly projection thereof, and along the boundary of lands described in Official Records Book 852, page 111 of the public records of Citrus County, Florida, a distance of 30.47 feet to the POINT OF BEGINNING, thence continue S. 28° 35' 53" E. a distance of 52.71 feet, thence S. 62° 37' 03" W. a distance of 120.34 feet to the Northeasterly right-of-way line of North Jademoor Drive

as shown on said plat, thence N. 27° 22' 57" W. along said right-of-way line a distance of 28.93 feet to the Southerly boundary line of said LAUREL RIDGE NUMBER TWO, thence N. 51° 20' 40" E. along said boundary a distance of 121.57 feet to the Point of Beginning.

CONTAINS 4895.51 SQ.FT. ±.

AND, LESS AND EXCEPT,

A LEGAL DESCRIPTION FOR MORRISON HOMES OF FLORIDA, INC. OF A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the most Westerly Corner of Lot 1, Block 12, of LAUREL RIDGE NUMBER TWO, as shown on the map or plat thereof, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence N. 41° 21' 17" W. along the Easterly right-of-way line of W. Rexford Drive as shown on said map or plat, a distance of 34.29 feet, to the P.C. of a curve concave Easterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Northwesterly along the arc of said curve, a distance of 21.03 feet to the P.T. of said curve (chord bearing and distance between said points being N. 17° 15' 36" W. 20.41 feet) to a point of reverse curvature with a curve concave Southeasterly, having a radius of 50.00 feet and a central angle of 276° 22' 46", thence Northerly along the arc of said curve, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 48° 38' 43" W. 66.67 feet), to a point of reverse curvature with a curve concave Southwesterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Easterly along the arc of said curve a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 65° 26' 59" E. 20.41 feet), to the point of intersection with a non-tangent line, thence S. 53° 40' 16" W. a distance of 615.10 feet, thence S. 06° 49' 50" W. a distance of 200.33 feet, thence N. 76° 53' 45" W. a distance of 567.49 feet, thence N. 67° 01' 20" W. a distance of 142.36 feet, thence N. 56° 51' 15" W. a distance of 278.73 feet, thence N. 50° 33' 59" W. a distance of 157.53 feet, thence N. 66° 49' 03" W. a distance of 97.25 feet, thence S. 48° 04' 48" W. a distance of 181.23 feet, thence N. 68° 36' 06" W. a distance of 551.04 feet, thence N. 21° 10' 37" E. a distance of 60.00 feet, thence N. 68° 36' 06" W. a distance of 197.32 feet, to the POINT OF BEGINNING, said point being the P.C. of a curve concave Southerly, having a radius of 370.00 feet and a central angle of 33° 15' 03", thence Westerly along the arc of said curve a distance of 214.73 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 85° 13' 38" W. 211.72 feet), thence S. 78° 08' 50" W. a distance of 43.05 feet, to the P.C. of a curve concave Northeasterly having a radius of 25.00 feet and a central angle of 84° 47' 48", thence Westerly along the arc of said curve, a distance of 37.00 feet, to the P.T. of said curve (chord bearing and distance between said

points being N. 59° 27' 15" W. 33.71 feet), to a point of compound curvature with a curve concave Easterly, having a radius of 560.00 feet and a central angle of 28° 32' 49", thence Northerly along the arc of said curve, a distance of 279.01 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 02° 46' 57" W. 276.14 feet), to the point of intersection with a non-tangent line, thence S. 88° 51' 58" E. a distance of 378.56 feet, thence S. 01° 08' 02" W. a distance of 87.02 feet, thence S. 21° 23' 54" W. a distance of 222.57 feet, to the Point of Beginning.

CONTAINING 2.295 ACRES ±.

AND, LESS AND EXCEPT,

The Northeast 1/4 of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

AND ADDING THE FOLLOWING 3 PARCELS:

The Northeast 1/4 of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

CONTAINING 161.46 ACRES ±.

AND

The Southwest 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

CONTAINING 160.57 ACRES ±.

AND

Commence at the Northeast corner of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST; thence S. 88° 20' 00" W. along the North line of said Section 1 a distance of 995.09 feet to a point on the Northerly projection of the East line of lands in Deed recorded in Official Record Book 315, page 595, public records of Citrus County, Florida, thence S. 01° 40' 00" E. along said Northerly projection and along the East line of said lands a distance of 1382.55 feet to the Point of Beginning, thence continue S. 01° 40' 00" E. along said East line a distance of 317.45 feet to the Southeast Corner of said lands, thence S. 88° 20' 00" W. along the South line of said lands a distance of 1377.72 feet to the most Southerly Corner of said lands, thence N. 01° 40' 00" W. parallel to said East line a distance of 317.45 feet, thence N. 88° 20' 00" E. parallel to said South line a distance of 1377.72 feet to the Point of Beginning. Described in Official Record Book 916, page 1895, public records of Citrus County, Florida.

CONTAINING 10.04 ACRES ±.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History--New 6-18-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lisa Saliba, Florida Land and Water Adjudicatory Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Saliba, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
 RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The purpose and effect is to update the percentage of gross pilotage assessed.

SUMMARY: The percentage of gross pilotage assessed is updated.

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

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

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~one tenth seventy five hundredths~~ of one percent (~~1%-75%~~) of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-2-05, 2-1-06, 5-1-06, 7-1-06, 1-1-07, 8-1-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 5, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0032
 RULE TITLE: Board Approval of CPA Ethics Continuing Education by Providers

PURPOSE AND EFFECT: The Board proposes to amend the rule in order to add that the fee is not refundable if an application for Board approval of CPA Ethics continuing education is withdrawn or denied.

SUMMARY: The fee for an application for Board approval of CPA Ethics continuing education is not refundable if the application is withdrawn or denied.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) through (2) No change.

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

(a) through (h) No change.

(i) The fee as established in subsection 61H1-31.001(15), F.A.C. If such application is withdrawn or denied, no portion of the fee will be refundable.

(4) through (6) No change.

Specific Authority 120.55(1)(a)4., 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(6), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 6-30-05, Amended 9-24-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 28, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-3.004 Issuance of Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to amend the FREAB rules incorporating AQB minimum standards going into effect on January 1, 2008, including licensure qualifications.

SUMMARY: The rule amendment affects rule provisions relating to licensure qualifications.

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

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

SPECIFIC AUTHORITY: 475.613(2), 475.614, 475.6171 FS. LAW IMPLEMENTED: 475.6171 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: Thomas O'Bryant, Deputy 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:

61J1-3.004 Issuance of Certification.

Any applicant requesting the issuance of his or her certification shall submit an application after completing the required education and experience components and shall submit to the Board the following in order for the applicant's certification to be issued:

(1) through (5) No change.

(6) Effective January 1, 2008, the Department of Business and Professional Regulation shall issue a license to an applicant without evidence of the required education and experience who:

(a) Demonstrates that the applicant is currently licensed to practice real estate appraisal with an equivalent appraisal credential under the law of another state or jurisdiction;

(b) Demonstrates that the applicant has met the minimal Appraisal Qualifications Board (AOB)'s criteria for education;

(c) Demonstrates that the applicant has met the minimal Appraisal Qualifications Board (AOB)'s criteria for experience;

(d) Demonstrates that the applicant has passed an Appraisal Qualifications Board (AOB) approved qualifying examination for that credential within 24 months of the date of application;

(e) Demonstrates successful completion of this state's laws and rules exam with a passing score; and

(f) Demonstrates that the applicant has complied with subsections 61J1-3.001(1), (2), (5), (6), and (7), F.A.C.

Specific Authority 475.613(2), 475.614, 475.6171 FS. Law Implemented 475.6171 FS. History—New 5-14-07, Amended _____.

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: October 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-5.001 Appraisal Examination Areas of Competency

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to amend the FREAB rules incorporating AQB minimum standards going into effect on January 1, 2008, including licensure qualifications.

SUMMARY: The rule amendment affects rule provisions relating to licensure qualifications.

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

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

SPECIFIC AUTHORITY: 455.217, 475.614 FS.

LAW IMPLEMENTED: 455.217, 475.616 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: Thomas O'Bryant, Deputy 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:

61J1-5.001 Appraisal Examination Areas of Competency.

(1) No change.

~~(2) The answers to the certification examinations shall be graded on the basis of 100 points for a perfect examination. An applicant who receives a grade of 75 points or higher shall be deemed to have successfully completed the examination.~~

(2)(a) The Board adopts the passing score for the national uniform examination as determined by the Appraisal Qualifications Board (AOB) of the Appraisal foundation or any successor body recognized by federal law.

(b) A passing score on the Florida laws and rules examination shall be a score of 75% or better. All questions shall be weighed equally and percentages shall be rounded off to whole numbers. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be dropped. The passing score is valid for 24 months from the date of the examination.

(3) No change.

Specific Authority 455.217, 475.614 FS. Law Implemented 455.217, 475.616 FS. History—New 10-15-91, Formerly 21VV-5.001, Amended 2-16-04,_____.

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: October 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-1.011 License Fees and Examination Fees

PURPOSE AND EFFECT: The Commission will be reviewing the license and examination fees, and will eliminate the Fingerprinting Card Processing fees.

SUMMARY: The Commission proposes to eliminate the Fingerprinting Card Processing fees because fingerprint cards are no longer used.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 68.065(2), 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-1.011 License Fees and Examination Fees.

(1) Every person, partnership, limited liability partnership, corporation or limited liability company deemed and held to be a licensee under Chapter 475, Florida Statutes, must register with the Florida Real Estate Commission (Commission) and must secure a license for each license period.

(2) The application fee for licensure shall be as follows:

(a) Initial application.

Broker	\$20.00
Sales Associate	\$20.00
(b) 1. Fingerprint Card Processing Fee; or	\$47.00
2. Electronic Fingerprint Processing Fee	\$61.00

(3) The biennial license fee for an active licensee shall be:

Broker	\$90.00
Sales Associate	\$80.00
Branch office for Broker	\$80.00

(4) The fee and the time of payment for inactive license shall be the same as for an active license, as set forth in subsection (3) of this rule; however, there is no inactive branch office.

- (5) The following fees shall be charged for the following purposes:
- (a) Change of Individual License to Professional Association or Professional Association to Individual License \$30.00
 - (b) Checks returned due to insufficient funds or account closed:
 - face value does not exceed \$50.00 \$25.00
 - face value exceeds \$50.00 but does not exceed \$300.00 \$30.00
 - face value exceeds \$300.00 (Section 68.065, Florida Statutes) \$40.00
 or an amount up to 5% of the face amount of the check, whichever is greater
 - (c) Late fee \$45.00
 - (d) Duplicate License \$25.00
 - (6) The Commission may conduct seminars and publish and sell the following documents at cost, which may or may not vary with each class or printing:
 - Wall Certificate of License Course syllabus
 - (7) The license fee for school related categories shall be as follows:
 - (a) Application for School Instructor \$20.00
 - ~~(b) Fingerprint Card Processing Fee \$47.00~~
 - (c) The biennial Permit Fees shall be:
 - School Permitholder \$130.00
 - Additional Location for Permitholder \$45.00
 - Chief Administrative Person \$80.00
 - School Instructor \$80.00
 - (8) Entity, sponsor, organization and individual equivalent education course offering:
 - For each application for approval of education offering \$80.00
 - For each biennial education course offering renewal \$80.00
 - (9) The initial application for registration of a corporation, partnership, limited liability company or limited liability partnership is:
 - Corporation, partnership, limited liability company or limited liability partnership \$90.00
 - Branch office for a corporation, partnership, limited liability company or limited liability partnership \$80.00
 - (10) The biennial renewal of a corporation, partnership, limited liability company or limited liability partnership registration fee shall be:
 - Corporation, partnership, limited liability company or limited liability partnership \$90.00
 - Branch office for a corporation, partnership, limited liability company or limited liability partnership \$80.00

(11) The fee for request for a change of examination date, which must be in writing, shall be:

- (a) Requests received by the examination vendor 3 or more days prior to the scheduled date no fee
- (b) Requests received by the examination vendor less than 3 days prior to the scheduled date \$45.00

Specific Authority 475.05 FS. Law Implemented 68.065(2), 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-18-94, 12-17-95, 12-30-97, 1-19-99, 4-18-99, 2-24-00, 11-17-03, 3-8-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 17, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-14.008
 RULE TITLE: Definitions
 PURPOSE AND EFFECT: The rule amendment describes the licensees' obligations when a deposit is placed with an attorney or title company.
 SUMMARY: The rule amendment sets forth the requirements of the broker to provide verification of a deposit when the deposit is placed with a title company or attorney.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 475.05, 475.25(1)(k) FS.
 LAW IMPLEMENTED: 475.25(1)(k) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-14.008 Definitions.

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

(b) When a deposit is placed or to be placed with a title company or an attorney, the licensee who prepared or presented the sales contract ("Licensee"), shall indicate on that contract the name, address, and telephone number of such title company or attorney. Within three (3) business days after each deposit is due under the sales contract, the Licensee's broker shall make written request to the title company or attorney to provide written verification of receipt of the deposit. Within ten (10) business days of the date the Licensee's broker made the written request for verification of the deposit, the Licensee's broker shall provide Seller's broker with either a copy of the written verification, or, if no verification is received by Licensee's broker, written notice that Licensee's broker did not receive verification of the deposit. If Seller is not represented by a broker, then Licensee's broker shall notify the Seller directly in the same manner indicated herein. When escrow funds are placed with a title company or an attorney, the licensee shall indicate on the sales contract the name and address of said entity. The licensee shall obtain and retain written verification of said deposit upon delivery of the funds to the title company or attorney.

(3) No change.

Specific Authority 475.05, 475.25(1)(k) FS. Law Implemented 475.25(1)(k) FS. History--New 1-1-80, Formerly 21V-14.08, Amended 10-13-88, 12-29-91, 7-20-93, Formerly 21V-14.008, Amended 7-5-95, 7-4-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-3.001	Purpose and Scope
63D-3.002	Definitions
63D-3.003	Assessment and Recommendation
63D-3.004	General Characteristics of Diversion Programs

63D-3.005 Intensive Delinquency Diversion Services (IDDS)

63D-3.006 Other Diversion Programs

63D-3.007 JPO Supervised Diversion

PURPOSE AND EFFECT: The rule implements those portions of Chapter 985, Florida Statutes, Part III, that authorize juvenile delinquency diversion programs.

SUMMARY: The rule specifies the role of department staff in the various diversion programs authorized by statute.

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

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

SPECIFIC AUTHORITY: 985.601(3), 985.64 FS.

LAW IMPLEMENTED: 985.12, 985.145, 985.155, 985.16, 985.601(3) 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: Tuesday, November 13, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3200, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lydia Monroe, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63D-3.001 Purpose and Scope.

This rule specifies the requirements and criteria governing alternative interventions used to divert low risk youth, from the formal judicial system. The rule also describes the various types of diversion programs and authorized services.

Specific Authority 985.145(5), 985.601(3)(a), 985.64 FS. Law Implemented 985.145(5), 985.601(3)(a) FS. History--New _____.

63D-3.002 Definitions.

For purposes of this rule chapter, the following terms shall be defined as follows:

(1) Civil Citation – A civil rather than criminal option that offers law enforcement an active role in assigning sanctions that provide swift and appropriate consequences to youths for certain nonviolent misdemeanor delinquent acts.

(2) Community Arbitration – A non-judicial diversionary process whereby a civilian neutral third party or a panel of citizens from the community listens to the facts and arguments presented by the parties and renders a decision and appropriate sanctions.

(3) Diversion Services – A group of non-judicial alternatives used to keep youth who have committed a delinquent act from being handled through the traditional juvenile justice system. These alternative services are intended to intervene at an early stage of delinquency, decrease subsequent offenses during and after participation in the programs, and provide an array of services to juvenile offenders.

(4) Intensive Delinquency Diversion Services (IDDS) – A statewide diversion option in lieu of formal court involvement and supervision, developed to serve those youth who, after assessment of risks and needs, appear to be most at risk of becoming serious and chronic offenders.

(5) Juvenile Alternative Services Program (JASP) – A diversion program that combines sanctions and services that address the needs of the youth, family, and victim.

(6) Juvenile Justice Information System (JJIS) – The department’s electronic information system used to gather and store information on youth having contact with the department.

(7) Juvenile Probation Officer (JPO) – The Juvenile Probation Officer serves as the primary case manager for managing, coordinating and monitoring the services provided and sanctions required for youth on probation, post-commitment probation or conditional release supervision. In this chapter, a reference to the tasks and duties of a JPO shall also apply to case management staff of a provider agency contracted to perform these duties and tasks.

(8) Juvenile Probation Officer Supervisor (JPOS) – Provides first line oversight and management of the JPOs in the unit. The JPOS is responsible for overall direction and guidance of the services provided by the JPO including but not limited to reviewing the progress of cases, documenting compliance with law and court orders, and approving intervention plans and revisions to intervention plans. In this chapter, a reference to the tasks and duties of a JPOS shall also apply to a case management staff supervisor of a provider agency contracted to perform these duties and tasks.

(9) JPO Supervised Diversion – JPOs may supervise a diversion case by allowing the parent(s)/guardian(s) or a community-based diversion program to oversee the youth’s completion of an individualized diversion plan. The youth is given sanctions and restitution, if requested by the victim, with the understanding that the JPO must be supplied with proof of the youth’s completion of sanctions and payment of restitution. The youth and parent(s)/guardian(s) must be allowed to provide input in the selection of individualized sanctions or services when possible.

(10) Positive Achievement Change Tool (PACT) – As incorporated in subsection 63D-5.002(4), F.A.C.

(11) State Attorney Recommendation Form – (DJJ/PACT Form 3 10/2006) is the form used by probation and contracted staff to make a formal recommendation to the state attorney as to whether a youth’s case should be handled judicially or

non-judicially. It is incorporated and available from the Office of the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, Florida 32399.

(12) Teen Court – Teen Court is designed to allow first time juvenile offenders to be diverted from traditional court processing and have their cases reviewed by a jury of their peers. After completion of assigned sanctions, the youth then participates in the process as a jury member and may also be used to serve in the role of prosecuting or defense attorney, judge, bailiff, or clerk.

Specific Authority 985.145(5), 985.64 FS. Law Implemented 985.145(5) FS. History–New _____.

63D-3.003 Assessment and Recommendation.

(1) Assessing risks and needs for diversion services.

(a) In all cases in which a youth is alleged to have committed a law violation or delinquent act, the JPO conducting the intake screening must assess the youth’s needs and threat to public safety.

(b) Decision-making about whom to refer to diversion is determined based upon the youth’s current offense, delinquency history, PACT assessment and level of risk to reoffend.

(2) Following the assessment, the JPO must submit a written recommendation to the state attorney for judicial or non-judicial handling of the youth.

Specific Authority 985.145(4), 985.64 FS. Law Implemented 985.145(4) FS. History–New _____.

63D-3.004 General Characteristics of Diversion Programs.

(1) Community service hours.

(2) Restitution.

(3) Random urinalysis monitoring.

(4) Curfew.

(5) Individual, group, or family counseling.

(6) Anger management education.

(7) Educational training.

(8) Vocational services.

(9) Substance abuse education and treatment.

Specific Authority 985.145(5), 985.601(3)(a), 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History–New _____.

63D-3.005 Intensive Delinquency Diversion Services (IDDS).

(1) The IDDS program provides services to a specific population of juvenile offenders who, after assessment of risks and needs, appear to be at risk of becoming serious and chronic offenders.

(2) Those youth who demonstrate high risk factors, such as, first offense occurring at or prior to age 15, poor school performance and truancy, lack of parental supervision, substance abuse problems and gang affiliation are the target population.

(3) Intake and Eligibility.

(a) The JPO shall assess if the youth is appropriate for an IDDS recommendation using the PACT pre-screen assessment. If the youth is at a moderate-high or high risk to reoffend, then the youth is eligible to participate.

(b) If the youth does not meet the eligibility criteria in preceding paragraph (3)(a), then a second eligibility factor may be considered in which youth who have a minimum of one documented risk factor in three of the four areas of Family, School, Substance Abuse or Delinquency based upon the PACT pre screen, can also be assessed as eligible for referral to IDDS.

(c) An IDDS case manager shall be assigned to the youth within 24 hours of the referral being received by the provider.

(4) The IDDS case manager must make face-to-face contact with the youth and parent within seven (7) working days of receiving the referral. At that time, the case manager will obtain the signature of the youth and parent on the participation agreement denoting their understanding of the expectations of the program.

(5) The youth must complete all assigned sanctions and services to be successfully terminated from IDDS. The IDDS provider must assist the family in obtaining mental health services as indicated by assessment, and must track the youth's attendance and progress.

Specific Authority 985.145(5), 985.601(3)(a), 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History--New _____.

63D-3.006 Other Diversion Programs.

(1) The Civil Citation Program.

(a) The civil citation process provides law enforcement with an alternative to custody while ensuring swift and appropriate consequences for youth who commit non-serious delinquent acts.

(b) A record check of JJIS is made by DJJ to determine program eligibility.

(c) Upon receipt of the citation, DJJ shall enter appropriate information into JJIS.

(d) Upon unsuccessful completion of the civil citation program, the case is forwarded to DJJ for a recommendation to the state attorney for possible court action.

(2) Community Arbitration Program.

(a) Community arbitration provides a system by which youth who commit delinquent acts may be dealt with quickly and informally at the community level, to reduce instances of delinquent acts and permit the judicial system to deal effectively with more serious cases.

(b) The Community Arbitration Process.

1. The JPO may recommend community arbitration based on program criteria and availability. Section 985.16, F.S., specifically identifies eligibility criteria for community arbitration.

2. Upon approval by the state attorney, if a case is to be referred to community arbitration, the JPO must contact the youth and his or her parent(s)/guardian(s) within forty-eight (48) hours after issuance of the complaint to advise them of the requirements and time frames for arbitration.

3. If the youth, parent(s)/guardian(s), and the state attorney accept community arbitration, the JPO must provide copies of the complaint to the arbitrator within twenty-four (24) hours.

4. If the youth refuses arbitration, then the JPO must make a recommendation to the state attorney for possible court action.

5. If the youth fails to appear for the arbitration hearing, the matter must be referred back to DJJ for consultation with the state attorney regarding possible court action.

6. If the youth or parent(s)/guardian(s) are dissatisfied with the disposition of the arbitration proceedings, they may request a review by notifying the JPO within 15 days. Upon receipt of the request, the JPO must consult with the state attorney who shall consider the request and may file formal juvenile proceedings or take other action.

7. If the youth fails to comply with the disposition of the arbitration proceedings, the case will be referred to the JPO to complete a recommendation to the state attorney and make a subsequent recommendation.

(3) Teen Court.

(a) Teen Court may accept referrals from DJJ, state attorney, juvenile court, law enforcement, CINS/FINS provider, public defender, traffic court and school officials.

(b) Ineligible offenses include third degree felonies involving violence toward a person, grand theft auto, or use of a weapon.

(4) Juvenile Alternative Services Program (JASP).

(a) JASP uses a balanced approach combining sanctions and services that address the needs of the youth, family, and victims.

(b) JASP may receive referrals from DJJ, the state attorney's office, and the court.

(c) DJJ or their contracted agents shall conduct an initial intake with the youth and the parent(s)/guardian(s) to determine the risk and needs of the youth and family.

(d) The recommendation to the state attorney is completed by the JPO and referred to the state attorney requesting that the case be handled non-judicially and referred to JASP with recommended sanctions and services.

(e) Youths referred to JASP should meet probation criteria and/or have a minimum of four extensive service needs.

(f) First time misdemeanants may be referred if they have a minimum of four extensive service needs such as extensive substance abuse, school problems (truancy or suspension), family dysfunction, housing, running away, or other behavioral or mental health problems.

(g) Sanctions and services provided to the youth and family shall be based on risk and individual needs and noted in the youth's service/treatment plan.

(h) The JASP provider must accept all appropriate referrals from DJJ.

(i) JASP shall meet with the youth and at least one parent(s)/guardian(s) to explain the program, review the sanctions and services the referring agencies assigned, discuss completion dates for each sanction/service, and explain program expectations. JASP may also assign additional services to the youth if the JASP provider determines that the youth or family is in need of further support or assistance.

(j) JASP shall provide case management services to ensure the youth is completing all sanctions and services.

(k) JASP shall include office, home, or school visit contacts and may include work site visits, telephone contacts, letters, and meetings for law education classes or other group activities. Frequency of contacts with the youth is determined by the risk and needs of the youth and family.

(l) All sanctions and intervention services must be completed by the youth within 90 calendar days from the date the case was officially received by JASP.

(m) If the case is not closed within 90 calendar days, the reasons must be documented in the juvenile's file. The program director or designee must review the file and document the required action for completion within a designated time frame.

(n) At the time of closure, the JASP provider shall submit the information to the JPO Unit in the Circuit for data entry into JJIS, to the department, state attorney, or the court, and shall place a copy in the youth's file.

(o) If the youth does not complete the program, the referring agencies must send the case back to the state attorney for possible court action.

Specific Authority 985.145(5), 985.601(3)(a), 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History--New _____.

63D-3.007 JPO Supervised Diversion.

(1) The department utilizes a number of other diversion programs to direct youth away from the formal juvenile justice system pursuant to Section 985.601(3)(a), F.S. These may include individualized plans for diversions, such as local churches, civic clubs and organizations that provide opportunities for the youth to achieve the obligations of his or her diversion plan.

(2) Cases that must be considered for this type of non-judicial handling are:

(a) Cases where the state attorney has approved of non-judicial action.

(b) Cases in which sanctions and intervention services can be completed within a short period of time.

(c) Cases in which youth are very young.

(d) Cases where the youth may have specific needs or be in an employment or educational setting that require different supervision than that offered by local diversion programs.

(3) Process.

(a) The JPO must obtain approval from the state attorney for this diversion program and the recommended sanctions and services.

(b) A waiver of speedy trial must be signed if the state attorney requires it.

(c) The JPO must develop an individualized diversion plan of sanctions and intervention services with input from the state attorney, the youth and the parent(s)/guardian(s).

(d) The plan must include a time frame for completion of the sanctions and intervention services (typically 30-90 days for substantial completion).

(e) If the youth fails to comply with the conditions and sanctions of the individualized plan, the JPO must notify the state attorney.

Specific Authority 985.145(5), 985.601(3)(a), 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack Ahearn, DJJ Probation and Community Intervention
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Darryl Olson, DJJ Asst. Secretary
for Probation and Community Intervention
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 9, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 21, 2007

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-11.001
RULE TITLE: Certified Nursing Assistant
Certification Renewal

PURPOSE AND EFFECT: The rule is intended to set the renewal and delinquency fees for certified nursing assistants.

SUMMARY: In this rule the Department establishes a \$50 renewal fee, a \$50 delinquency fee and the \$5 unlicensed activity fee. The Department also requires documentation of the renewal requirements.

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

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

SPECIFIC AUTHORITY: 464.203 FS.

LAW IMPLEMENTED: 464.203 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C-10, Tallahassee, Florida 32399-3250

THE FULL TEXT OF THE PROPOSED RULE IS:

BIENNIAL RENEWAL OF CERTIFIED NURSING ASSISTANT CERTIFICATION

64B-11.001 Certified Nursing Assistant Certification Renewal.

(1) The renewal application for the Certified Nursing Assistant shall be accompanied by the biennial renewal fee for the biennium or for the allocated renewal fee period and the certificate holder shall maintain documentation of compliance with Rule 64B9-15.011, F.A.C., beginning on July 1, 2006, and for at least the four calendar years preceding each subsequent renewal.

(2) The biennial renewal fee for certified nursing assistants shall be \$50 and the delinquency fee for reactivation of a delinquent license shall be \$50.

(3) The unlicensed activity fee for certified nursing assistants is \$5.

Specific Authority 464.203 FS. Law Implemented 464.203 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lola Pouncey

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE NO.: 20-13.011
RULE TITLE: Ambersweet: Classification and Standards

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 33, August 17, 2007 issue of the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-1.703
RULE TITLE: Procedures for Consideration of Permit Applications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 34, August 24, 2007 issue of the Florida Administrative Weekly.

40B-1.703(2)

(c) The Governing Board hereby delegates authority to the Executive Director, Assistant Executive Director or ~~the Deputy Executive Director's designee~~ to issue individual environmental resource permits that require no special limiting conditions or that require only the following special limiting conditions pursuant to subsection 40B-4.1140(1), Florida Administrative Code (F.A.C.), under Chapters 40B-4 and 40B-400, F.A.C.:

1. Permits that identify non-profit associations as operation and maintenance entities under subsection 40B-4.2035(3), F.A.C.; or
2. Permits that require the following documents to be recorded in legal records:
 - a. Final plats; and
 - b. Deed restrictions; and
 - c. Drainage easements.

Unless objection to the permit application or the notice of proposed agency action is made according to statute and these rules by a substantially affected person, the Executive Director

shall either issue the permit or place the application on the agenda of the next regularly scheduled meeting of the Governing Board.

Specific Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History--New 6-16-88, Amended 12-22-92, 10-3-95, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-8.041 Minimum Flows

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a corrected hearing regarding the above rule, as noticed in Vol. 32, No. 1, January 6, 2006, Florida Administrative Weekly.

DATE AND TIME: October 30, 2007, 9:00 a.m.

PLACE: Southwest Florida Water Management District Service Office, Governing Board Room, 6750 Fruitville Road, Sarasota, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This notice corrects the notice of public hearing published in Vol. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly. The location for the public hearing requested by Tampa Bay Water pursuant to paragraph 120.54(3)(c), F.S., regarding the District's proposed Rule 40D-8.041, F.A.C., published in Vol. 32, No.1, January 6, 2006 issue of the Florida Administrative Weekly to establish minimum flows for the freshwater segment of the Alafia River, has been changed from Brooksville to the place described above. A notice of change in attempt to correct the location of the public hearing was published in Vol. 33, No. 40, October 5, 2007 issue of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting Karen Lloyd, Asst. General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee, (352)796-7211 or 1(800)423-1476, ext. 4658; TDD only number 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

LAND AND WATER ADJUDICATORY COMMISSION

Southeastern Community Development District

RULE NO.: RULE TITLE:
42III-1.003 Supervisors

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 41, October 12, 2007 issue of the Florida Administrative Weekly.

42III-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Matthew Fitzpatrick ~~Clay Smallwood~~, Corbet Drew ~~Chris Gent~~, Mike Joiner ~~Shaw Flippen~~, Sean Fennelly, and Mike Brandon ~~Pat Groeniger~~.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.: RULE TITLES:
61J1-4.001 Education Requirements
61J1-4.003 Continuing Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 27, July 6, 2007 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. When changed, subsection 61J1-4.001(5)(n)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

2. When changed, subsection 61J1-4.001(6)(p)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

3. When changed, subsection 61J1-4.001(7)(g)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the

following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

4. When changed, subsections 61J1-4.003(1)1. to 4. shall read as follows:

(1) All registered, licensed and certified appraisers must satisfactorily complete a minimum of 30 hours of 50 minutes each of appraiser continuing education as prescribed or approved by the Florida Real Estate Appraisal Board, without duplication of material, during each renewal period as defined in Rule 61J1-2.002, F.A.C. The 30 hours shall include the 7-hour National USPAP update course or its equivalent and shall be taught by an AQB certified USPAP instructor, without significant duplication of material, as defined in Section 475.611(1)(p), F.S. A minimum of 3 hours shall be dedicated to a review and update of the Florida Real Estate Appraisal Law and Board Rules, and provide an introduction to other state and federal laws affecting real estate appraisals. As of December 1, 2006, the minimum 30 hours of continuing education must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

(a) The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611, Florida Statutes;

(b) Review of Chapter 475, Part II, Florida Statutes, sections regarding the post-licensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records;

(c) Review of Chapter 61J1, Florida Administrative Code, section regarding post-licensing education for registered trainee appraisers, supervision of registered trainee appraisers, displaying and disclosure of registration, licensure or certification designation and advertising; and

(d) Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-15.002 RULE TITLE: Solicitation

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 49, December 9, 2005 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on September 24, 2007, the South Florida Water Management District (District), received a petition for waiver from the City of North Miami Beach, Application No. 06-0613-3 for issuance of a Modification to Right of Way Occupancy Permit Number 1561 for utilization of Works or Lands of the District known as the C-9 Canal, Miami-Dade County, to allow the removal and replacement of existing guardrail within the rights of way of the C-9 Canal at the N. E. 15th Avenue bridge lying in Section 17, Township 52S, Range 42E. The petition seeks relief from subsections 40E-6.011(5) and (6), Florida Administrative

Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within forty feet (40') of the top of the canal bank.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 27, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Planet Progress located in Orlando. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment that is under the same ownership.

This variance request was approved October 2, 2007, and is contingent upon the Petitioner ensuring the bathroom located in the adjacent establishment, Dandelion Communita Café, is functional, has running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within and/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no seats inside or outside the establishment. All provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on August 29, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Big Al's Steaks located in Coconut Creek. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of thirty-five (35).

This variance request was approved October 27, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times,

provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (35) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on September 7, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Sprinkles of Palm Beach located in Palm Beach. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved October 2, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on September 18, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Shuki LLC located in Miami Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment.

This variance request was approved October 2, 2007, and is contingent upon the Petitioner ensuring the bathrooms located in the adjacent establishment are functional, has running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no seating and all provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a

rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on September 25, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from The Pickled Parrott, LLC located in Naples. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use centrally located bathroom facilities for patrons.

A copy of the Petition may be obtained by contacting David.Fountain@dbpr.state.fl.us.

This variance request was approved October 2, 2007, and is contingent upon the Petitioner ensuring the centrally located bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. Seating shall not exceed one hundred and fifty (150) which includes inside and outside seating. All provisos shall be met prior to licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on September 19, 2007, the Board of Accountancy, received a petition for Carmen Alvarez, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on September 26, 2007, the Board of Accountancy, received a petition for Elizabeth Miller, seeking a variance or waiver of paragraph 61H1-27.002(2)(a), Florida Administrative Code, which

requires that an applicant for licensure must hold a baccalaureate degree from an accredited college or university and that 36 semester or 54 quarter hours earned in accounting education must be above the elementary level.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 20, 2007, the Board of Clinical Laboratory Personnel has issued an order.

The Board ("Board") of Clinical Laboratory Personnel, hereby gives notice that it has issued an Order Denying the Petition for Variance or Waiver from subsection 64B3-5.008(3), F.A.C., filed on May 28, 2007, by Uyen Diem Phan. On July 20, 2007, the Board held a meeting to consider the Petition. Upon consideration, the Board has determined that the Petition should be denied for the following reason:

1. The Petition is denied because the Board cannot grant a waiver from the statutory requirements for a technician's license set forth by the Legislature in Section 483.812(3)(c), Florida Statutes.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

NOTICE IS HEREBY GIVEN THAT on October 3, 2007, the Department of Health, Bureau of Emergency Medical Services, received a petition for Variance or Waiver from Miles V. Nelson, MD, PA and Daniel B. Cox, MD.

Applicable Rule: Paragraph 64E-2.004(3)(c), Medical Direction, Florida Administrative Code.

Nature of Rule: Requires a medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Rule 64E-2.032, F.A.C. Prehospital care experience shall be documented by the provider.

Date and Place of Notice: Notice was published on October 19, 2007 in the F.A.W.

All comments must be received in writing by November 2, 2007 to Lisa M. Walker, Government Analyst II, Bureau of EMS.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of EMS, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL, 32399-1738.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Division of Historical Resources**, Bureau of Historic Preservation announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Heritage Hall, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Historic Preservation Grant Process and Program Guidelines.

A copy of the agenda may be obtained by contacting the grants staff by phone at 1(800)847-7278, by Fax at (850)245-6437, or by writing to: 500 S. Bronough Street, Tallahassee, Florida 32399-0250.

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 24 hours before the workshop/meeting by contacting the grants staff by phone at 1(800)847-7278, by Fax at (850)245-6437, or by writing to: 500 S. Bronough Street, Tallahassee, Florida 32399-0250. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the grants staff by phone at 1(800)847-7278, by Fax at (850)245-6437, by writing to: 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or by visiting our website (www.flheritage.com/grants).

DEPARTMENT OF ELECTIONS

The **Florida Elections Commission** announces a meeting to which all interested persons are invited though parts of the meeting are confidential.

DATES AND TIMES: Tuesday, November 13, 2007, 8:30 a.m. – until the Commission adjourns; Wednesday, November 14, 2007, 8:30 a.m. – until the Commission adjourns

PLACE: DoubleTree Hotel, 101 S. Adams Street, The Florida Room, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda or additional information call Patsy Rushing at telephone number (850)922-4539 or write to: 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Marketing and Development** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2007, 2:00 p.m.

PLACE: Eyster Auditorium, Connor Building, 3125 Connor Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting to review and discuss Chapter 2007-244, Section 2, Laws of Florida (conditions surrounding the sale and purchase of horses).

For more information, you may contact Paul Davis at (850)487-2779. If you need special accommodations due to disability or for directions.

The **Clam Industry Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2007, 12:30 p.m. – 3:30 p.m.

PLACE: Pine Island Public Library, 10700 Russell Road, Bokeelia, FL 33922

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues affecting the Florida Clam Industry.

A copy of the agenda may be obtained by contacting: Rachelle Coleman, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Rachelle Coleman as soon as possible.

DEPARTMENT OF EDUCATION

The Florida **Department of Education** will conduct public meetings throughout the state for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and recommendations regarding the state's plan for the administration of the Carl D. Perkins Career and Technical Education Act of 2006. The meetings will take place in five regions across the state and at two different times at each location. Please see information below.

SOUTHEAST FLORIDA

DATES AND TIMES: November 6, 2007, 1:00 p.m. – 3:00 p.m. (EDT); November 6, 2007, 6:00 p.m. – 8:00 p.m. (EDT)
PLACE: Broward Community College, A. Hugh Adams Central Campus, Public Safety Institute Bldg., Building 22, Room 155, 3501 S.W. Davie Road, Davie, FL 33314

WEST CENTRAL FLORIDA

DATES AND TIMES: November 7, 2007, 6:00 p.m. – 8:00 p.m. (EDT); November 8, 2007, 9:00 a.m. – 11:00 a.m. (EDT)
PLACE: Hillsborough Community College, Dale Mabry Campus, Library Building, Room 106, 4001 West Tampa Bay Boulevard, Tampa, FL 33614

NORTH FLORIDA

DATES AND TIMES: November 8, 2007, 6:00 p.m. – 8:00 p.m. (EDT); November 9, 2007, 10:00 a.m. – 12:00 Noon (EDT)
PLACE: Tallahassee Community College, TCC Capitol Center (Located at the Mary Brogan Museum of Art and Science), 300 West Pensacola Street, Room 111, Tallahassee, FL 32301

CENTRAL FLORIDA

DATES AND TIMES: November 15, 2007, 6:00 p.m. – 8:00 p.m. (EDT); November 16, 2007, 10:00 a.m. – 12:00 Noon (EDT)
PLACE: Valencia Community College, West Campus, Health Sciences Building (HSB), Room 105, 1800 South Kirkman Road, Orlando, FL 32811

NORTHEAST FLORIDA

DATES AND TIMES: November 19, 2007, 1:00 p.m. – 3:00 p.m. (EDT); November 19, 2007, 5:00 p.m. – 7:00 p.m. (EDT)
PLACE: Florida Community College at Jacksonville (FCCJ), Deerwood Center, Room B1204, 9911 Old Baymeadows Road, Jacksonville, FL 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 2008-2013 state plan for administration of the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV). The draft of the state plan along with a meeting registration site may be found on the Department's website at: http://www.fldoe.org/workforce/perkins/perkins_home.asp.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equity and Access, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Education Practices Commission** announces a hearing to which all persons are invited.

A Teacher Hearing Panel

DATE AND TIME: October 26, 2007, 8:30 a.m. or as soon thereafter as can be heard

PLACE: Wyndham Jacksonville Riverwalk, 1515 Prudential Drive, Jacksonville, Florida 32207, (904)396-5100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Kathleen M. Richards. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Atlantic University** announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2007, 1:00 p.m.

PLACE: Boca Raton Campus, Bldg. 69, Room 110, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the relocation of "Elements of Captures" art piece by Dre Devens.

A copy of the agenda may be obtained by contacting Corina Mavrodin at (561)297-0541.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Corina Mavrodin at (561)297-0541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Corina Mavrodin at (561)297-0541.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2007, 9:00 a.m.

PLACE: Best Western Gateway Grand, 4200 N. W. 97th Boulevard, Gainesville, Florida 32606, (352)331-7107

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Green Building Workgroup (1) to develop recommendations for a model efficiency ordinance for residential development and (2) to develop recommendations for a public awareness campaign promoting energy efficiency and the benefits of green building.

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824.

DEPARTMENT OF TRANSPORTATION

The **Tampa Bay Area Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 26, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Hillsborough County Government Center, 26th Floor, 601 E. Kennedy Boulevard, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Area Regional Transportation Authority (TBARTA) board will be meeting to discuss the development and implementation of regional transportation solutions for Citrus, Hernando, Hillsborough, Pasco, Pinellas, Manatee and Sarasota Counties.

A copy of the agenda may be obtained by contacting Ms. Lee Royal, FDOT District Seven Community Liaison Administrator at (813)975-6427 or Toll Free at 1(800)226-7220.

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 Ms. Lee Royal at one of the numbers listed above. This meeting is being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Transportation, 605 Suwannee Street, Burns Building, Fifth Floor, Commission Office, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Teleconference of the Florida Transportation Commission's Subcommittee to discuss additional oversight of the Transportation Authorities as stated in HB 985.

A copy of the agenda may be obtained by contacting Cathy Goodman at (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, Room 176, MS #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

The Florida **Department of Transportation**, District Two announces public to which all persons are invited.

1. Jacksonville Hearing: Specific notice is provided to the First Coast Metropolitan Planning Organization (FCMPO) and the County Commissions for Putnam, St. Johns, Nassau, Baker, Clay, and Duval counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, November 29, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

2. Lake City Hearing: Specific notice is provided to the Gainesville Metropolitan Transportation Planning Organization (MTPO) and the County Commissions for Dixie, Levy, Gilchrist, Bradford, Alachua, Columbia, Taylor, Lafayette, Madison, Hamilton, Suwannee and Union counties serving the MPO for the respective counties.

DATE AND TIME: Tuesday, December 4, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Lake City District Office, Madison Room, 1109 South Marion Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Department's Tentative Work Program for Fiscal Years beginning July 1, 2008, through June 30, 2013. These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2008-2009 through 2012-2013, and to consider the necessity of making any changes to the Department's Tentative Work Program.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964, and the Civil Rights Act of 1968. Under Title VI and Title VIII of the Civil Rights Act and person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, sex, age, national origin, disability or income status may file a written complaint to the Department of Transportation's Equal Opportunity Office in Tallahassee or contact the District Title VI and Title VIII Coordinator in Lake City.

Central Office: Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street, MS 65, Tallahassee, Florida 32399-0450.

District Office: Florida Department of Transportation, District Two, Title VI & Title VIII Coordinator, 1109 South Marion Avenue, MS 2016, Lake City, Florida 32025-8574.

Written comments from the Commissions and other interested parties will be received by the Department at the Public Hearings and through December 21, 2007. Comments should be addressed to: Mr. Charles W. Baldwin, P.E., District

Secretary, Florida Department of Transportation, District Two, 1109 South Marion Avenue, Lake City, Florida 32025-5874, 1(800)749-2967.

Assistance for disabled persons may be arranged by contacting Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Office, 1(800)749-2967, at least ten (10) days in advance of the public hearings.

The Florida **Department of Transportation**, District Two announces public hearings to which all persons are invited.

1. Jacksonville Hearing: Specific notice is provided to the First Coast Metropolitan Planning Organization (FCMPO) and the County Commissions for Putnam, St. Johns, Nassau, Baker, Clay, and Duval counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, November 29, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

2. Lake City Hearing: Specific notice is provided to the Gainesville Metropolitan Transportation Planning Organization (MTPO) and the County Commissions for Dixie, Levy, Gilchrist, Bradford, Alachua, Columbia, and Union counties serving as MPO for their respective counties.

DATE AND TIME: Tuesday, December 4, 2007, 5:30 p.m.

PLACE: Florida Department of Transportation, Lake City District Office, Madison Room, 1109 South Marion Avenue, Lake City, Florida.

3. Live Oak Hearing: Specific notice is provided to the County Commissions for Taylor, Madison, Lafayette, Hamilton, and Suwannee counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, December 6, 2007, 5:30 p.m.

PLACE: Suwannee River Water Management District, Board Room #103, 9225 County Road 49, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Department's Tentative Work Program for Fiscal Years beginning July 1, 2008, through June 30, 2013. These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2008-2009 through 2012-2013, and to consider the necessity of making any changes to the Department's Tentative Work Program.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964, and the Civil Rights Act of 1968. Under Title VI and Title VIII of the Civil Rights Act and person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, sex, age, national origin, disability or income status may file a written complaint to the Department of Transportation's Equal Opportunity Office in Tallahassee or contact the District Title VI and Title VIII Coordinator in Lake City.

Central Office: Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street, MS 65, Tallahassee, Florida 32399-0450.

District Office: Florida Department of Transportation, District Two, Title VI & Title VIII Coordinator, 1109 South Marion Avenue, MS 2016, Lake City, Florida 32025-8574.

Written comments from the Commissions and other interested parties will be received by the Department at the Public Hearings and through December 21, 2007. Comments should be addressed to: Mr. Charles W. Baldwin, P.E., District Secretary, Florida Department of Transportation, District Two, 1109 South Marion Avenue, Lake City, Florida 32025-5874, 1(800)749-2967.

Assistance for disabled persons may be arranged by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Office, 1(800)749-2967 at least ten (10) days in advance of the public hearings.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The **Department of Highway Safety and Motor Vehicles** announces a hearing to which all persons are invited.

DATE AND TIME: November 20, 2007, 1:00 p.m.

PLACE: Neil Kirkman Building, 2900 Apalachee Parkway, Room A436, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Whether General Motors Corporation can continue to operate a motor vehicle dealership beyond the one year period allowed by Section 320.645(1)(a), Florida Statutes, contrary to Section 320.645(1), Florida Statutes, or whether they fall within the exception contained in Section 320.645(1)(c), Florida Statutes, which is whether there is no independent person available in the community or territory to own and operate the motor vehicle dealership in a manner consistent with the public interest. Persons desiring to intervene or be recognized as a party shall file a petition that complies with subsection 28-106.201(2), Florida Administrative Code, not later than 20 days prior to the date of the hearing.

A copy of the agenda may be obtained by contacting: William L. Camper, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room A308, Tallahassee, Florida 32399 or by telephone at (850)617-3006.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Gina Wells, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room A308, Tallahassee, Florida 32399 or by telephone at (850)617-3006.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Gina Wells, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room A308, Tallahassee, Florida 32399 or by telephone at (850)617-3006.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the Board of Trustees of the Internal Improvement Trust Fund announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2007, 6:00 p.m.

PLACE: St. Lucie County Oxbow Eco-Center, 5400 N. E. St. James Dr., Port St. Lucie, FL 34983

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for members of the Advisory Committee to discuss the revision of the North Fork St. Lucie River Aquatic Preserve Management Plan.

A copy of the agenda may be obtained by contacting Aquatic Preserve Manager, Laura Herren at (772)429-2995.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Aquatic Preserve Manager, Laura Herren at (772)429-2995. 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).

STATE BOARD OF ADMINISTRATION

The **Florida Hurricane Catastrophe Fund** on behalf of the Florida Commission on Hurricane Loss Projection Methodology announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 5, 2007, 1:00 p.m. – 3:00 p.m. (ET)

PLACE: This will be a teleconference call. To participate call: 1(888)808-6959, Conference Code: 4765251363

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business meeting of the Florida Commission on Hurricane Loss Projection Methodology.

A copy of the agenda may be obtained by contacting: Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1349.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Sirmons, State Board of Administration, Post Office Box 13300, Tallahassee, FL 32317-3300, (850)413-1349. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF CHANGE – The **Florida Prepaid College Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 23, 2007, has been postponed and will convene on Friday, October 26, 2007, 10:00 a.m.

PLACE: For instructions on participation in the Conference Call, please call (850)488-8514

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the regular business of the Board and matters concerning the Florida Prepaid College Plan and Florida College Investment Plan.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by Faxing or writing a request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308; fax number (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF CITRUS

The Florida **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 31, 2007, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to discuss *Citrosuco, et al v. Department of Citrus, et al*. The parties attending the closed session will be Benny W. Albritton, Jr., Robert M. Behr, Wesley W. Brumback, Michael L. Carrere, E. Stanley Carter, W. Cody Estes, Sr., Michael W. Haycock, Virginia S. Pena, Steven M. Smith, George H. Streetman, Michael O. Taylor, David P. Wheeler, Ken Keck, Executive Director, Hank B. Campbell, Esq., and Edwin A. Scales, III, Esq.

A copy of the agenda may be obtained by contacting Linda Gurney at (863)499-2500 or lgurney@citrus.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Bill Jones at (863)499-2500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Linda Gurney at (863)499-2500 or lgurney@citrus.state.fl.us.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 31, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450, (850)488-3417.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone

Road, Bldg. C, Tallahassee, Florida 32399-2450. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 7, 2007, 9:00 a.m.

PLACE: Parole Commission, 2601 Blair Stone Road., Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road., Bldg. C, Tallahassee, Florida 32399-2450.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

PUBLIC SERVICE COMMISSION

NOTICE OF CANCELLATION OF HEARING – The Florida **Public Service Commission** announces cancellation of hearing in the following docket.

TITLE: Docket Number 070467-EI

CANCELLATION OF HEARING:

DATES AND TIME: Wednesday and Thursday, October 10-11, 2007, 9:30 a.m.

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

Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a hearing to which all persons are invited.

Commission Agenda Conference

DATE AND TIME: Tuesday, November 20, 2007, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will consider at its November 20, 2007 Agenda Conference, Docket No. 070640-GU, Application by Chesapeake Utilities Corporation (Chesapeake or Company) for Authorization to Issue Common Stock, Preferred Stock, and Secured and/or Unsecured Debt, to Enter into Agreements for Interest Swap Products, Equity Products and other Financial Derivatives, and to Exceed Limitation Placed on Short-Term Borrowings in 2008. The Company seeks PSC approval, pursuant to Section 366.04, Florida Statutes, to issue up to 5,000,000 shares of Chesapeake common stock; up to 1,000,000 shares of Chesapeake preferred stock; up to \$80,000,000 in secured and/or unsecured debt; to enter into agreements up to \$40,000,000 in Interest Rate Swap Products, Equity Products and other Financial Derivatives; and to obtain authorization to exceed the limitation placed on short-term borrowings by Section 366.04, Florida Statutes, so as to issue short-term obligations in 2008, in an amount not to exceed \$70,000,000.

A copy of the agenda may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Policy and Budget announces a series of public hearings to which all interested persons are invited.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Representatives from the departments listed below will present an overview of the agency's Legislative Budget Request for Fiscal Year 2008-2009 and Long-Range Program Plan for Fiscal Year 2008-2009 through Fiscal Year 2012-2013, and will be available for public questions and comments.

Health and Human Services – Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Family Services, Department of Elder Affairs, Department of Health, and Department of Veterans' Affairs

DATE AND TIME: Wednesday, October 31, 2007, 9:00 – 11:00 a.m.

PLACE: Room 117, Knott Building, Tallahassee, FL

Environmental – Department of Agriculture and Consumer Services, Department of Citrus, Department of Environmental Protection, and Fish and Wildlife Conservation Commission

DATE AND TIME: Wednesday, October 31, 2007, 11:30 a.m. – 1:00 p.m.

PLACE: Room 117, Knott Building, Tallahassee, FL

Public Safety – Department of Corrections, Department of Highway Safety and Motor Vehicles, Department of Juvenile Justice, Department of Law Enforcement, Department of Legal Affairs, Department of Military Affairs, Justice Administration Commission, and Parole Commission

DATE AND TIME: Wednesday, October 31, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Room 116, Knott Building, Tallahassee, FL

General Government – Department of Business and Professional Regulation, Department of Financial Services, Department of Lottery, Department of Management Services, Department of Revenue

DATE AND TIME: Wednesday, October 31, 2007, 9:00 – 10:30 a.m.

PLACE: Room 2103, Capitol Building, Tallahassee, FL

Transportation and Economic Development (includes Director's Office) – Agency for Workforce Innovation, Department of Community Affairs, Department of State, Department of Transportation, Public Service Commission; and the Executive Office of the Governor

DATE AND TIME: Wednesday, October 31, 2007, 11:00 a.m. – 1:00 p.m.

PLACE: Room 2103, Capitol Building, Tallahassee, FL

Written comments may be submitted to the representatives of the Office of Policy and Budget at the proceedings or mailed to the Executive Office of the Governor, Office of Policy and Budget, 1702 The Capitol, Tallahassee, Florida 32399-0001, and received by close of business October 29, 2007.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 5, 2007, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Broward County, Layton, Miami Springs, Monroe County and Hollywood; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendments for Doral and Hialeah Gardens; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by calling (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by calling (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact South Florida Regional Planning Council at (954)985-4416.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, November 13, 2007:

8:15 a.m. Chairmen's Meeting

8:45 a.m. Finance and Administration Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District by mail, or calling (386)329-4500 or website www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, October 27, 2007, 1:30 p.m.

PLACE: Hillsborough River State Park, 15402 U.S. Highway 301 North, Thonotosassa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: HILLSBOROUGH RIVER WATERSHED AWARENESS WEEK CEREMONY: Help raise awareness of the Hillsborough River watershed. Ad Order 5934.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2007, 9:00 a.m.

PLACE: Peace River/Manasota Regional Water Supply Authority, Water Treatment Plant, 8998 S. W. County Road 769, Arcadia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY FACILITY TOUR: Tour of Facility and reservoir construction. Ad Order 5934.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2007, 12:30 p.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD AND PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY LUNCH AND WORKSHOP.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2007, 4:00 p.m.

PLACE: Hi Hat Ranch, 11708 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: HI HAT RANCH TOUR AND DINNER: Tour of Agricultural best management practices. Ad Order 5934.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2007, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING: Conduct Committee meetings, Governing Board meeting and Public Hearing. A closed attorney-client session will be held during the lunch break. Ad Order 5934.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2007, 1:30 p.m.

PLACE: Pasco Hernando Community College West Campus, Room C, 205, 10230 Ridge Road, New Port Richey, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: REALITY CHECK WORKSHOP: To engage in an exercise that will plan where and how Pasco County should grow in relationship to the region. Ad Order 5934.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527,

TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Westgate River Ranch Resort, in the Lodge (SR 60, 30 miles west of YeeHaw Junction)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify key issues regarding public use on SFWMD owned lands on the Lower Kissimmee Chain of Lakes.

A copy of the agenda may be obtained by contacting <http://consensus.fsu.edu/FWC/kcl.html> or by writing: Florida Conflict Resolution Consortium, Florida State University, Shaw Bldg., Suite 132, 2031 E. Paul Dirac Dr., Tallahassee, FL 32310.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **Water Resources Advisory Commission (WRAC)**, Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Okeechobee Civic Center, Highway 98 North, 1750 US, Okeechobee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding issues of the restoration and protection of Lake Okeechobee; and the Caloosahatchee and St. Lucie Estuaries. The public is advised that it is possible that one or

more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Big Cypress Basin Board, South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: October 31, 2007, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida. The above address shall be the designated access point for public attendance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business.

A copy of the agenda may be obtained by writing to: Big Cypress Basin, 2640 Golden Gate Parkway, Suite 205, Naples, Florida 34105, or by calling Kathleen Tetrault at (239)263-7615.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Kathleen Tetrault, (239)263-7615, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Kathleen Tetrault, Big Cypress Basin, 2640 Golden Gate Parkway, Suite 205, Naples, Florida 34105, (239)263-7615.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday and Thursday, November 14-15, 2007, 9:00 a.m.

PLACE: Key Largo Marriott Bay Beach Resort, 10380 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Governing Board of the South Florida Water Management District to present the Florida Forever Work Plan, 2008 Annual Update draft, included as Chapter 6A; Volume II of the South Florida Environmental Report. The draft Florida Forever Work Plan 2008 Annual Update (Volume II, Chapter 6A, of the 2008 South Florida Environmental Report) will be available on the SFER Web Conference Board for public review and comment from October 19, 2007 through December 11, 2007, preceding the District Governing Board review on November 14 and 15, 2007 and approval on December 12 and 13, 2007.

A copy of the agenda may be obtained by contacting: seven days prior to the meeting at the (1) District website: www.sfwmd.gov or (2) by writing to the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680. Those who want more information, please contact: Wanda Caffie-Simpson, Land Acquisition and Land Management Department, South Florida Water Management District Headquarters, 3301 Gun Club Road, Mail Stop Code 7350, West Palm Beach, FL 33406, (561)682-6445.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2007, Regular meeting starts 9:00 a.m.; Public hearing is anticipated to start after completion of Discussion Agenda but may occur earlier or later in the day

PLACE: Key Largo Marriott Bay Beach Resort, 103800 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hearing of the Governing Board of the South Florida Water Management District to adopt an amendment to add the C-43 Water Quality Project, to be located in Glades County, to the SFWMD Florida Forever Work Plan, 2007 Annual Update, included as Chapter 6; Volume II of the South Florida Environmental Report.

A copy of the agenda may be obtained by contacting: seven days prior to the hearing at the (1) District website: www.sfwmd.gov or (2) by writing to: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680. Those who want more information, please contact Wanda Caffie-Simpson in the Land Acquisition and Land Management Department, South Florida Water Management District Headquarters, 3301 Gun Club Road, Mail Stop Code 7350, West Palm Beach, FL 33406, (561)682-6445.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces the 2008 public meetings to which all persons are invited.

DATE AND TIME: January 7, 2008, 10:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: January 8, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: January 21, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: January 22, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 3B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: February 5, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: February 6, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: February 20, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: February 21, 2008, 9:00 a.m.

PLACE: Building B-1, Bridge Conference Room 3B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: March 5, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: March 6, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: March 20, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 3B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: March 21, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: April 7, 2008, 10:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: April 8, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: April 21, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: April 22, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: May 5, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 3A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: May 6, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: May 20, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: May 21, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: June 5, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: June 6, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: June 20, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: June 23, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: July 7, 2008, 10:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: July 8, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: July 21, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: July 22, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: August 5, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: August 6, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: August 20, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: August 21, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: September 5, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: September 8, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: September 22, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 3A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: September 23, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: October 6, 2008, 10:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: October 7, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2B, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: October 20, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407
DATE AND TIME: October 21, 2008, 9:00 a.m.
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DATE AND TIME: November 6, 2008, 9:00 a.m.
PLACE: Building B-1, Bridge Conference Room 2A, 3301
Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: November 20, 2008, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 3B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: November 21, 2007, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 2B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: December 5, 2008, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 2B, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: December 8, 2008, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: December 22, 2008, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 3A, 3301 Gun Club Road, West Palm Beach, FL 33407

DATE AND TIME: December 23, 2008, 9:00 a.m.
 PLACE: Building B-1, Bridge Conference Room 2A, 3301 Gun Club Road, West Palm Beach, FL 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conflict Resolution Board Meeting. The South Florida Water Management District announces public meetings, which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, Mail Stop Code 6510, West Palm Beach, Florida 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Rosanne Smith in the HR Solutions Department at (561)682-6352. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office (561)682-2087.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 2, 2007, 10:00 a.m. – until completion

PLACE: Commission Business Office, Rhyne Building, 2740 Centerview Drive, Suite 1A, Tallahassee, FL 32301, (850)410-5700. Conference Call Number: 1(888)808-6959, Conference Code: 34767

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve the Commission's Legislative Platform and to discuss Commission Business.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435.

SPACE FLORIDA

The **Space Florida**, Budget and Finance Committee and Space Florida Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2007, 9:00 a.m. – 10:00 a.m. (Eastern Daylight Time)

PLACE: Teleconference Meeting, Space Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Budget and Finance Committee and Space Florida Audit Committee Meeting.

A copy of the agenda may be obtained by contacting Juanell Kirkendoll at (321)730-5301, ext. 241.

For more information, you may contact Juanell Kirkendoll at (321)730-5301, ext. 241 or jkirkendoll@spaceflorida.gov.

The **Space Florida**, Spaceport Operations Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Dr., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida, Spaceport Operations Advisory Committee Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll, Executive Assistant, Space Florida, phone (321)730-5301, ext. 241, e-mail: jkirkendoll@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Juanell Kirkendoll, Executive Assistant, Space Florida, Phone (321)730-5301, ext. 241, e-mail: jkirkendoll@spaceflorida.gov. 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 **Space Florida**, Education, Research and Development and Workforce Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2007, 1:00 p.m. – 3:00 p.m. (Eastern Daylight Time)

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Dr., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida, Education, Research and Development and Workforce Advisory Committee Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll, Executive Assistant, Space Florida, Phone (321)730-5301, ext. 241 or e-mail: jkirkendoll@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Juanell Kirkendoll, Executive Assistant, Space Florida, phone (321)730-5301, ext. 241 or e-mail: jkirkendoll@spaceflorida.gov. 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 **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Dr., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting Juanell Kirkendoll, Executive Assistant, Space Florida, phone (321)730-5301, ext. 241, e-mail: jkirkendoll@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting. If you are

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

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 13, 2007, 2:30 p.m. – 5:30 p.m.

PLACE: West Central Florida Area Agency on Aging, Inc., 5905 Breckenridge Parkway, Tampa, Florida 33610-4239

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a follow-up to the strategic planning meeting for the advisory council that took place on September 6, 2007. The council will receive the final report and outline the direction of the council in terms of their statutory obligations and the mission of the department.

A copy of the agenda may be obtained by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, E-mail address: matthewsw@elderaffairs.org.

For more information, you may contact: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, E-mail address: matthewsw@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2007, 7:30 p.m.

PLACE: ElectroNet Intermedia Consulting, Inc., 3411 Capital Medical Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment on current and proposed policies to be adopted by the Florida Health Information Network and the Big Bend Regional Healthcare Information Organization related to protecting and maintaining the privacy and security of electronic patient health records.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Carolyn H. Turner at (850)922-5861. If you are

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

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: November 2, 2007, 12:00 Noon – 4:00 p.m.

PLACE: Marriot Tampa Westshore, 1001 N Westshore Boulevard, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Summit is to receive input from Florida's specialty health care providers about ways the Agency should approach the issue of access to specialty health care for Medicaid beneficiaries.

A copy of the agenda may be obtained by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com, (850)488-3560.

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 Josh Davis, with the information listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Josh Davis, with the information listed above.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 6, 2007, 1:30 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code 4138067

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the LIP program including funding methodology, policies and procedures in accordance with the approved Medicaid Reform Section 1115 Demonstration.

A copy of the agenda may be obtained by contacting: Edwin Stephens at (850)413-8067 or Suncom 294-8067, stephens@ahca.myflorida.com, with any questions or to obtain an agenda when it is set.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Edwin Stephens at (850)413-8067 or Suncom 294-8067, stephens@ahca.myflorida.com.

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

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: November 7, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Wyndham Jacksonville Riverwalk, Anchor Room, 1515 Prudential Drive, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this meeting will be to gather feedback from health care providers related to various aspects of the Medicaid Reform Pilot. The specific topics of discussion will be Health Plans' Customer Service, the Agency's Outreach efforts and Health Plans' benefit packages.

A copy of the agenda may be obtained by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com.

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

For more information, you may contact Josh Davis, contact information listed above.

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: November 7, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Wyndham Jacksonville Riverwalk, Anchor Room, 1515 Prudential Drive, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this meeting will be to gather feedback from Medicaid beneficiaries related to various aspects of the Medicaid Reform Pilot. The specific topics of discussion will be Health Plans' Customer Service, the Agency's Outreach efforts and Health Plans' benefit packages.

A copy of the agenda may be obtained by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com, (850)488-3560.

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 Josh Davis with the contact information above. If

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

For more information, you may contact Josh Davis with the contact information above.

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: November 8, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this meeting will be to gather feedback from health care providers related to various aspects of the Medicaid Reform Pilot. The specific topics of discussion will be Health Plans' Customer Service, the Agency's Outreach efforts and Health Plans' benefit packages.

A copy of the agenda may be obtained by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Josh Davis at the contact information listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Josh Davis at the contact information listed above.

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: November 8, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this meeting will be to gather feedback from Medicaid beneficiaries related to various aspects of the Medicaid Reform Pilot. The specific topics of discussion will be Health Plans' Customer Service, the Agency's Outreach efforts and Health Plans' benefit packages.

A copy of the agenda may be obtained by contacting: Josh Davis, 2727 Mahan Dr., MS #48, Tallahassee, FL 32304, davisjd@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Josh Davis with the contact information above. If

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

For more information, you may contact Josh Davis with the contact information above.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2007, 9:00 a.m. – 12:00 Noon

PLACE: 4050 Esplanade Way, Room 260K, Tallahassee, Florida. A call-in number will be available for this meeting.

The Conference Call Number is: 1(888)808-6959, Conference Code: 4139503

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Florida State Employees' Charitable Campaign Statewide Steering Committee will review and approve Local Steering Committee members and amendments to existing Local Steering Committee membership.

A copy of the agenda may be obtained by contacting: Erin Thoresen, Department of Management Services, 4050 Esplanade Way, Suite 235, Tallahassee, FL 32399-0950, (850)922-1274.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting the person listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited to attend.

DATE AND TIMES: October 23, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Electrical Contractors' Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 30, 2007, 10:00 a.m.

PLACE: Via Telephone Conference Call. To connect, dial 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Electrical Contractors Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting the Electrical Contractors' Licensing Board Office at (850)922-5012. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Business and Professional Regulation, Electrical Contractors Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-1395.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, November 15, 2007, 8:30 a.m.; Friday, November 16, 2007, until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Board of Professional Engineers announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Carrie Flynn at (850)521-0500.

The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: October 25, 2007, 9:00 a.m.

PLACE: The Courtyard Marriott, 3250 U.S. 41 N., Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The establishment of minimum experience requirements for standard inspectors.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Robyn Barineau at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

The **Building Code Administrators and Inspectors Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 6, 2007, 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code 4148135

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel, portions which may be closed to the public.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Building Code Administrators and Inspectors Board. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF RESCHEDULING – This notice serves to reschedule the fourth meeting (previously noticed on 10/12/07 for October 24) and schedule the fifth meeting of the Governor's Action Team on Energy and Climate Change. The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIMES: October 29, 2007, 9:30 a.m. – 5:00 p.m. or until completion; October 30, 2007, 8:30 a.m. – 5:00 p.m. or until completion

PLACE: 412 Knott Building, The Capitol, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these meetings is to continue discussion of policy issues regarding the development of a comprehensive Energy and Climate Change Action Plan that will address statewide greenhouse gas reductions specified in Executive Order 07-127.

A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Attn: Adrienne Walker (Adrienne.M.Walker@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Department of Environmental Protection, Attn: Adrienne Walker (Adrienne.M.Walker@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Environmental Protection, Attn: Adrienne Walker (Adrienne.M.Walker@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

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

DATE AND TIME: October 29, 2007, 10:00 a.m. – 4:00 p.m.
PLACE: The Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of options for a potential successor program to Florida Forever: land acquisition and land management issues. A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Attn: Terry Johnson, Division of State Lands, 3900 Commonwealth Blvd., M.S. 100, Tallahassee, Florida 32399-3000 or by calling (850)245-2555.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Terry Johnson at (850)245-2555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Terry Johnson at (850)245-2555.

The **Division of Water Resource Management** of the **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2007, 10:00 a.m. – 12:30 p.m.
PLACE: University of Florida IFAS, Bartow Extension Office, Valencia Room, 1702 Hwy. 17-98 South, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection has rescheduled the meeting of the Nonmandatory Land Reclamation Committee previously scheduled for September 25, 2007. The purpose of this meeting is to modify and/or approve the prioritization of Reclamation Applications.

A copy of the agenda may be obtained by contacting: Barbara Owens, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, or by calling Barbara Owens at (850)488-8217.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited. This meeting will also be held by telephone conference call if necessary.

DATE AND TIME: Friday, November 2, 2007, 8:30 a.m.

PLACE: Crown Plaza Universal, 7800 Universal Boulevard, Orlando, Florida 32819, (407)255-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Dental Labs** announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2007, 10:00 a.m.

PLACE: Department of Health, 4040 Esplanade Way, Room 115-M, Tallahassee, FL 32399, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting Sarah Walls at (850)245-4474.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 7, 2007, 12:00 Noon (EST)

PLACE: Meet Me Number 1(888)808-6959, Conference Code 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being scheduled to address any business of the Board of Medicine that requires action before the regularly scheduled Board of Medicine meeting on November 30 and December 1, 2007. This meeting may be cancelled for lack of issues to act upon. Please contact: Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us for more information.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Expert Witness Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 7, 2007, immediately following the Telephone Conference Call scheduled for 12:00 Noon, (EST). If the Telephone Conference Call is cancelled, the Expert Witness Committee meeting will begin at 12:00 Noon, (EST).

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Medicine.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 8, 2007, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code (2458182)

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Orthotists and Prosthetists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 9, 2007, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida at meet me number 1(888)808-6959, when prompted enter conference code of 9849329103, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/orthPros/index.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 7, 2007, 9:00 a.m. or soon thereafter

PLACE: Residence Inn, 600 West Gaines Street, Tallahassee, FL 32304, (850)329-9050

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Children's Medical Services Network Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Health, Capital Circle Office Center, 4025 Esplanade Way, Conference Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Jennifer Mitchell, Administrative Assistant, Florida KidCare Unit, (850)245-4200, ext 2251, Jennifer_Mitchell@doh.state.fl.us.

The **Drug Wholesaler Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 8, 2007, 9:30 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Code 2454292

GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome/Introductions, Approval of Minutes from the September 13, 2007, Meeting; Old Business; New Business;

Rule Development Update, Rule Hearing Update, New Council Member Update, Program Office Update, Select Next Meeting Date, and Open Discussion.

The agenda will be sent out electronically to the interested party distribution list and placed on the website two weeks prior to the meeting.

For more information, you may contact Maxine Wenzinger at (850)245-4292, if you have any questions.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services, Refugee Services** announces Refugee Task Force meetings for the Federal Fiscal Year 2008 to which all persons are invited. As detailed below but subject to change or cancellation after due notice in the F.A.W.

PLACE: At locations given below or upon request from the facilitator for each meeting. Phone (850)487-4272 for information

GENERAL SUBJECT MATTER TO BE CONSIDERED: Refugee Task Force meetings are hosted by the Refugee Services Program office, to bring together contracted service providers, voluntary agencies, county, state and federal agencies, and other interested parties who assist in resettling refugees in the State of Florida.

A copy of the agenda may be obtained by writing to the facilitators listed below for each venue.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the Agency Facilitator named below at least 48 hours before the meeting.

Northeast Florida Area (Jacksonville)

Venue: Catholic Charities, 134 E. Church Street, Jacksonville, FL 32202

DATES AND TIME: B I - M O N T H L Y (Jan., Mar., May, Jul., Sep., Nov.) Fourth Wednesday of every other month, 1:30 p.m. – 3:30 p.m.

Facilitator: Fang-Yi Chang, Telephone: (850)413-8207, Fax: (850)413-9366 or (850)487-4272, e-mail: fang-yi_chang@dcf.state.fl.us.

Tampa/St. Pete

Venue: Varies (Please contact facilitator named below for location)

DATES AND TIME: B I - M O N T H L Y (Jan., Mar., May, Jul., Sep., Nov.) Last Tuesday of every other month, 9:30 a.m. – 11:30 a.m.

Facilitator: Taddese Fessehaye, Telephone: (407)245-0510, ext. 740, Fax: (407)245-0577, e-mail: Taddese_Fessehaye@dcf.state.fl.us.

Orlando Area

Venue: Varies (Please contact facilitator named below for location)

DATES AND TIME: B I - M O N T H L Y (Feb., April, June, Aug., Oct., Dec.) Second Wednesday of every other month, 9:30 a.m. – 11:30 a.m.

Facilitator: Taddese Fessehaye, Telephone: (407)245-0510, ext. 740, Fax: (407)245-0577, e-mail: Taddese_Fessehaye@dcf.state.fl.us.

Collier County

Venue: Catholic Charities of Collier County, 2210 Santa Barbara Blvd., 2nd Floor, Boardroom, Naples, FL 34116

DATES AND TIME: B I - M O N T H L Y (Feb., April, June, Aug., Oct., Dec.) Wednesday after the last Tuesday of every other month, 10:00 a.m. – 12:00 Noon

Facilitator: Holly Merrick, Telephone: (850)922-4143, Fax: (850)413-9366, e-mail: holly_merrick@dcf.state.fl.us.

Palm Beach Area

Venue: Varies (Please contact facilitator named below for location)

DATES AND TIME: M O N T H L Y, Last Wednesday of every month, 10:30 a.m. – 12:00 Noon

Facilitator: Pennie Slaughter, Telephone: (850)413-8209, Fax: (850)487-4272 or (850)413-9366, e-mail: pennie_slaughter@dcf.state.fl.us.

Broward Area

Venue: First Evangelical Lutheran Church, 441 N. E. 3rd Ave., Ft. Lauderdale, FL 33301

DATES AND TIME: M O N T H L Y, Last Tuesday of every month, 11:00 a.m. – 1:00 p.m.

Facilitator: Pennie Slaughter, Telephone: (850)413-8209, Fax: (850)487-4272 or (850)413-9366, e-mail: pennie_slaughter@dcf.state.fl.us.

Miami Area

Venue: Miami-Dade College Wolfson Campus, Building 7, Room 7128, 500 N. E. Second Avenue, Miami, FL 33132

DATES AND TIME: M O N T H L Y, Second Friday of every month, 10:00 a.m. – 12:00 Noon

Facilitator: Vinayak Sharma, Telephone: (850)413-8217 or (850)488-3791, Fax: (850)487-4272, e-mail: vinayak_sharma@dcf.state.fl.us

IMPORTANT: Dates, times and venues are subject to change even for those areas where there are regularly scheduled meetings. Please contact the appropriate facilitator to confirm the date, time, and location for each meeting.

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Supportive Housing, Education and Discharge Planning.

Committee: Executive

DATE AND TIME: Monday, November 5, 2007, 3:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Continuum of Care Capacity
 DATES AND TIME: Wednesday, November 7, 2007; December 5, 2007, 10:00 a.m. – 11:00 a.m.
 PLACE: Conference Call: 1(888)808-6959, Code 9229760
 Committee: Supportive Housing
 DATE AND TIME: Thursday, November 8, 2007, 2:00 p.m. – 3:00 p.m.
 PLACE: Conference Call: 1(888)808-6959, Code 9229760
 Committee: Education
 DATE AND TIME: Thursday, November 15, 2007, 2:00 p.m. – 3:00 p.m.
 PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Discharge Planning
 DATES AND TIME: Tuesday, November 27, 2007, December 18, 2007, 10:00 a.m. – 11:00 a.m.
 PLACE: Conference Call: 1(888)808-6959, Code 9229760
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.
 A copy of the agenda for any of the conference calls may be obtained by contacting: Tom Pierce, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691, or email Tom_Pierce @ def.state.fl.us.
 Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The Department of Children and Family Services announces a meeting of the statewide Council on Homelessness to which all persons are invited.
 DATE AND TIME: December 3, 2007, 10:00 a.m. – 11:30 a.m.
 PLACE: Conference Call: 1(888)808-6959, Code 9229760
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will review and approve the content of its 2007 annual report for the Governor and Legislature.
 A copy of the agenda for the meeting can be obtained from the Office on Homelessness by calling (850)922-4691.
 Pursuant to Section 286.26, Florida Statutes, any person with a disability wishing to access the meeting, who may be in need of special assistance, should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

The Florida Substance Abuse and Mental Health Corporation, created by Chapter 2003-279, Laws of Florida, announces a public meeting to which all persons are invited.
 DATES AND TIMES: October 24, 2007, 9:30 a.m. – 5:30 p.m.; October 25, 2007, 8:15 a.m. – 10:30 a.m.

PLACE: The Heritage Hotel, 234 Third Ave., St. Petersburg, Florida 33701
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Executive Director' report; 2007-2008 Action plan; Committee reports; Review of Work Incentive Medicaid Recommendations / Report Economic Impact Recommendations Report; Updates on Peer Specialists, Florida Supreme Court Subcommittee on Mental Health, Elder Affairs update, Co-occurring disorders update, External quality review update; Public Hearing.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a telephone conference call on Rules 67-37.002, F.A.C., Definitions; 67-37.005, F.A.C., Local Housing Assistance Plans; 67-37.006, F.A.C., Review of Local Housing Assistance Plans and Amendments; 67-37.007, F.A.C., Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans; 67-37.008, F.A.C., Local Housing Assistance Trust Fund; 67-37.010, F.A.C., Local Affordable Housing Incentive Strategies; 67-37.011, F.A.C., Interlocal Entities to which all persons are invited.
 DATE AND TIME: November 5, 2007, 10:00 a.m.
 PLACE: 1(888)808-6959, Enter Conference Code Number 3884197 followed by the # key
GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to Rule Chapter 67-37, F.A.C.

A copy of the agenda may be obtained by contacting: Agenda will be posted at: www.floridahousing.org/Home/HousingPartners/LocalGovernments/.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Darlene Raker at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 For more information, you may contact: Robert Dearduff, SHIP Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.
 DATE AND TIME: October 29, 2007, 6:30 p.m. – 8:30 p.m. (EDT)

PLACE: Gander Mountain Store, 550 Belz Outlet Blvd., St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), in response to agency observations and concerns expressed by the public is conducting an assessment of the Florida Quota Hunt Program. The assessment is designed to identify concerns associated with the Quota Hunt Program and develop ideas for making improvements. This meeting is being held to invite members of the public to share their ideas with facilitators and agency staff on this topic.

A copy of the agenda may be obtained by contacting: Robert Jones or Jeff Blair at Florida Conflict Resolution Consortium, Morgan Building, Suite 236, 2035 East Paul Dirac Drive, Tallahassee, FL 32310, (850)644-6320.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: The Marathon Garden Club, Inc., 5270 Overseas Highway, Marathon, Florida 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to present and discuss the public input gathered from workshops and through online surveys regarding the Spiny Lobster Advisory Board's management recommendations. Florida Fish and Wildlife Conservation Commission (FWC) staff will also present and discuss their management recommendations that will be presented to the Commission at its December 2007 meeting in Key Largo.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 8, 2007, 8:30 a.m. – 5:30 p.m.

PLACE: The Marathon Garden Club, Inc., 5270 Overseas Highway, Marathon, Florida 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting of the Marine Life Workgroup is to discuss issues associated with the fishery including a review of the species listed in rule that require a marine life endorsement for harvest.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a workshop to which all persons are invited.

DATE AND TIME: November 16, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: The House Office Building, Room 404, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide interested parties an opportunity to share their recommendations pertaining to legislation proposed by the Task Force on Citizens Property Insurance Claims Handling and Resolution regarding Public Adjusters and Property Insurance Loss Appraisers.

A copy of the agenda may be obtained by contacting: www.taskforceoncitizensclaimshandling.org. Copies of the proposed bills and other pertinent information regarding the submission of recommendations.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Gloria Strickland at (850)413-2859 or e-mail gloria.strickland@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: October 26, 2007, 9:30 a.m.
 PLACE: 401 Senate Office Building, The Capitol, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Auto-Owners Insurance Company is to appear and testify regarding its reinsurance program and relationships to risk modeling companies, insurance rating organizations or companies, and insurance trade associations.

A copy of the agenda may be obtained by contacting Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rhoda K. Johnson, Esquire, (850)413-4252 or Sam Coskey, (850)413-2616.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: October 26, 2007, 9:30 a.m.
 PLACE: 401 Senate Office Building, The Capitol, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Owners Insurance Company is to appear and testify regarding its reinsurance program and relationships to risk modeling companies, insurance rating organizations or companies, and insurance trade associations.

A copy of the agenda may be obtained by contacting Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rhoda K. Johnson, Esquire, (850)413-4252 or Sam Coskey, (850)413-2616.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: October 26, 2007, 9:30 a.m.
 PLACE: 401 Senate Office Building, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern-Owners Insurance Company is to appear and testify regarding its reinsurance program and relationships to risk modeling companies, insurance rating organizations or companies, and insurance trade associations.

A copy of the agenda may be obtained by contacting: Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rhoda K. Johnson, Esquire, (850)413-4252 or Sam Coskey, (850)413-2616.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: November 1, 2007, 1:00 p.m.
 PLACE: 401 Senate Office Building, Florida Capitol, Tallahassee, FL. CONTACT NAME AND NUMBER: Stephen H. Thomas, Jr., Esq. at (850)413-4142 or Sam Coskey at (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Liberty American Group, including Liberty American Select Insurance Company and Liberty American Insurance Company, has requested a 31.0% overall rate increase for new and renewal home owners policies, effective 1/1/08; a 37.5% rate increase for new and renewal homeowners HO-6 policies, effective 1/1/08; and a 28.0% rate increase for new and renewal Mobile Home Owners policies, effective 1/1/08. The rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your email should read "Liberty American Group."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing should telephone Sam Coskey at (850)413-2616 or email him at sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: December 18, 2007, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-164.030, Florida Administrative Code, published on July 27, 2007 in Vol. 33, No. 30, of the F.A.W. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Kerry Krantz at e-mail kerry.krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-164.030 Application of Rule 69O-164.020, F.A.C., to Various Product Designs.

(1) No change.

(2) Application. The list below specifies reserving approaches which the Office regards as being most consistent with the letter and spirit of Rule 69O-164.020, F.A.C. However, the specified reserving approaches should be modified as needed to comply with the intent of this rule that similar reserves be established for policy designs that contain similar guarantees.

(a) through (h) No change.

(i) A universal life policy guarantees the coverage to remain in force as long as the accumulation of premiums paid satisfies the secondary guarantee requirement.

1. For policies and certificates issued prior to July 1, 2005, and for policies and certificates issued on or after January 1, 2011:

a. through i. No change.

2. For policies and certificates issued on or after July 1, 2005, and prior to January 1, 2007:

a. through i. No change.

3. For policies and certificates issued on or after January 1, 2007, and prior to January 1, 2011:

a. First, the minimum gross premiums (determined at issue) that will satisfy the secondary guarantee requirement must be derived.

b. Second, for purposes of applying paragraphs (7)(b) and (7)(c) of Rule 69O-164.020, F.A.C., the "specified premiums" are the minimum gross premiums derived in sub-subparagraph a.

(I) Consistent with Rule 69O-164.020, F.A.C., the remaining sub-subparagraphs in this rule should be calculated on a segmented basis, using the segments that Rule 69O-164.020, F.A.C., defines for the product. Therefore, in the remaining sub-subparagraphs, the term "fully fund the guarantee" should be interpreted to mean fully funding the guarantee to the end of each possible segment. The term "remainder of the secondary guarantee period" should be interpreted to mean the remainder of each possible segment. The total reserve should equal the greatest of all possible segmented reserves.

(II) Additionally, for purposes of applying paragraphs (7)(b) and (c) of Rule 69O-164.020, F.A.C., a lapse rate of no more than 2% per year for the first 5 years, followed by no more than 1% per year to the policy anniversary specified in the following table based on issue age, and 0% per year thereafter may be used. If the duration in the table is less than 5, then a lapse rate of no more than 2% per year may be used through that duration, and 0% per year thereafter.

<u>Issue Age</u>	<u>Duration</u>
<u>0-50</u>	<u>30th Policy Anniversary</u>
<u>51-60</u>	<u>Policy Anniversary Age 80</u>
<u>61-70</u>	<u>20th Policy Anniversary</u>
<u>71-89</u>	<u>Policy Anniversary Age 90</u>
<u>90 and over</u>	<u>No Lapse</u>

c. Third, a determination should be made of the amount of actual premium payments in excess of the minimum gross premiums. For policies utilizing shadow accounts, this will be the amount of the shadow account. For policies with no shadow accounts but which specify cumulative premium requirements, this excess will be the amount of the cumulative premiums paid in excess of the cumulative premium requirements; the cumulative premium payments and requirements should include any interest credited under the secondary guarantee (with interest credited at the rate specified under the secondary guarantee).

d. Fourth, as of the valuation date for the policy being valued, for policies utilizing shadow accounts, determine the minimum amount of shadow account required to fully fund the guarantee. For policies with no shadow accounts but which specify cumulative premium requirements, determine the

amount of the cumulative premiums paid in excess of the cumulative premium requirements that would result in no future premium requirements to fully fund the guarantee; the cumulative premium payments and requirements should include any interest credited under the secondary guarantee (with interest credited at the rate specified under the secondary guarantee). For any policy for which the secondary guarantee cannot be fully funded in advance, solve for the minimum sum of any possible excess funding (either the amount in the shadow account or excess cumulative premium payments depending on the product design) and the present value of future premiums (using the maximum allowable valuation interest rate and the minimum mortality standards allowable for calculating basic reserves) that would fully fund the guarantee. The amount determined above for this sub-subparagraph is to then be divided by one minus a seven percent premium load allowance (0.93). The result from sub-subparagraph c. should be divided by this number, with the resulting ratio capped at 1. The ratio is intended to measure the level of prefunding for a secondary guarantee which is used to establish reserves. Assumptions within the numerator and denominator of the ratio therefore must be consistent in order to appropriately reflect the level of prefunding. The denominator is allowed to be inconsistent only by the amount of the premium load allowance as defined in this sub-subparagraph. As used here, "assumptions" include any factor or value, whether assumed or known, which is used to calculate the numerator or denominator of the ratio.

e. Fifth, compute the net single premium on the valuation date for the coverage provided by the secondary guarantee for the remainder of the secondary guarantee period, using any valuation table and select factors authorized in paragraph (5)(a) of Rule 69O-164.020, F.A.C. For purposes of calculating the net single premium, a lapse rate subject to the same criteria as the lapse rate used in applying paragraph b. above may be used.

f. Sixth, the "net amount of additional premiums" is determined by multiplying the ratio from sub-subparagraph d. by the difference between the net single premium from sub-subparagraph e. and the basic and deficiency reserve, if any, computed in sub-subparagraph b.

g. Seventh, a "reduced deficiency reserve" should be computed by multiplying the deficiency reserve, if any, by one minus the ratio from sub-subparagraph d., but not less than zero. This "reduced deficiency reserve" is the deficiency reserve to be used for purposes of subparagraph (7)(d)1. of Rule 69O-164.020, F.A.C.

h. Eighth, the actual reserve used for purposes of subparagraph (7)(d)1. of Rule 69O-164.020, F.A.C., is the lesser of: (1) the net single premium from sub-subparagraph e., and (2) the amount of the excess from sub-subparagraph f., plus the basic reserve and the deficiency reserve, if any, computed in sub-subparagraph b.

(I) Reduce this result by the applicable policy surrender charges, i.e., the account value less the cash surrender value.

(II) Multiply the applicable policy surrender charge by the ratio of the net level premium for the secondary guarantee period divided by the net level premium for whole life insurance.

(III) Calculate both net premiums using the maximum allowable valuation interest rate and the minimum mortality standards allowable for calculating basic reserves. However, if no future premiums are required to support the guarantee period being valued, there is no reduction for surrender charges.

(IV) Multiply this surrender charge by the ratio of the net level premium for the secondary guarantee period divided by the net level premium for whole life insurance. Calculate both net premiums using the maximum allowable valuation interest rate and the minimum mortality standards allowable for calculating basic reserves.

(V) If the resulting amount is less than the sum of the basic and deficiency reserve from sub-subparagraph b., then the basic and deficiency reserves to be used for the purposes of subparagraph (7)(d)1. of Rule 69O-164.020, F.A.C., are those calculated in sub-subparagraph b., and no further calculation is required.

i. Ninth, an "increased basic reserve" should be computed by subtracting the "reduced deficiency reserve" in sub-subparagraph g. from the reserve computed in sub-subparagraph h. This "increased basic reserve" is the basic reserve to be used for purposes of subparagraph 69O-164.020(7)(d)1., F.A.C.

j. Business reserved pursuant to subparagraph (2)(i)3. of this rule must be supported by an asset adequacy analysis specific to this business.

(I) This asset adequacy analysis must be performed pursuant to the requirements of Section 625.121(3), FS.

(II) Reserves required by subparagraph (2)(i)3. of this rule, plus any additional reserves required by the asset adequacy analysis, shall be the minimum reserves for this business.

(3) No change.

Specific Authority 624.308(1), 625.121(5) FS. Law Implemented 624.307(1), 625.121(5) FS. History--New 5-4-06, Amended.

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: December 18, 2007, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-162.203, Florida Administrative Code, published on July 27, 2007 in Vol. 33, No. 30, of the F.A.W. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Kerry Krantz at e-mail kerry.krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-162.203 Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance.

(1) Scope. This rule shall govern mortality tables for use in reserves as set forth in Section 625.121, F.S.

(2) Purpose. The purpose of this rule is to recognize, permit and prescribe the use of mortality tables that reflect differences in mortality between Preferred and Standard lives in determining minimum reserve liabilities in accordance with Section 625.121(5)(a)3., F.S., and subsection 69O-164.020(5), F.A.C.

(3) Definitions.

(a) "2001 CSO Mortality Table" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in the Proceedings of the NAIC (2nd Quarter 2002) and supplemented by the 2001 CSO Preferred Class Structure Mortality Table defined below in Subsection (b). Unless the context indicates otherwise, the "2001 CSO Mortality Table" includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables. Mortality tables in the 2001 CSO Mortality Table include the following:

1. "2001 CSO Mortality Table (F)" means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

2. "2001 CSO Mortality Table (M)" means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.

3. "Composite mortality tables" means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

4. "Smoker and nonsmoker mortality tables" means mortality tables with separate rates of mortality for smokers and nonsmokers.

(b) "2001 CSO Preferred Class Structure Mortality Table" means mortality tables with separate rates of mortality for Super Preferred Nonsmokers, Preferred Nonsmokers, Residual Standard Nonsmokers, Preferred Smokers, and Residual Standard Smoker splits of the 2001 CSO Nonsmoker and Smoker tables as adopted by the NAIC September 10, 2006, which is available in the NAIC Proceedings {3rd Quarter 2006} which is adopted herein and incorporated by reference. Unless the context indicates otherwise, the "2001 CSO Preferred Class Structure Mortality Table" includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

(c) "Statistical agent" means an entity with proven systems for protecting the confidentiality of individual insured and insurer information; demonstrated resources for and history of ongoing electronic communications and data transfer ensuring data integrity with insurers, which are its members or subscribers; and a history of and means for aggregation of data and accurate promulgation of the experience modifications in a timely manner.

(4) 2001 CSO Preferred Class Structure Table.

(a) At the election of the company, for each calendar year of issue, for any one or more specified plans of insurance and subject to satisfying the conditions stated in this rule, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO Smoker or Nonsmoker Mortality Table as the minimum valuation standard for policies issued on or after January 1, 2007.

(b) No such election shall be made until the company demonstrates at least 20% of the business to be valued on this table is in one or more of the preferred classes.

(c) A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this rule, will be treated as part of the 2001 CSO Mortality Table only for purposes of reserve valuation pursuant to the requirements of Rule 69O-162.201, F.A.C., Adoption of 2001 Commissioners Standard Ordinary (CSO) Mortality Tables.

(5) Conditions.

(a) For each plan of insurance with separate rates for Preferred and Standard Nonsmoker lives, an insurer may use the Super Preferred Nonsmoker, Preferred Nonsmoker, and Residual Standard Nonsmoker tables to substitute for the Nonsmoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election

and annually thereafter, except for business valued under the Residual Standard Nonsmoker Table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

(b) For each plan of insurance with separate rates for Preferred and Standard Smoker lives, an insurer may use the Preferred Smoker and Residual Standard Smoker tables to substitute for the Smoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, for business valued under the Preferred Smoker Table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Preferred Smoker valuation basic table corresponding to the valuation table being used for that class.

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Preferred Smoker valuation basic table.

(6) Effective Date. This rule shall be effective for policies issued on or after January 1, 2007, for valuation dates on or after the date this rule becomes effective.

Specific Authority 624.308(1), 625.121 FS. Law Implemented 624.307(1), 625.121 FS. History—New _____

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

SOIL AND WATER CONSERVATION DISTRICTS

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2007, 1:00 p.m.

PLACE: 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Meeting.

A copy of the agenda may be obtained by contacting the Hendry SWCD.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the Hendry SWCD. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Barbara Tillis, District Secretary.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 26, 2007, 9:00 a.m.

PLACE: FWCC, Fish and Wildlife Research Institute, 4th Floor, Conference Room, 100 – 8th Avenue, S. E., St. Petersburg, Florida 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be to create a short list of candidates for the Executive Director position that will be interviewed by the Policy Board at its November 16, 2007 meeting.

Please note that if a person decides to appeal any decision made by the Executive Director Selection Committee at the above-cited meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be issued.

A copy of the agenda may be obtained by contacting ron@tbep.org or by calling Ron Hosler at (727)893-2765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Ron Hosler at (727)893-2765. 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).

PRIDE ENTERPRISES

PRIDE Enterprises, BOD announces a Finance Committee meeting to which all interested persons are invited to participate.

DATE AND TIME: Monday, October 29, 2007, 1:00 p.m. – 5:00 p.m. (EDT)

PLACE: PRIDE Enterprises Corporate Office, St. Petersburg, FL, www.pride-enterprises.org.

PRIDE Enterprises, BOD announces a BOD meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, October 30, 2007, 8:00 a.m. – 12:00 Noon (EDT)

PLACE: PRIDE Enterprises Corporate Office, St. Petersburg, FL, www.pride-enterprises.org.

PRIDE Enterprises announces a Transition Program Recognition Luncheon to which all interested persons are invited to attend.

DATE AND TIME: Tuesday, October 30, 2007, 12:30 p.m. – 2:30 p.m. (EDT)

PLACE: Feather Sound Country Club, 2201 Feather Sound Drive, Clearwater, FL, www.pride-enterprises.org.

FLORIDA ASSOCIATION OF COURT CLERKS AND COMPTROLLERS

The **Florida Electronic Recording Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2007, 9:00 a.m.

PLACE: Florida Association of Court Clerks and Comptrollers, 3544 Maclay Blvd., Tallahassee, Florida 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is regular meeting of the full committee. Existing standards and practices for county recorders in this state will be reviewed, along with a preliminary review of published standards on which the committee will be relying.

A copy of the agenda may be obtained from <http://flclerks.com/eRecording.html> or by contacting Beth Allman at the Florida Association of Court Clerks and Comptrollers, (850)921-0808 or allman@flclerks.com.

FLORIDA HEALTH INSURANCE ADVISORY BOARD

The **Florida Health Insurance Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: University of Central Florida Student Union, Key West CD Room, 52 Pegasus Circle, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will review 2008 Legislative Recommendations and other business of the Board. If you would like a copy of the agenda or special accommodations due to disability or physical impairment please contact Jim Bracher at jbracher@earthlink.net.

A copy of the agenda may be obtained by contacting jbracher@earthlink.net.

The **Florida Health Insurance Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2007, 9:30 a.m. – 12:00 Noon

PLACE: Conference Call: 1(800)331-8016, Pass Code: 68093

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will review 2008 Legislative Recommendations and other business of the Board.

If you would like a copy of the agenda or special accommodations due to disability or physical impairment please contact Jim Bracher at jbracher@earthlink.net.

A copy of the agenda may be obtained by contacting jbracher@earthlink.net.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 8, 2007, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from AZS Consulting, Inc., representing Icyne, on September 10, 2007, regarding whether SWRI-99-02 provides an acceptable alternative test method for spray foam insulation under sections 2603.8 and 2612.3.1.4, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06) and if so, whether spray foam can be installed without a thermal barrier when tested in accordance with SWRI-99-02 and certified as such by an International Codes Council – Evaluation Service (ICC-ES) report if it was tested without a thermal barrier. It has been assigned the number DCA07-DEC-171.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Robert Cochell, on behalf of Gulf Coast Air Systems, Inc., on September 10, 2007, regarding whether section 13-607.1.ABC.3.1.1, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06) allows replacement of an inoperative outdoor compressor in a residential air conditioning and/or heat pump system without also replacing the indoor components of the system, with the result that the a 10-SEER or lower efficiently air handler or evaporator coil is mismatched with a 13-SEER outdoor unit. Whether the code requires demonstration of compatibility, system capacity and system efficiency. Whether the code requires that indoor and outdoor components be from the same manufacturer, and what documentation of compatibility is required. It has been assigned the number DCA07-DEC-172.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Alan Fallik, Interim City Attorney, on behalf of the City of Hollywood, Florida, on September 10, 2007, regarding whether section 3109, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06) allows the creation of a fully enclosed space for commercial uses, with break-away walls, located below the lowest structural horizontal member and above the FEMA National Flood Insurance Program established base flood elevation. It has been assigned the number DCA07-DEC-179.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Michael Gong, Ph.D., on behalf of ITW Buildex, on September 11, 2007, regarding whether the Petitioner's product, a concrete screw anchor used to attach electrical junction boxes and conduit clips, wood header and furring strips, HVAC strapping to concrete or masonry, is within the scope of Rule 9B-72.005, F.A.C. It has been assigned the number DCA07-DEC-180.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Joseph D. Belcher, on behalf of JDB Code Services, Inc., on September 11, 2007, regarding whether Chapter 9B-72, Florida Administrative Code, allows a manufacturer to designate or form an association to serve as its designee, to apply for and obtain approval of a product or construction system which requires fabrication or assembly prior to installation, and to serve as the Product Approval Holder for association-designated authorized user members such as fabricators, assemblers and installers. It has been assigned the number DCA07-DEC-181.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Mark S. Speckin, on behalf of SPX Cooling Technologies, on September 12, 2007, regarding whether the Florida Building Code requires the structure and anchorage of exterior mounted mechanical units such as cooling towers and fluid coolers, to be designed to withstand applied wind force, and if so, whether the wind design data must be included on all construction documents. It has been assigned the number DCA07-DEC-182.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Mark S. Speckin, on behalf of SPX Technologies, on September 12, 2007, regarding clarification of the wind design criteria required by section 407.1.2, Florida Building Code, Existing Building Volume (2004 as amended 12/05 and 12/06) when mechanical equipment that is exposed to wind is being replaced in a Level 1 alteration. It has been assigned the number DCA07-DEC-183.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT FLORIDA BUILDING COMMISSION has received the petition for declaratory statement from Gary Swartz, on behalf of E-Z Fire Taping System, Inc., on September 26, 2007, regarding whether the Petitioner's product, a self-adhesive tape for drywall and gypsum, is within the scope of Rule 9B-72.005, F.A.C. It has been assigned the number DCA07-DEC-194.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT FLORIDA BUILDING COMMISSION has received the petition for declaratory statement from Andrew Allocco, P.E., on behalf of Indian River Construction Services, Inc., on October 4, 2007, regarding the respective duties and obligations of a city's building official, city manager and construction board pertaining to enforcement of the Building Code and licensing laws. It has been assigned the number DCA07-DEC-231.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Charles W. Widerman, Petitioner, In Re: Harbour Beach Resort Condominium Association, Inc. Docket Number: 2007052527. The petition seeks the agency's opinion as to the applicability of Section 718.113, Florida Statutes, as it applies to the petitioner.

Whether the board of Harbour Beach Resort Condominium Association, Inc. (Association), which operates this condominium hotel, may assess him for repairs made to the limited common element balconies under Section 718.113, Florida Statutes, when his unit does not have a balcony.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Hillsboro Imperial Condominium Association, Inc.; Docket Number: 2007054089. The petition seeks the agency's opinion as to the applicability of Section 718.111(11), Florida Statutes, as it applies to the petitioner.

Whether Hillsboro Imperial Condominium Association, Inc. must assess all unit owners equally for the cost of casualty repairs that exceed the amount of insurance proceeds against all owners where each building is a limited common element appurtenant to only the units in that building under Section 718.111(11), Florida Statutes, and whether the association must assess all owners the cost of repairing original windows damaged by a hurricane where the owners had not maintained the windows by replacing them with hurricane glass under Section 718.111(11), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Fred Fogg, Petitioner, In Re: Holiday Shores Park, Inc.; Docket No. 2007046362 on August 15, 2007. The following is a summary of the agency's declination of the petition:

The Division has issued an Order Denying the Petition for Declaratory Statement for lack of competent substantial evidence and because the petition sought an opinion concerning an event that had already occurred.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Townhouses at Jacaranda Condominium Association, Inc.; Docket No. 2007040095 on July 12, 2007. The following is a summary of the agency's disposition of the petition:

Townhouses of Jacaranda Condominium Association, Inc. must obtain competitive bids for any contracts for materials, equipment, or services that in the aggregate exceed 5% of the total annual budget of the Association, including reserves, which include all the budgets of all individual condominiums and the budget of the association.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Venture Out At Cudjoe Cay, Inc.; Docket No. 2007036682 on June 14, 2007. The following is a summary of the agency's disposition of the petition:

The Division has ordered that under Section 718.112(2)(d)8., Florida Statutes, Venture Out at Cudjoe Cay, Inc. may appoint a unit owner to fill a vacancy caused by an ineligible person being voted to the board at the annual meeting by a majority of the remaining directors according to its by-laws.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Yacht Club at Portofino Condominium Association; Docket No.

2007050507. The petition seeks the agency's opinion as to the applicability of Section 718.112(2), Florida Statutes, and *Aldecoa v. Bahia Mar of Key Biscayne Condominium Association, Inc.*, Arb. Summ. Final Order no. 98-2732 as it applies to the petitioner.

Whether the Yacht Club at Portofino Condominium Association, Inc. may increase the number of seats on the board from 3 to 5 under Section 718.112(2), Florida Statutes, and under *Aldecoa v. Bahia Mar of Key Biscayne Condominium Association, Inc.*, Arb. Summ. Final Order no. 98-2732.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has received a petition for declaratory statement from Michael Gordon. The petition seeks the Office's opinion as to the applicability of Chapter 494, Florida Statutes, and specifically the definition of the term "Mortgage loan" as set forth in Section 494.001, Florida Statutes, to the activities of the petitioner.

A copy of the petition for declaratory statement may be obtained by writing to: Agency Clerk, Office of Financial Regulation, Fletcher Building, Suite #526, 200 East Gaines Street, Tallahassee, FL 32399-0379.

Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SV-236, East Hall Fire Protection Upgrade, estimated budget: \$480,000, to be opened November 13, 2007, at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Upgrade of the Building Fire Protection System, including, but not limited to, new fire pump and sprinkler installation. Contractor will be required to coordinate his work with the work of the Bathroom Renovation and Electrical Package project.

Mandatory Pre-Bid Meeting to be held October 23, 2007, at 9:00 a.m., in Weaver Hall, 1st Floor, Conference Room, Gale Lemerand Drive, Gainesville, FL. Specifications and Plans are available in Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611. Questions should be directed to Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO PROFESSIONAL ENVIRONMENTAL CONSULTANTS

Florida A&M University (FAMU), announces that continuing professional services for certain projects are required in the following discipline: Environmental Consultant

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for Continuing Contract projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 - June 30. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed "Professional Qualifications Supplement" (PQS); form is to be obtained from the FAMU Facilities Planning and Construction Office. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit Eight (8) ring, comb or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualification Supplements and selection criteria may be obtained by contacting: Sam Houston, Planning Director, Facilities Planning and Construction Office, e-mail: samuel.houston@famuedu, Phone: (850)599-8001, or by Faxing a request to (850)561-2289.

Submittals must be received in the office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, Attn: Samuel J. Houston, Planning Director, by 12:00 p.m. (Noon) local time, on November 16, 2007. Facsimile (FAX) or E-Mail submittals are not acceptable and will not be considered.

CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following:

Construction of Child Care Facility

A Mandatory Pre-Bid Conference will be held on October 26, 2007, 2:00 p.m. (Central Time), in Bldg. 92, Room 110 (Training Room), The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

All bidders are required to attend the pre-bid conference. Potential subcontractors are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may bid the project.

Sealed bids will be received until November 19, 2007, 2:00 p.m. (Central Time), at the Department of Procurement and Contracts, Bldg. 8, Room 102, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number 07/ITB-08/ES must be marked on outside of bid package. The University will not be responsible for unopened bid packages at the bid opening when the package is not properly identified. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Invitation to Bid.

View this solicitation and related plans and specifications at the Department of Procurement and Contracts' website at <http://uwf.edu/procurement>. Questions should be directed to Elaine Smith at etsmith@uwf.edu or (850)474-2627.

Invitation To Bid

For a General Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513-D, 1701 Prudential Drive, Jacksonville, Florida.

BIDS ARE DUE ON OR BEFORE: November 20, 2007

AND WILL BE ACCEPTED UNTIL: 2:00 p.m.

OFFICIAL PROJECT TITLE: Hurricane Grant

DCPS PROJECT NO. F-10086

SCOPE OF WORK: To furnish and install all Hurricane Shelter protection as required by the specifications at LANDMARK MIDDLE SCHOOL NO. 256 AND TWIN LAKES ELEMENTARY NO. 251. The Budgeted and Not to Exceed Construction Cost is \$229,114.00

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on October 30, 2007, 10:00 a.m., 513-D, 1701 Prudential Drive Jacksonville, FL 32207. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$35.00 and Non-refundable fee of \$25.00 at the office of: Baker Klein Engineering, P.L., 1628 San Marco Blvd., Suite 13, Jacksonville, FL 32207

DCSB Point of Contact: Alonza Anderson (904)390-2504

Contract documents for bidding may be examined at: Baker Klein Engineering, P.L., 1628 San Marco Blvd., Suite 13, Jacksonville, FL 32207

MBE Participation Goal: Encouragement

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000.00 and electrical projects exceeding \$50,000.00 Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan at 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922, Fax (904)390-2265, email: beaudoinr@dreamsbeginhere.org or Faganr@dreamsbeginhere.org.

The Bid Award Recommendation will be posted on the First Floor, Bulletin Board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL TRANSPORTATION AUTHORITIES

INVITATION TO BID NO. 07-001

LOCOMOTIVE FUELING SERVICES

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Invitation to Bid (ITB) is to obtain the services of a Contractor to procure and deliver an estimated 3,000,000 gallons of fuel annually for SFRTA's Tri-Rail commuter rail service. The majority of fuel shall be delivered to a fuel storage tank located at SFRTA's Hialeah Maintenance Facility, 9400 N. W. 37th Avenue, Miami, Florida. The Contractor shall also be required to deliver on demand up to twenty percent (20%) of the fuel directly to locomotives at SFRTA's West Palm Beach Maintenance Facility at 435 South Tamarind Avenue, West Palm Beach, Florida. The selected Contractor shall provide metered fuel logs indicating the exact quantity deposited in each locomotive and the fuel storage tank. The term of the Agreement will be five (5) years.

A REQUEST FOR DOCUMENTS should be directed to Mr. Robert Becker at SFRTA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Fifty Dollars (\$50.00) non-refundable. Checks or money orders made payable to SFRTA should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about October 15, 2007.

A PRE-BID CONFERENCE will be held in the SFRTA Board Room at the address above on October 23, 2007, 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED BIDS: All Bids must be received in a sealed envelope no later than 4:00 p.m., November 13, 2007 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all Bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All Bids must remain in effect for One Hundred Eighty (180) days from the Bid opening date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. SFRTA's DBE program goal is 10% of total contract expenditures.

CONE OF SILENCE: Any verbal or written communications between any Bidder (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the ITB advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in

this section shall constitute grounds for immediate and permanent disqualification of the Bidder/violator from participation in this procurement.

INVITATION TO BID NO. 07-002

POMPANO BEACH PARK-N-RIDE LOT

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Invitation to Bid (ITB) is to obtain the services of a Contractor for the final Design, Permitting and Construction of a new 35 space parking lot located at the north east corner of SW 33rd Street and Andrews Avenue in Pompano Beach, Florida. The work will include improvements to Andrews Avenue to provide full access to the new parking lot. Project will include paving, drainage, street lighting and landscaping as the primary components of the project. Preliminary Engineering Design Plans up to 75%, including, Geotechnical Data, and a Project Site Survey have been completed and will be included in the ITB documents to provide more information as to the project scope.

Bidders are required to be pre-qualified in all work types required for the project. The technical qualification requirements of Florida Administrative Code Chapter 14-75 and all qualifications requirements of Florida Administrative Code Chapter 14-22, based on the applicable category of the project, must be satisfied.

A REQUEST FOR DOCUMENTS should be directed to Mr. Bryan Kohlberg at SFRTA, 800 N.W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7910. The cost of the solicitation document is Fifty Dollars (\$50.00) non-refundable. Checks or money orders made payable to SFRTA should be forwarded to Mr. Kohlberg at the address above. Solicitation documents will be available on or about October 15, 2007.

A PRE-BID CONFERENCE will be held in the SFRTA Board Room at the address above on October 24, 2007, 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED BIDS: All Bids must be received in a sealed envelope no later than 4:00 p.m., November 15, 2007 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all Bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All Bids must remain in effect for One Hundred Eighty (180) days from the Bid opening date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

CONE OF SILENCE: Any verbal or written communications between any Bidder (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the ITB advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Bidder/violator from participation in this procurement.

Request for Statement of Interest
Emergency Repair and Maintenance of

Class 1 Railroad For the New River Bridge Rail Corridor

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties. SFRTA is seeking contractor responses to determine the current market availability of railroad track repair and maintenance contractors for the New River Bridge Rail Corridor (approximately 3 route miles located between Mile Posts 1013.3 and 1015.8). All repair and maintenance work will be performed on an as needed basis for SFRTA.

This segment of track consists of a double main line newly constructed in 2006 of 136# continuously welded rail on concrete ties with Pandrol Safelok fasteners on trap rock ballast. At the south end there is a transition from 136# rail to 115# rail on timber ties fastened with cut spikes. In the northerly 1.5 mile portion, the track is constructed on a concrete deck bridge over the New River with grades up to 3% on each approach. The southerly portion is mostly on level grade. There are no turnouts or switches within the track limits. There is one set of Portec standard glued insulated joints in each track at approximately milepost 1014.5.

Potential Contractors must have the ability to repair and maintain all aspects of railroad track for Class 1 Railroads. Due to the emergency nature of the work, Contractors must have the ability to mobilize within one hour of notification by SFRTA. Contractors must also be familiar with all applicable Federal Railroad Administration (FRA) and CSXT standards in relation to the work required. All track will be repaired and

maintained to Class 4 of the FRA Track Safety Standards. Contractors must also be able to meet the necessary insurance requirements.

THIS REQUEST FOR STATEMENT OF INTEREST IS NOT A FORMAL SOLICITATION.

Statements of Interest must be received by close of business Friday, October 26, 2007. Please address to:

Robert Becker, Contracts Specialist
South Florida Regional Transportation Authority
800 N. W. 33rd Street
Pompano Beach, FL 33064

Should there be any questions regarding this Request for Statement of Interest, please contact the undersigned at (954)788-7911.

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: EX-18 (RR)

PROJECT NAME & LOCATION: RE-BID FOR REPLACEMENT OF SPACE HEATING AND VENTILATING UNITS AND DOMESTIC WATER HEATERS FOR SIX (6) DORMATORY UNITS (A, B, C, E, F AND G) AND REPLACEMENT OF THE WATER HEATER AND BOOSTER HEATER FOR THE KITCHEN FACILITY AT HENDRY CORRECTIONAL INSTITUTION, IMMOKALEE, FLORIDA.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification, must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact Ms. Sandra Rogers, (850)922-8855 for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: THURSDAY, NOVEMBER 29, 2007, at 2:00 p.m. (Local Time)

PLACE: TLC ENGINEERING for ARCHITECTURE
325 JOHN KNOX ROAD, STE. AT-102
TALLAHASSEE, FL 32303

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ENGINEER: TLC ENGINEERING for ARCHITECTURE
325 JOHN KNOX ROAD, STE. AT-102
TALLAHASSEE, FL 32303
PHONE: (850)298-4448
ATTN: JOHN R. HARDESTY, P.E.

Drawings and specifications may be purchased for a Non-refundable price of \$100 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on Thursday, November 15, 2007, 10:00 a.m. (EST), at the Hendry Correctional Institution's Administration Building, conference room. A brief walk-through of the work area(s) will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. **RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.**

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE FOR PROFESSIONAL SERVICES

FOR ARCHITECTURE-ENGINEERING SERVICES

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

PROJECT NUMBER: MSFM-27009006 (and any future related appropriation)

PROJECT NAME: Controls Replacement for The Capitol, Cooling Well Upgrades, and Exterior Plaza Repairs

PROJECT LOCATION: Tallahassee, Florida

SERVICES TO BE PROVIDED: This Project will be a phased project with the first phase being the design documents for controls replacement. The design will follow LEED's best practice for the replacement and upgrades. The second phase will occur for plaza repairs and electrical upgrades.

ESTIMATED CONSTRUCTION BUDGET: \$1,500,000.00 (Phase One)

For details please visit the Department's website listed below and click on "Search Advertisement – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbc_www.main_menu.

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBERS: JB-26014000; JB-26016000; JB-27016000 and JB-27019000 (plus project related current and future appropriations)

PROJECT NAME: Third District Court of Appeal, Building Reconfiguration and Related Remodeling

LOCATION: Miami Dade County, Florida

ESTIMATED CONSTRUCTION BUDGET: Approximately \$4,000,000.00 (based on current and future appropriations)

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: MSFM-27009004

PROJECT NAME: Chiller and Mechanical Replacement at Turlington Building

LOCATION: Tallahassee, Florida

ESTIMATED CONSTRUCTION BUDGET: \$1,000,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department’s website listed below and click on “Search Advertisements – Division of Real Estate Development and Management.” http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**NOTICE OF INVITATION TO BID
BID NO. BDC 21-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Henderson Beach State Park-East Day Use Area

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully construct a parking lot of approximately 214 spaces, a restroom, four picnic pavilions, boardwalk and dune crossover. Additional construction may include installation of a storm water pond and specialized landscaping.

PARK LOCATION: Henderson Beach State Park-East of Destin on US 98, 17000 Emerald Coast Parkway, Destin, Florida

PROJECT MANAGER: Dave Berra, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the

full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on October 19, 2007 at: Henderson Beach State Park, 17000 Emerald Coast Parkway, Destin, Florida 32541, Attention: Dan Laird, (850)837-7550, Fax Number: (850)650-0290.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:00 p.m., Tuesday, November 20, 2007, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

**NOTICE OF INVITATION TO BID
BID NO. BDC 23-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: TH Stone Memorial St. Joseph Peninsula State Park-Resurface Park Drive

SCOPE OF WORK: Furnish all materials and labor to repave with 1.5 inches of asphalt overlay approximately 5.4 miles of the park drive and roads. This work shall include costs associated with patching all potholes within the work area.

PARK LOCATION: TH Stone Memorial St. Joseph Peninsula State Park, On CR 30 off US 98, 8899 Cape San Blas Rd., Port St. Joe, FL 32456 (Gulf County)

PROJECT MANAGER: Kimsey Helms, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, (850)488-5372, Fax Number: (850)488-3537.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility at least five (5) calendar days prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on October 19, 2007 at: TH Stone Memorial St. Joseph Peninsula State Park, 8899 Cape San Blas Rd., Port St. Joe, FL 32456, Attention: Brian Addison, (850)227-1327, Fax Number: (850)227-1488.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PRE-BID MEETING ON SITE (NON-MANDATORY): An on-site meeting with prospective bidders will be held on Thursday, November 1, 2007 with the DEP Project Manager and Park/District Staff to examine site conditions and answer questions regarding the scope of the project.

BID SUBMITTAL DUE DATE: No later than 4:30 p.m., Tuesday, November 13, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully construct a proposed day-use recreation area. The project includes construction of a 22-foot wide by 3750-foot long entrance road with a 35-car paved parking lot, paving of an existing stabilized 15-car parking area that includes one bus parking space, and improvements to an existing pedestrian walkway that extends approximately 650-feet. Also included is the construction of a 22-foot wide by 1200-foot long paved roadway, four small picnic pavilions, and a 13-car parking area in a separate area of the Park. The contractor will also be responsible for acquiring all necessary permits and coordinating connection of all needed utilities.

PARK LOCATION: Eden Gardens State Park-off US 98 on County Road 395, Walton County, Florida

PROJECT MANAGER: Patty Vickers, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility in accordance with Chapter 60D-5, Florida Administrative Code, prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on October 19, 2007 at: Eden Gardens State Park, c/o Camp Helen State Park, 23937 Panama City Beach Parkway, Panama City Beach, Florida 32413, Attention: Dan Blanner, (850)233-5059, Fax Number: (850)231-2194.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF INVITATION TO BID

BID NO. BDC 24-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Eden Gardens State Park – Park Development

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, November 20, 2007 to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

NOTICE OF INVITATION TO BID

BID NO. BDC 25-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Lafayette Blue Springs State Park – Park Development

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully construct a 30 site campground with two elevated public restroom buildings, a parking area with pervious paving, ticket booth and boardwalk; and construct a ranger station, shop building, pole barn, two modular residences, and related utility work on a site approximately one mile from the campground.

PARK LOCATION: Lafayette Blue Springs State Park-Lafayette County, Florida

PROJECT MANAGER: Dave Berra, Bureau of Design and Construction, Alfred B Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida, (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility in accordance with Chapter 60D-5, Florida Administrative Code, prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on October 19, 2007 at: Lafayette Blue Springs State Park, c/o Suwannee River State Park, 20185 County Road 132, Live Oak, Florida 32060, Attention: Stan Christian, (386)362-2746, Fax Number: (386)264-1614.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:30 p.m., Tuesday, November 20, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

FLORIDA STATE COURTS

**THIRD DISTRICT COURT OF APPEAL
INVITATION TO BID**

PURSUANT TO SECTION 287.057, F.S., SEALED BIDS WILL BE RECEIVED BY THE THIRD DISTRICT COURT OF APPEAL, 2001 S. W. 117TH AVE., MIAMI, FL 33175-1716, UNTIL 3:00 P.M., NOVEMBER 30, 2007, FOR THE SELECTION OF A CONTRACTOR SUPPLYING ALL LABOR AND MATERIALS REQUIRED FOR THE REMOVAL, ACQUISITION AND INSTALLATION OF CONSTANTINE CARPET WITHIN THE CLERK'S OFFICE, LAWYERS LOUNGE AND OFFICE SUITES/Common Areas of the Courthouse Annex Building, Project Number 07-002. SCOPE OF WORK AND CONTRACTOR REQUIREMENTS ARE LOCATED AT WWW.3DCA.FLCOURTS.ORG.

ADDITIONAL INFORMATION MAY BE OBTAINED FROM THE MARSHAL'S OFFICE, (305)229-3200, EXT. 3234.

AMERICANS WITH DISABILITY ACT OF 1991 – CONTACT THE MARSHAL'S OFFICE IF SPECIAL ACCOMMODATIONS ARE NEEDED IN ORDER TO ATTEND THE PRE-PROPOSAL CONFERENCE.

PETER R. BROWN CONSTRUCTION, INC.

REVISED – Notice of Request for Proposals

School Board of Brevard County – Additions and Renovations at Merritt Island High School – Phase 2

Notice is hereby given that the Request for Proposal noticed in Vol. 33, No. 39, Section XI of the September 28, 2007 issue of the F.A.W. has been revised. The information indicated below shall supersede all other previous publications.

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the School Board of Brevard County Phase Two of the Additions and Renovations at Merritt Island High School hereby solicits sealed proposals for the referenced project in accordance with the proposal documents to include but not limited to the following:

This phase of the project includes renovations and upgrades to seven existing buildings, expansion of an existing building and expanding/reconfiguring the student parking area, administration parking area and parent drop-off area.

The upgrades/renovations to the existing buildings include ADA related repairs/upgrades, HVAC equipment replacement and upgrades, electrical systems upgrades, educational technology upgrades, fire alarm systems, intercom systems and the addition of a fire sprinkler system to all existing buildings.

Please Note: The Jessica Lunsford Act will be in effect for this project.

A pre-proposal meeting will be held at 3:30 p.m. (Local Time), Tuesday, November 27, 2007 at the following location:

Merritt Island High School
 Peter R. Brown Construction, Inc. Jobsite Trailer
 100 Mustang Way
 Merritt Island, FL 32953

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on December 11, 2007. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Please contact Jenny Sanchez, Estimator at (727)535-6407, to obtain information or documents about the pre-qualification requirements for this project:

School Board of Brevard County and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available on or about November 20, 2007. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

School Board of Brevard County and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be

directed to the Construction Manager, in writing by seven (7) business days prior to the proposal due date. The Owner and Architect will not accept calls regarding this project.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIVR-08-2007-004
 DATE RECEIVED: October 9, 2007
 DEVELOPMENT NAME: SEMINOLE MALL
 DEVELOPER/AGENT: Downtown Seminole, LLC
 DEVELOPMENT TYPE: 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Seminole City

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Motors, LLC, intends to allow the relocation of Asbury Automotive Brandon, LP d/b/a Courtesy Chrysler Jeep, as a dealership for the sale of Chrysler vehicles from its present location at 1728 West Brandon Boulevard, Brandon, Florida 33511, to a proposed location at 9207 East Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after December 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Asbury Automotive Brandon, LP d/b/a Courtesy Chrysler Jeep are dealer operator(s): Charles Tomm, 4306 Pablo Oaks Court, Jacksonville, Florida 32224 and Robert O'Neill, 1728 West Brandon Boulevard, Brandon, Florida 33511; principal investor(s): Charles Olgesby, Asbury Automotive Group, Inc., 622 Third Avenue, New York, New York 10017. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Dave Englen, Jr., Chrysler Motors, LLC, 1000 Chrysler Drive, Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Motors, LLC, intends to allow the relocation of Asbury Automotive Brandon, LP d/b/a Courtesy Chrysler Jeep, as a dealership for the sale of Jeep vehicles from its present location at 1728 West Brandon Boulevard, Brandon, Florida 33511, to a proposed location at 9207 East Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after December 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Asbury Automotive Brandon, LP d/b/a Courtesy Chrysler Jeep are dealer operator(s): Charles Tomm, 4306 Pablo Oaks Court, Jacksonville, Florida 32224 and Robert O'Neill, 1728 West Brandon Boulevard, Brandon, Florida 33511; principal investor(s): Charles Olgesby, Asbury Automotive Group, Inc., 622 Third Avenue, New York, New York 10017. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Dave Englen, Jr., Chrysler Motors, LLC, 1000 Chrysler Drive, Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ducati North America, Inc., intends to allow the establishment of Baseline Specialist, Inc. d/b/a MelilliMoto, as a dealership for the sale of Ducati motorcycles at 6810 Southeast 58th Avenue, Ocala (Marion County), Florida 34480, on or after November 15, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Baseline Specialist, Inc. d/b/a MelilliMoto are dealer operator(s): Sebastian V. DiDato, 6828 Southeast 89th Street, Ocala, Florida 34472; principal investor(s): Sebastian V. DiDato, 6828 Southeast 89th Street, Ocala, Florida 34472.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kristi Blanchard, Ducati North America, Inc., 10443 Bandle Drive, Cupertino, California 95014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on September 17, 2007, the Florida Public Service Commission issued an order.

The Office of Public Counsel's Petition for Evidentiary Hearing on the proposed adoption of Rule 25-30.4325, F.A.C., on behalf of the Citizens of the State of Florida (Citizens) pursuant to Section 120.54(3)(c)2., F.S. (Petition), filed June 29, 2007, in Docket No. 070183-WS, was approved by the Commission at its August 28, 2007, Agenda Conference. The Commission found that the Citizens' substantial interests will be affected by the proposed rule and that the Petition has merit. Accordingly, the Commission suspended the rulemaking proceeding pending the completion of a formal evidentiary hearing on the matter, pursuant to Section 120.54(3)(c)2., F.S. The rulemaking proceeding will be resumed upon the conclusion of the formal evidentiary proceeding. Order No. PSC-07-0741-PCO-WS, issued September 17, 2007, memorialized the decision. Notice of the Petition was published in the F.A.W. on August 17, 2007.

A copy of the Order may be obtained by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or from the Commission's Homepage at <http://www.floridapsc.com>.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application for service exemption from Regional Medical Center Bayonet Point, 14000 Fivay Road, Hudson, FL 34667 pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Neurosurgical Services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Sherry Ledbetter, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)921-6621 or by e-mail at ledbetts@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INTENT TO ISSUE PROPOSED

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning: Crystal River Units 4 and 5, Power Plant Application No. PA77-09K, OGC Case No. 07-1634. On December 4, 2006 the Department received an application to modify the Conditions of Certification for Crystal River Units 4 and 5 from Progress Energy Florida pursuant to Section 403.516(1)(c), Florida Statutes, to make necessary changes at the site due to the addition of new air pollution control equipment on Units 4 & 5.

A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification.

Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those

portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearing/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On October 8, 2007, Ana M. Viamonte Ros, M.D., M.P.H. State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Wayne Allen Collins, R.N. license number RN 9218205. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 8, 2007, Ana M. Viamonte Ros, M.D., M.P.H. State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Michelle Belinda Demets, R.N. license number RN 3133032. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 8, 2007, Ana M. Viamonte Ros, M.D., M.P.H. State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Iris Dana Kimak, R.N. license number RN 9198300. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 8, 2007, Ana M. Viamonte Ros, M.D., M.P.H. State Surgeon General, issued an Order of Emergency Suspension with regard to the license of Louis Alto, R. Ph. license number PS 32489. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

ADVOCACY FOR PERSONS WITH DISABILITIES, INC.

The PAIMI Advisory Council (PAC) of the Advocacy Center for Persons with Disabilities, Inc. has proposed amendments to their Governing Rules. The draft Governing Rules are posted at: <http://www.advocacycenter.org/council/index.html> and can be obtained in accessible format by contacting Leslie Evans at (850)488-9071, ext 231 or leslie@advocacycenter.org. The changes for the Governing Rules will be voted on at the upcoming PAC meeting scheduled for Thursday, November 28, 2007. Comments in writing or in person will be considered at that time.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN October 1, 2007
 and October 5, 2007**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Elections

1S-2.045	10/3/07	10/23/07	33/34	
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STATE BOARD OF ADMINISTRATION

19-11.004	10/5/07	10/25/07	33/32	
19-11.006	10/5/07	10/25/07	33/32	
19-11.007	10/5/07	10/25/07	33/32	
19-12.007	10/5/07	10/25/07	33/32	
19-13.002	10/5/07	10/25/07	33/32	

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

40D-2.091	10/2/07	10/22/07	33/33	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-16.100	10/2/07	10/22/07	33/6	33/22
62-16.200	10/2/07	10/22/07	33/6	33/22
62-16.300	10/2/07	10/22/07	33/6	33/22
62-16.500	10/2/07	10/22/07	33/6	33/22

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-16.600	10/2/07	10/22/07	33/6	33/22
62-16.900	10/2/07	10/22/07	33/6	33/22

DEPARTMENT OF HEALTH
Board of Dentistry

64B5-15.030	10/3/07	10/23/07	33/32	33/35
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Board of Medicine

64B8-9.015	10/3/07	10/23/07	33/35	
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Board of Nursing

64B9-3.014	10/2/07	10/22/07	33/34	
64B9-15.003	10/2/07	10/22/07	33/34	

Board of Nursing Home Administrators

64B10-15.001	10/4/07	10/24/07	33/34	
64B10-15.002	10/4/07	10/24/07	33/34	

Board of Occupational Therapy

64B11-2.011	10/4/07	10/24/07	33/34	
64B11-3.010	10/4/07	10/24/07	33/34	

Council of Licensed Midwifery

64B24-3.010	10/4/07	10/24/07	33/34	
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