Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.912, 627.918 FS. History–New 1-16-83, Amended 6-14-83, 7-1-85, 12-31-85, Formerly 4-59.03, Amended 11-9-86, 6-15-88, Formerly 4-59.003, Amended 4-28-92, 6-13-99, Formerly 4-171.003, Amended

FINANCIAL SERVICES COMMISSION

OIR - Insurance Regulation

RULE NO.: RULE TITLE:

69O-175.003 Motor Vehicle Insurance Ratemaking

and Rate Filing Procedures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 46, November 12, 2004 issue of the Florida Administrative Weekly has been withdrawn.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 August 9, 2007, the Suwannee River Water Management District (SRWMD), received a petition for variance from George & Charlotte Young, 105 S. E. 837th Street, Old Town, FL 32680, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from paragraph 40B-4.3030(11)(b), F.A.C., to the 75-foot setback requirement. The permit applicant is proposing to reconstruct

an existing home in Dixie County, Township 11 South, Range 13 East, Section 11, partially within the 75-foot setback of the Suwannee River. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 07-0235.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or (800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on July 24, 2007, the South Florida Water Management District (District), received a petition for waiver from the Florida Department of Transportation-District Four, Application No. 07-0724-2 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the C-14, Broward County, to allow utilization of the District's C-14 right of way for the placement of approximately 1,445' of continuous barrier wall and concrete sidewalk lying in Sections 34, 35 and 1, Township 48, 49S, Range 42E. The petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which governs the placement of above-ground permanent and semi-permanent encroachments within 40 feet 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.

NOTICE IS HEREBY GIVEN THAT on August 15, 2007, the South Florida Water Management District (District), received a petition for Wavier from Collier County Parks & Recreation Department, Application Number 07-0615-8, for utilization of Works of Lands of the District known as the I-75 Canal, Collier County, for the proposed installation of an aluminum pedestrian railing. The petition seeks relief from subsections 40E-6.011(4), (6), and Rule 40E-6.221, Fla. Admin. Code, which governs placement of above-ground permanent and semi-permanent encroachments (installation of an aluminum pedestrian railing) within the Works or Lands of the District. A copy of the Petition for Variance or Waiver may be obtained

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or email 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 end of

business on 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1411, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 1, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from El Mana #1 located in Ocoee. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition may be obtained by contacting David.Fountain@dbpr.state.fl.us. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on August 1, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Hytie's Bagels by the Sea located in Satellite 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 eighteen (18).

A copy of the Petition may be obtained by contacting David.Fountain@dbpr.state.fl.us. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on August 14, 2007, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on May 7, 2007, by Lynn Finkelstein. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 22, of the June 1, 2007, F.A.W. The Petitioner sought a waiver or variance of subsection 61H1-33.006(2), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees" with regard to the requirement that required continuing professional education hours have been completed in the 24 months immediately

proceeding the date of an application for reactivation. The Board considered the instant Petition at a duly-noticed public meeting, held July 20, 2007, in Tampa, Florida.

The Board's Order, filed August 14, 2007, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 473.311, F.S., would be met by granting a variance or waiver from subsection 61H1-33.006(2), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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 August 15, 2007, the Board of Medicine, received a petition for waiver or variance filed by Laith Kasir, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Department of Health has issued an order.

The Department of Health gives notice that it has issued a response to a petition for variance, which was filed on May 3, 2007, by Diana Hosein, Owner, Young Chefs Academy.

The petitioner sought a permanent variance from subparagraph 64E-11.006(1)(m)3., Florida Administrative Code, for the use of a certified residential dishwasher. The Department of Health determined that Young Chefs Academy is not currently a school or any other facility defined as a food service establishment as per Section 381.0072(1)(b), Florida Statutes. As the facility did not fall within the Department of Health's jurisdiction, the Department was without authority to render a decision regarding the variance request. To view the notice of receipt of the petition, see F.A.W., Vol. 33, No. 20, May 18, 2007.

For a copy of the order regarding this action, contact: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on August 17, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(1)(a), F.A.C., that incorporates Part II.A.2.a.(1) of the Universal Cycle Application Instruction, Florida Administrative Code, from Golden Acres Redevelopment, Ltd. ("Petition"). The Petition is seeking a waiver of the restriction to change the ownership structure after submission of the 2006 Universal Application.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 17, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67ER06-27(1)(a), that incorporates Part II.A.2.a.c.(1) of the Universal Cycle Application Instruction, Florida Administrative Code from Golden Acres Redevelopment Phase II, Ltd. ("Petition"). The Petition is seeking a waiver of the restriction to change the ownership structure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 17, 2007, the Florida Housing Finance Corporation, received a petition for of paragraph 67-21.003(1)(a), F.A.C., that incorporates Part II.A.2.a.(2) of the Universal Cycle Application Instruction and Part II.A.2.a.(2) of the 2006 Universal Cycle Application Instructions, Florida Administrative Code, from The Villas at Carver Park, LLLP. ("Petition"). The Petition is seeking a waiver of a change in ownership structure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 20, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(e), F.A.C., regarding a change in the development site from Pebble Hill Estates ("Petition").

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 21, 2007, Florida Housing Finance Corporation received a Petition for Waiver of paragraph 67ER06-27(1)(a), F.A.C., that incorporates Part III.D.1.f of the RRLPl Application Instructions, Florida Administrative Code, from Friendship Tower, Ltd. ("Petition"). The Petition is seeking a waiver to allow for the use of non-skid ceramic floor tile in lieu of tight-napped Berber-type carpet.

A copy of the Petition can be obtained from Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 21, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(1)(a), F.A.C., that incorporates Part III.D.1.f of the Universal Application Instruction, Florida Administrative Code, Highland Gardens Development, Ltd.

("Petition"). The Petition is seeking a waiver to allow for the use of non-skid ceramic floor tile in lieu of tight-napped Berber-type carpet.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 21, 2007, the Florida Housing Finance Corporation, received a petition for Variance/Waiver of paragraph 67-48.004(14)(g), Florida Administrative Code, from Lakeside Village Housing, Ltd., LLLP. ("Petition"). The Petition is seeking a waiver of a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on August 21, 2007, the Florida Housing Finance Corporation, received a petition for Variance/Waiver of paragraph 67-48.004(14)(g), Florida Administrative Code, from Pine Haven Housing, Ltd., LLLP. ("Petition"). The Petition is seeking a waiver of a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 21, 2007, the Florida Housing Finance Corporation, received a petition for Variance/Waiver of paragraph 67-48.004(14)(g), Florida

Administrative Code, from The Villages at Halifax Housing, Ltd., LLLP. ("Petition"). The Petition is seeking a waiver of a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 22, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(e), Florida Administrative Code, from Creative Choice Homes XXXII, Ltd. ("Petition"). The Petition is seeking a waiver of a modification in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 22, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(e), Florida Administrative Code, from Morris Court II, Ltd. ("Petition"). The Petition is seeking a waiver of a modification in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on August 22, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(e), Florida Administrative Code, from Sea Grape Apartments, Ltd. ("Petition"). The Petition is seeking a waiver of a change in the development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration

Financial Services Commission

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Department of Education

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: September 19, 2007, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee. Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and