

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF STATE

#### Division of Elections

RULE NO.: 1S-2.009  
 RULE TITLE: Constitutional Amendment by Initiative Petition

**PURPOSE AND EFFECT:** To implement changes to the procedural requirements for submission of petition forms and their contents. The revised rule will clarify that the sponsoring political committee must include its address in the political disclaimer portion of the form and that no additional information other than that permitted by the rule may be printed on the petition form. The rule deletes the provision that prohibits the bundling of petitions while being circulated for signature because Section 100.371, F.S., now expressly contains the prohibition. The rule also corrects an incorrect citation to the specific authority for the rule and adds the Florida Constitution as an implementing law source.

**SUBJECT AREA TO BE ADDRESSED:** Citizen constitutional initiative process.

**SPECIFIC AUTHORITY:** 20.10(3), 97.012(1), 100.371(2), (7), 101.161(2) FS.

**LAW IMPLEMENTED:** Art XI, Fla. Const., 100.371, 101.161 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:** Friday, July 25, 2008, 2:00 p.m.

**PLACE:** Florida Heritage Hall (Plaza Level), R. A. Gray Building, 500 S. Bronough Street, 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 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. 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:** Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

#### THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.009 Constitutional Amendment by Initiative Petition.

(1) Submission of Initiative Petition. Any proposed initiative amendment to the State Constitution to be placed on the ballot shall be submitted by the sponsoring political committee to the Division of Elections for approval as to format prior to circulation of the proposed initiative amendment. Such submission shall be in writing and shall include a copy or a facsimile of the proposed form to be circulated. No initiative petition form for signatures may be circulated unless approved by the Division of Elections.

(2) Requirements and Approval of Initiative Petition Form. The Division shall review the initiative petition form solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The Division shall not review the petition form for legal sufficiency. The format of the petition form is deemed sufficient only if the petition form:

(a) Is printed on separate cards or individual sheets of paper. The minimum size of such forms shall be 3 inches by 5 inches and the maximum shall be 8 1/2 inches by 11 inches.

(b) Is clearly and conspicuously entitled at the top of the form "Constitutional Amendment Petition Form."

(c) Includes adequate space for the voter's name, residential street address, city, county, voter registration number, date of birth, signature, and date of signature.

(d) Contains the ballot title that shall not exceed 15 words and the ballot summary of the proposed amendment or other public measure that shall not exceed 75 words in length as prescribed in subsection (4).

(e) Conspicuously contains in the following order:

1. The ballot title;

2. The ballot summary;

3. The article and section being created or amended; and

4. The full text of the amendment being proposed. If the text must be printed on both sides of the form, it shall be clearly indicated that the text is continued or begins on the other side.

(f) Contains space for only one voter's signature to be located below the full text of the amendment being proposed. The Division will not approve petition forms providing for multiple signatures per page.

(g) Is marked, in accordance with Section 106.143, F.S., governing political disclaimers, with "paid political advertisement" or contains the abbreviation "pd. pol. adv." and identifies the name and address of the sponsoring political committee, and the name of the entity paying for the advertisement if different from the name of the sponsoring political committee.

(h) Contains space, in accordance with Section 106.19(3), F.S., for the name and address of a paid petition circulator, in the event the petition form is gathered by a paid petition circulator.

(3) Sample Petition Form. The format of an initiative petition submitted for review and approval by the Division of Elections shall be substantially in accordance with Form DS-DE 19 (effective 10-15-07), entitled "Constitutional Amendment Petition Form." Form DS-DE 19 is hereby incorporated by reference and is available from the Division of Elections, Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6500, or by download from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us>.

(4) Word Count. The following provisions apply to determine the word count for a ballot title and summary:

(a) Hyphenated compound words count as two or more words.

(b) An ampersand or a plus or minus sign shall count as one word.

(c) Punctuation such as commas, periods, hyphens, question marks, parentheses, quotation marks or exclamation points does not affect the word count.

(d) Each word joined by a forward or back slash to another word counts separately as a word.

(e) Each part of a date counts as one word. Example: January 1, 2025 shall count as three words.

(f) Each word in a name is individually counted. Example: George Washington shall count as two words.

(g) Each whole number shall count as a word.

(h) Spaces do not affect the word count.

(5) Additional Information or Materials. Other than providing information or a method by which the petition form may be returned by mail to the sponsoring committee, no additional information or materials that support the proposed amendment shall be printed directly on the form.

(6) Assignment of a Serial Number. The Division shall assign a serial number to each approved petition form. The serial number shall begin with the last two digits of the calendar year in which the petition form is approved followed by a number in numeral sequence. For example, the first petition form approved in 2006 is assigned the serial number 06-1. The serial number assigned must be printed in the lower right hand corner of the petition form.

(7) Changes. Any change to a previously approved petition form shall be submitted to the Division of Elections for review. No person or entity other than the sponsoring political committee of the previously approved petition form can submit a change or changes to the previously approved petition form. The Division of Elections must approve any material change to a previously approved petition form. A material change constitutes a change in the wording of the text of the proposed amendment, the ballot title, or ballot summary, or a change in

punctuation or layout, or a change in the name of the sponsoring political committee. A translation into another language does not constitute a material change to an initiative petition form. Any material change submitted for approval to a previously approved initiative petition constitutes a request for approval of a new petition form and shall be assigned a different serial number upon approval by the Division of Elections.

~~(8) Bundling. No initiative petition form circulated for signature may be bundled with or attached to any other petition form.~~

(8)(9) Reproduction. Petition forms may be reproduced in newspapers, magazines, and other forms of printed mass media or made available through the internet for download printing, provided such forms are reproduced in the same format as approved by the Division. The petition forms may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

~~(9)(10)~~ Submission of Signed Petition Forms. All signed petition forms shall be returned to the sponsoring political committee. Only the sponsoring political committee shall submit the signed petition forms to the Supervisors of Elections for verification of signatures in accordance with Rule 1S-2.0091, F.A.C.

~~(10)(11)~~ Effect on Previously Approved Petition Form. Any petition form approved by the Division of Elections prior to the effective date of this rule may continue to be used and circulated for signature gathering unless a material change to the previously approved petition form has been approved by the Division of Elections or until the sponsoring political committee notifies the Division of Elections that the committee is no longer seeking to obtain ballot position, or the registration of the sponsoring political committee has been revoked in accordance with Rule 1S-2.021, F.A.C.

Specific Authority 20.10(3), 97.012(1), 100.371(2)(3), (7), 101.161(2) FS. Law Implemented Art XI, Fla. Const., 100.371, 101.161 FS. History—New 7-2-79, Formerly 1C-7.09, Amended 7-7-86, Formerly 1C-7.009, Amended 3-5-96, 7-31-02, 3-16-06, 10-15-07,\_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:	RULE TITLE:
1S-2.0091	Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: To implement the amendments to Section 100.371, Florida Statutes, in Chapter 2008-95, Laws of Florida. The amendments altered the requirements relating to the recording by the supervisors of elections and the determination by the Secretary of State regarding verified signatures on citizen constitutional initiative petition forms. The statutory amendments deleted the requirement that verified signatures be recorded in the statewide voter

registration system. The revised rule adopts a paper certification system for use by the supervisors of elections in reporting signature verifications to the Secretary of State. The Secretary of State then will determine whether the requisite number of signatures has been verified.

SUBJECT AREA TO BE ADDRESSED: Citizen constitutional initiative process.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 100.371(7) FS.  
LAW IMPLEMENTED: Art XI, Fla. Const., 100.371 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: Friday, July 25, 2008, 2:00 p.m.

PLACE: Florida Heritage Hall (Plaza Level), R.A. Gray Building, 500 S. Bronough Street, 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 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. 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: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.0091 Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification.

(1) Submission. Signed initiative petition forms proposing amendments to the Florida Constitution shall be submitted solely by the sponsoring political committee to the Supervisor of Elections in the county in which the petition forms were circulated. It is the responsibility of the sponsoring political committee to ensure that the signed petition form is properly filed with, or if misfiled forwarded to, the Supervisor of Elections of the county in which the signee is a registered voter. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(2) Signature Verification.

(a) In accordance with the signature verification fee provisions in Section 99.097(4), F.S., the Supervisor of Elections shall verify the signatures on each initiative petition form within 30 days of receipt of the form to ensure that each person signing the petition form:

1. Was, at the time of signing and verification of the petitions, a registered voter in the county in which the petition is submitted,

2. Had not previously revoked his or her signature on the petition,

3. Had not signed the petition form more than four years prior to the date the Supervisor verified the petition, and

4. Had not ever previously signed a petition form containing the identical initiative.

(b) The Supervisor shall not verify a signature on an initiative petition form unless all of the following information is contained on the petition form:

1. The voter's name,

2. The voter's residential street address (including city and county),

3. The voter's date of birth or voter registration number,

4. The voter's original signature, and

5. The date the voter signed the petition, as recorded by the voter.

(3) Random Sampling Not Permitted. Supervisors of Elections may not use random sampling as a method for verifying signatures on constitutional amendment initiative petitions.

(4) Recordation of Verification. ~~No later than 24 hours after verification of signatures on submitted initiative petition forms, the Supervisor of Elections shall directly record into the statewide voter registration system each valid and verified signature.~~ The appropriate supervisor of elections for each respective voter whose signature is verified as valid shall record the date the form was received, the date of the signature, the date the signature was verified, and the assigned serial number for the applicable initiative petition. Upon completion of the verifications as set forth in subsection (2), the Supervisors of Elections shall promptly submit to the Division of Elections a certificate indicating the total number of signatures verified and the distribution by congressional district. In conjunction with each certificate submitted, each Supervisor shall submit a copy of one petition showing the text of the constitutional amendment to which the verified signatures relate. Certificates may be submitted by the Supervisor via facsimile in order to meet the filing deadline, followed by the original certificates sent by mail.

~~(5)(a) Filing Deadline. Determination of Constitutionally Requisite Number of Signatures. The Division shall determine from the verified petition signatures recorded in the statewide voter registration system whether the constitutionally requisite number of verified signatures has been obtained with respect to each constitutional amendment for each congressional district~~

~~and the State as a whole.~~ In order for the initiative petition to be timely filed for appearance on the ballot for the next general election, the constitutionally requisite number of verified signatures must be verified and reported to the Division recorded in the statewide voter registration system no later than 5:00 p.m. on February 1 of the year in which the general election is held.

~~(6)(b)~~ Effect of Revocation Petition. Prior to any determination that the constitutionally requisite number of signatures has been obtained for purposes of placing an amendment by initiative on the ballot, the Division shall determine in accordance with Rule 1S-2.0095, F.A.C., the number of verified petition revocations reported to the Division ~~recorded~~ no later than 5:00 p.m. on February 1 of the same year. The Division shall then deduct that number from the number of verified signatures reported ~~recorded~~ for the underlying applicable constitutional initiative amendment. Upon a determination that the constitutionally requisite number of signatures has been obtained, the Secretary of State shall issue a certificate of ballot position in accordance with Section 100.371, F.S., to the appropriate sponsoring political committee and assign a designating ballot number.

~~(e) For any constitutional amendment by initiative that obtained a certification of ballot position prior to the effective date of this rule, a determination shall be made whether the number of verified signatures for petition revocations recorded as of 5:00 p.m. on February 1 of the year in which the next general election is held is sufficient to reduce the number of verified signatures for the underlying initiative amendment below the constitutionally required number of signatures obtained for ballot placement. If the number of recorded verified petition revocations is sufficient, then the initiative amendment is removed or stricken from the ballot in accordance with subsection 1S-2.0011(3), F.A.C.~~

~~(7)(5)~~ Limitation on Use of Verified Signatures. Verified signatures used successfully to place a proposed amendment by initiative on the ballot that subsequently fails to be approved by the electors at the general election shall not be used again in support of any future initiative petition.

Specific Authority 20.10(3), 97.012(1), 100.371(7) FS. Law Implemented Art XI, Fla. Const., 100.371 FS. History—New 1-6-80, Amended 12-20-83, Formerly 1C-7.091, 1C-7.0091, Amended 2-13-90, 3-5-96, 1-5-04, 3-16-06, 10-15-07, \_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.0095  
 RULE TITLE: Constitutional Amendment Initiative Petition Revocation; Petition Approval; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: To implement the amendments to Section 100.371, Florida Statutes, in Chapter 2008-95, Laws of Florida. The statutory amendments deleted the requirement

that verified signatures on petition revocation forms be recorded in the statewide voter registration system; therefore, the revised rule removes this requirement. The statutory amendments also mandated the adoption of petition revocation forms, to include a standard form when no corresponding initiative petition has been submitted and approved. The revised rule adopts such form. The rule clarifies that the sponsoring political committee also must include its address in the political disclaimer portion of the revocation form and that no additional information other than that required by the rule may be printed on the petition revocation form. The rule also deletes the provision that prevents bundling of the revocation petitions as being unnecessary, because Section 100.371, F.S., requires that the manner in which signatures on petition revocation forms are obtained be subject to the same requirements as the corresponding petition form. The statute now expressly provides that petition forms cannot be bundled while being circulated for signature.

SUBJECT AREA TO BE ADDRESSED: Citizen constitutional initiative revocation process.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 100.371(7) FS.

LAW IMPLEMENTED: 100.371, 101.161 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: Friday, July 25, 2008, 2:00 p.m.

PLACE: Florida Heritage Hall (Plaza Level), R. A. Gray Building, 500 S. Bronough Street, 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 five days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of General Counsel, Florida Department of State at (850)245-6536; nlshotwell@dos.state.fl.us. 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: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Florida Department of State at (850)245-6536; email: gjholland@dos.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.0095 Constitutional Amendment Initiative Petition Revocation; Petition Approval; Submission Deadline; Signature Verification.

(1) Submission of Petition Revocation Form. Prior to circulation of a petition revocation form, any person or group sponsoring the revocation effort must register as a political committee pursuant to Chapter 106, F.S., and must obtain approval of the petition revocation form from the Division of Elections. Submissions shall be in writing and shall include a copy or a facsimile of the proposed form to be circulated. No petition revocation form may be circulated unless approved by the Division of Elections.

(2) Requirements and Approval of Petition Revocation Form. The Division shall review the petition revocation form submitted by the sponsoring political committee solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The format of the petition revocation form is deemed sufficient only if the form:

(a) Is printed on separate cards or individual sheets of paper. The minimum size of such forms shall be 3 inches by 5 inches and the maximum shall be 8 1/2 inches by 11 inches.

(b) Is clearly and conspicuously entitled at the top of the form "Petition Revocation Form."

(c) Includes adequate space for the voter's: name; residential street address, city, and county at the time of signing the initiative petition for which the signature is being revoked; voter registration number; date of birth; signature; and date of signature.

(d) Contains the ballot title and ballot summary of the proposed amendment in the initiative petition for which the signature is being revoked.

(e) Conspicuously contains the full text of the amendment for which the signature is being revoked, as indicated in the initiative petition as approved in Rule 1S-2.009, F.A.C. If the text must be printed on both sides of the form, it shall be clearly indicated that the text is continued or begins on the other side.

(f) Contains space for only one voter's signature, to be located below the full text of the amendment for which the signature is being revoked.

(g) Contains instructions below the signature of the voter that provide:

1. The Supervisor of Elections may not accept the petition revocation form directly from the voter;

2. The voter shall return the form to the political committee sponsoring the revocation petition; and

3. The contact information for the political committee sponsoring the revocation petition, which at a minimum, shall include its name and mailing address.

(h) Is marked, in accordance with Section 106.143, F.S., with the appropriate disclaimer which identifies the name and address of the political committee sponsoring the revocation

effort and the name of the entity paying for the petition, if different from the name of the committee sponsoring the revocation effort.

(i) Contains space for the name and address of a paid petition circulator in the event the petition revocation form is gathered by a paid petition circulator.

(3) Format of Petition Revocation Form.

1. The format of the initiative petition revocation form sponsored by a political committee and submitted for review and approval by the Division of Elections shall be substantially in accordance with Form DS-DE 19R (eff. 8/1/07), entitled "Petition Revocation Form." Form DS-DE 19R is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250; (850)245-6500; or by download from the Division of Elections' webpage at <http://election.dos.state.fl.us>.

2. Any voter desiring to revoke his or her signature on an initiative petition when a political committee has not submitted and obtained approval of a petition-revocation form for the petition, shall use Form DS-DE 19R-SF (eff. 7/1/08), entitled "Petition Revocation Standard Form." Form DS-DE 19R-SF is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250; (850)245-6500; by download from the Division of Elections' webpage at <http://election.dos.state.fl.us>.

(4) Additional Information or Materials. Other than providing information or a method by which the petition revocation form may be returned by mail to the political committee, no additional information or materials ~~that relate to the initiative petition or the petition revocation~~ shall be printed directly on the form.

(5) Assignment of a Serial Number. The Division shall assign a serial number to each approved petition revocation form sponsored by a political committee. The number shall be the serial number of the initiative petition form followed by an "R". For example, the serial number of the petition-revocation form on petition 06-1 would be 06-1R. The serial number assigned must be printed in the lower right hand corner of the petition revocation form.

~~(6) Bundling. No petition revocation form circulated for signature may be bundled with or attached to any other petition form or petition revocation form.~~

~~(6)(7) Reproduction.~~

(a) Petition-Revocation Forms Sponsored by a Political Committee. Blank p~~P~~etition-revocation forms sponsored by a political committee may be reproduced in newspapers, magazines, other forms of printed mass media or made available via the Internet for download or printing, provided such forms are reproduced in the same format as approved by

the Division. The blank petition revocation form may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

(b) Form DS-DE 19R-SF. A blank Form DS-DE 19R-SF may be reproduced by downloading from the Internet or photocopying another blank form, provided such form is reproduced in the same format as produced by the Division. Only an employee of the Division of Elections or a Supervisor of Elections' office, the voter who intends to sign the form, or someone at the voter's request may download or provide the voter with a copy of Form DS-DE-19R-SF for submission to a Supervisor of Elections.

(7)(8) Submission of Signed Petition Revocation Forms. All signed petition revocation forms, except for those properly submitted on Form DS-DE 19R-SF, shall be returned to the political committee sponsoring the revocation effort. Only the political committee sponsoring the revocation effort shall submit the signed petition revocation forms to the Supervisors of Elections for verification of signatures. When there is no sponsoring political committee, a voter shall submit the Form DS-DE 19R-SF directly to the Supervisor of Elections' office in person, through a person acting on the voter's behalf, or by mail, along with the signature verification fee required by Section 99.097(4), F.S. It is the responsibility of the political committee sponsoring the revocation effort to ensure that the signed petition revocation form is properly filed with, or if misfiled forwarded to, the supervisor of elections of the county in which the signee was a registered voter at the time of signing the underlying original initiative petition. In the case of a misfiled petition revocation form, the filing date of the petition revocation form is the date such petition is filed with the proper county.

(8)(9) Signature Verification.

(a) In accordance with the signature verification fee provisions in Section 99.097(4), F.S., the Supervisor of Elections shall verify the signatures on each petition revocation form within 30 days of receipt of the form and shall confirm that:

1. The underlying original initiative petition on which the signature is being revoked was verified;
2. The date the petition revocation form was signed by the voter is not more than 150 days from the date the underlying original initiative petition was signed; and
3. The voter is a registered voter in Florida at the time of verifying the signature on the petition revocation form.

(b) The Supervisor shall not verify a signature on a petition revocation form unless all of the following information is contained on the petition revocation form:

1. The voter's name;
2. The voter's residential street address (including city and county) that was recorded on the underlying original signature petition on which the voter desires to revoke his or her signature;

3. The voter's date of birth or voter registration number;
4. The voter's original signature; and
5. The date the voter signed the petition revocation form, as recorded by the voter.

(9)(10) Recordation of Verification. No later than 24 hours after verification of signatures on submitted petition revocation forms, the Supervisor of Elections shall record each valid and verified signature in the statewide voter registration system. The appropriate supervisor of elections for each respective voter whose signature is verified as valid shall record the date the petition revocation form was received, the date of signature, the date the signature was verified, and the assigned serial number for the applicable revocation petition. Upon completion of the verifications as set forth in subsection (8), the Supervisors of Elections shall submit to the Division of Elections a certificate indicating the number of verified revocations and the distribution by congressional district. In conjunction with each certificate submitted, each Supervisor shall submit a copy of one revocation form to which the verified signatures relate. Certificates may be submitted by the Supervisor via facsimile in order to meet the deadline, followed by the original certificates sent by mail.

(10)(11) Filing Deadline. In order for a petition revocation form to count against the number of signatures recorded as verified for the underlying original initiative petition for the next general election, the signed petition revocation must be verified and received by Division of Elections entered into the statewide voter registration system no later than 5:00 p.m. of February 1 preceding the next general election in which the initiative amendment is certified for ballot position.

(11)(12) Availability of Forms. The sponsoring political committee for the petition revocation effort shall provide each supervisor of elections with petition revocation forms for distribution at the main and branch offices of the supervisor of elections.

(12)(13) Irrevocable Effect of Revocation. A voter may sign only one petition revocation form for the underlying original petition. In accordance with Section 104.185, F.S., when a voter signs a petition revocation form, the voter may not again sign the initiative petition on which the voter is seeking to revoke his or her signature.

(14) Applicability. Revocation of a voter's signature on an initiative petition may occur only on or after August 1, 2007 for a petition revocation form filed with the supervisor of elections not more than 150 days from the date the voter signed the underlying original initiative petition.

Specific Authority 20.10(3), 97.012(1), 100.371(7), 101.161 FS. Law Implemented 100.371, 101.161 FS. History--New 10-15-07, Amended

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

**RULE NO.:** IT-1.001  
**RULE TITLE:** Division of Cultural Affairs

**PURPOSE AND EFFECT:** The purpose of this amendment is to establish in rule the most recent eligibility criteria, application submission criteria including the required use of the Division’s new on-line grants system; and criteria related to compliance with and the recordation of restrictive covenants.

**SUBJECT AREA TO BE ADDRESSED:** Regional Cultural Facilities Program eligibility, application procedures, matching funds, evaluation criteria, reporting requirement, and grant administration.

**SPECIFIC AUTHORITY:** 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (f), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(4), 265.702(8) FS.

**LAW IMPLEMENTED:** 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 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:** Monday, July 21, 2008, 9:30 a.m.

**PLACE:** Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NOS.:** 6A-20.001  
**RULE TITLES:** Definitions of Terms for State Student Aid Programs

6A-20.003 Florida Residency as a Requirement for the Receipt of State Student Aid

6A-20.007 William L. Boyd, IV, Florida Resident Access Grants

6A-20.012 Critical Teacher Shortage Tuition Reimbursement Program

6A-20.013 Critical Teacher Shortage Student Loan Forgiveness Program

6A-20.019 Children and Spouses of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Scholarships

6A-20.023 Jose Marti Scholarship Challenge Grant Fund

6A-20.027 Rosewood Family Scholarship Fund

6A-20.038 Florida Work Experience Program

**PURPOSE AND EFFECT:** The purpose of the rule developments is to ensure consistency with current state and federal laws. The effect is better aligned services.

**SUBJECT AREA TO BE ADDRESSED:** Student Financial Assistance.

**SPECIFIC AUTHORITY:** 295.01(3), 295.01(4), 295.02, 1001.02(1), 1009.50(1), 1009.55(2), 1009.505(5), 1009.51(1), 1009.52(7), 1009.53(3), 1009.55(2), 1009.56(1), 1009.57(1), 1009.58(2), 1009.59(4), 1009.62(4), 1009.72(1), 1009.72(7), 1009.73(1), 1009.765, 1009.77(7), 1009.89(2), 1009.891(2), 1009.93(4), 1009.95(7) FS.

**LAW IMPLEMENTED:** 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, 295.0195, 295.02, 295.03, 295.04, 295.05, 1001.02, 1009.40, 1009.42, 1009.402, 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.535, 1009.536, 1009.537, 1009.538, 1009.5385, 1009.55, 1009.56, 1009.57, 1009.58, 1009.59, 1009.62, 1009.631, 1009.632, 1009.633, 1009.634, 1009.72, 1009.73, 1009.77, 1009.89, 1009.93 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:** Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

**RULE NOS.:** 6E-1.003  
**RULE TITLES:** Definition of Terms

6E-1.0032 Fair Consumer Practices

6E-1.0041 Honorary Degrees

**PURPOSE AND EFFECT:** Update and review definitions and fair consumer practice act.

**SUBJECT AREA TO BE ADDRESSED:** Definitions and fair consumer practices.

SPECIFIC AUTHORITY: 1005.22 FS.  
 LAW IMPLEMENTED: 1005.22, 1005.31, 1005.32 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: July 22, 2008, 4:30 p.m.  
 PLACE: The Fairmont Turnberry Isle Resort and Club, 19999 West Country Club Drive, Aventura, Florida 33180  
 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: Area of Critical State Concern at (850)488-4925. 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 W. Gaines Street, Suite 1414, Tallahassee, FL 32399-0400  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE NO.: 6E-2.004                      RULE TITLE: Standards and Procedures for Licensure

PURPOSE AND EFFECT: Review obsolete references and consider changes to financial standard and harmonize provisions.  
 SUBJECT AREA TO BE ADDRESSED: Standards and Procedures for Licensure.  
 SPECIFIC AUTHORITY: 1005.22, 1005.31, 1005.34 FS.  
 LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33, 1005.34, 1005.39 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: July 22, 2008, 4:30 p.m.  
 PLACE: The Fairmont Turnberry Isle Resort and Club, 19999 West Country Club Drive, Aventura, Florida 33180  
 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: Area of Critical State Concern at (850)488-4925. 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 325 W. Gaines Street, Suite 1414, Tallahassee, FL 32399-0400  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE NO.: 6E-4.001                      RULE TITLE: Fees and Expenses  
 PURPOSE AND EFFECT: To clarify reporting date and incorporate form.  
 SUBJECT AREA TO BE ADDRESSED: Fees and expenses.  
 SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.35, 1005.37, FS.  
 LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: July 22, 2008, 4:30 p.m.  
 PLACE: The Fairmont Turnberry Isle Resort and Club, 19999 West Country Club Drive, Aventura, Florida 33180  
 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: Area of Critical State Concern at (850)488-4925. 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 325 W. Gaines Street, Suite 1414, Tallahassee, FL 32399-0400  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PURPOSE AND EFFECT: Review obsolete references and consider changes to financial standard and harmonize provisions.  
 SUBJECT AREA TO BE ADDRESSED: Standards and Procedures for Licensure.  
 SPECIFIC AUTHORITY: 1005.22, 1005.31, 1005.34 FS.  
 LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33, 1005.34, 1005.39 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: July 22, 2008, 4:30 p.m.  
 PLACE: The Fairmont Turnberry Isle Resort and Club, 19999 West Country Club Drive, Aventura, Florida 33180  
 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: Area of Critical State Concern at (850)488-4925. 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 TRANSPORTATION**

RULE NO.: 14-15.0081                      RULE TITLE: Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The Florida Department of Transportation is proposing changes to the Toll Facilities Description and Toll Rate Schedule to establish a toll for a SunPass-only southbound on-ramp and a SunPass-only northbound off-ramp at the Sunrise Boulevard Interchange in Broward County. Section 338.155(1), Florida Statutes, does



not permit the use of the State’s toll facilities without paying a toll.

**SUBJECT AREA TO BE ADDRESSED:** The proposed workshop is being held in conjunction with a Project Development and Environment study Public Hearing for the Florida Department of Transportation’s construction of a SunPass-only on-ramp and a SunPass-only off-ramp at the Sunrise Boulevard interchange and Florida’s Turnpike Mainline. These new ramps are a modification of the existing interchange at the Turnpike Mainline and Sunrise Boulevard. The project is located in Broward County on the Southern Coin System at Mile Post 58, approximately four miles north of the I-595/Turnpike Mainline interchange and approximately four miles south of the Commercial Boulevard/Turnpike Mainline interchange. Tolls are proposed to be collected from vehicles entering the Turnpike Mainline southbound and exiting the Turnpike Mainline northbound.

**SPECIFIC AUTHORITY:** 334.044(2), 338.155(1) FS.

**LAW IMPLEMENTED:** 338.222, 338.231, 338.155 FS.

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

**DATE AND TIME:** July 31, 2008, Open House: 5:30 p.m. – 6:30 pm, Formal Presentation: 6:30 p.m.

**PLACE:** Sadkin Community Center, 1176 N. W. 42nd Way, Lauderdale, Florida 33313

In the event that severe weather or other unforeseen conditions cause the Rule Development Workshop to be postponed, it will be held on the alternate date of August 13, 2008 at the same time and location.

**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:**

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, and \_\_\_\_\_, is hereby

incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.155, 338.165, 338.222, 338.231, 338.26 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, \_\_\_\_\_.

**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**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
20-9.001	Fresh Form
20-9.002	Processed Form
20-9.004	Fruit Handled by Express and Gift Package Shippers
20-9.005	Requirements to Guarantee Payment of Excise Tax
20-9.006	Late Filing of Returns and Inadequacy of Bond

**PURPOSE AND EFFECT:** Amendment deferring reporting of early season fruit and payment of taxes until after tax rate is approved by the Florida Citrus Commission.

**SUBJECT AREA TO BE ADDRESSED:** Reporting of early season fruit and payment of taxes until after tax rate is approved by the Florida Citrus Commission.

**SPECIFIC AUTHORITY:** 601.10(1), 601.15(1), (5), (6), (10)(a), 601.155(3), (7) FS.

**LAW IMPLEMENTED:** 601.15(1),(3),(5),(6), 601.152, 601.154, 601.155 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:** Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or [awiggins@citrus.state.fl.us](mailto:awiggins@citrus.state.fl.us)

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

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-0.105	Consideration of Intended Agency Decision on Permit Applications
40E-0.109	Point of Entry Into Proceedings and Mediation

**PURPOSE AND EFFECT:** The South Florida Water Management District (District) proposes to: 1) amend Rule 40E-0.105, Florida Administrative Code (F.A.C.), to allow for additional noticing through electronic media; and 2) amend Rule 40E-0.109, F.A.C., which inadvertently omitted the language allowing for electronic noticing when the original noticing provisions were enacted.

**SUBJECT AREA TO BE ADDRESSED:** 1) Electronic noticing of notices of intent; 2) and “Receipt of written notice of agency decision” as defined in the Exceptions to the Uniform Rules to include electronic noticing.

**SPECIFIC AUTHORITY:** 120.54(5), 120.60, 373.044, 373.113, 668.003, 668.004, 668.50 FS.

**LAW IMPLEMENTED:** 120.54(5), 120.569, 120.57, 120.60, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 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.**

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: Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements. 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:** Anita R. Bain, Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6866, email abain@sfwmd.gov. For any procedural matters, you may contact Charron A. Follins, Senior Paralegal, Office of Counsel, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6293, email cfollins@sfwmd.gov.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

40E-0.105 Consideration of Intended Agency Decision on Permit Applications.

(1) No change.

(2) The Governing Board shall consider the application for a conceptual approval, individual environmental resource, individual surface water management, or individual water use permit application at its next available regularly scheduled regulatory meeting following the mailing either by regular United States mail or electronic mail of notice of intended agency decision, unless an administrative hearing is requested and granted pursuant to Section 120.569, F.S.

(3) No change.

(4) Because the Governing Board may take a final agency action which materially differs from the noticed intended agency action, applicants and other interested persons should be prepared to defend their position regarding the permit application when it is considered by the Governing Board. If the Governing Board takes final agency action which materially differs from the intended agency decision, the District shall mail a notice of the final agency action either by regular United States mail or electronic mail to all persons who were notified of the intended agency decision.

Specific Authority 120.54(5), 120.60, 668.003, 668.004, 668.50 FS. Law Implemented 120.54(5), 120.60, 668.003, 668.004, 668.50 FS. History—New 7-2-98, Amended.

40E-0.109 Point of Entry Into Proceedings and Mediation. Point of entry into proceedings determining substantial interests are governed by Rule 28-106.111, F.A.C., and this section.

(1)(a) “Receipt of written notice of agency decision” as set forth in Rule 28-106.111, F.A.C., means receipt of either written notice through regular United States mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.

(b) If notice is published pursuant to this chapter, publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.

(2) through (3) No change.

Specific Authority 120.54(5), 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 120.54(5), 120.569, 120.57, 120.60, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 FS. History—New 7-2-98, Amended 6-12-00, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

RULE NOS.:                   RULE TITLES:  
 40E-2.011                   Policy and Purpose  
 40E-2.091                   Publications Incorporated by  
                                   Reference

40E-2.301                   Conditions for Issuance of Permits

40E-2.331                   Modification of Permits

**PURPOSE AND EFFECT:** To identify the authorities and regulatory tools to be used to protect water from the natural system from consumptive uses and specifically define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project.

**SUBJECT AREA TO BE ADDRESSED:** The rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

**SPECIFIC AUTHORITY:** 373.016, 373.044, 373.103(1), 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

**LAW IMPLEMENTED:** 373.103(1), 373.103(4), 373.118, 373.203, 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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

**DATE AND TIME:** July 24, 2008, 1:00 p.m.

**PLACE:** Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, FL 34113

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENTS AND A COPY OF THE PRELIMINARY DRAFT IS:** Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6817 or (561)682-6817, email: sburns@sfwmd.gov; Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 4208 or (561)682-4208, email: bmills@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6343 or (561)682-6343, email:belewis@sfwmd.gov. For procedural questions: Jan Sluth, Paralegal, South Florida Water Management District,

P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6299 or (561)682-6299, email:jsluth@sfwmd.gov

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:**

40E-2.011 Policy and Purpose.

(1) through (2) No change.

(3) Additional rules relating to water use are found in Chapter 40E-5, F.A.C., (Artificial Recharge), Chapter 40E-8, F.A.C., (Minimum Flows and Levels), Chapter 40E-10, F.A.C., (Protection of Waters for the Natural System from Consumptive Uses), Chapters 40E-20, F.A.C., (General Water Use Permits), 40E-21, F.A.C., (The Water Shortage Plan), 40E-22, F.A.C., (Regional Water Shortage Plans) and 40E-23, F.A.C., (Water Resource Caution Areas).

(4) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.203, 373.216, 373.249 FS. History—New 9-3-81, Formerly 16K-2.01, Amended 7-4-82, 2-24-85, 11-18-91, 8-1-02, 8-31-03,\_\_\_\_\_.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – \_\_\_\_\_ ~~February 13, 2008~~”, is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08,\_\_\_\_\_.

*(The following represents changes to the “Basis of Review for Water Use Permit Applications Within the South Florida Water Management District – February 13, 2008)*

**1.8 Definitions**

Reservation water body – Areas within the District as identified in Rules 40E-10.021 and 40E-10.421, F.A.C., for which a water reservation has been established.

**3.11 Water Reservations**

The following criteria shall apply to projects proposing to withdraw water directly or indirectly from a water body with an established water reservation (reservation water body) as specified in Rule 40E-10.421, F.A.C.. For this section, the following definitions apply:

Direct Withdrawals from a Groundwater Reservation Water Body: Water pumped from a well constructed into the aquifer for which the reservation has been

established and which is located within the boundaries of the reservation water body as defined in Rule 40E-10.021, F.A.C.

Indirect Withdrawals from a Groundwater Reservation Water Body: a) water pumped from a well constructed into the aquifer for which the reservation has been established and which is located outside the boundaries of the reservation water body as defined in Rule 40E-10.021, F.A.C., and imposes greater than a 0.1 foot drawdown at any location within the reservation water body boundaries, or b) water pumped from a well constructed into an adjacent aquifer that is hydraulically connected to the reservation water body and imposes greater than a 0.1 foot of drawdown at any location within the reservation water body boundaries

Direct Withdrawals from a Surface Water Reservation Water Body: a) surface water withdrawal from facilities physically located within the boundaries of a reservation water body.

Indirect Withdrawal from a Surface Water Reservation Water Body: a) the withdrawal of surface water from a conveyance that is tributary to or distributary from a reservation water body or b) a ground water withdrawal that causes a water table drawdown greater than 0.1 feet beneath a surface water conveyance that is tributary to or distributary from a reservation water body.

A. Permit Renewals – A request for renewal of an existing permit, which directly or indirectly withdraws from a reservation water body, shall meet the requirements of this section if: 1) the levels of impacts from the water withdrawn under the expiring permit during a 1 in 10 drought year level of certainty are no greater than those associated with the requested renewal and 2) the use is not contrary to the public interest. If the level of certainty under the expiring permit is changed to a 1 in 10 year level of certainty by rule (e.g. a golf course irrigation level of certainty changed from a 1 in 5 to a 1 in 10 year level of drought) the levels of impacts from the withdrawal of water under the expiring permit shall be normalized to a 1 in 10 drought level of certainty in order to evaluate the impact of the withdrawal of water.

B. New or Modified Permits – A request for a new or a modification of an existing permit that would increase the direct or indirect withdraws of water from a reservation water body, shall meet the requirements of this section if the applicant demonstrates that the proposed withdrawal does not use water that has been reserved per Rule 40E-10.421, F.A.C., as follows:

1. Applications which propose to withdraw water from a reservation water body for which all the waters contained within and flowing into have been reserved: the following criteria shall apply:

(a) Direct Withdrawals: No direct withdrawals are authorized.

(b) Indirect Withdrawals: Indirect withdrawals that are determined to reduce waters reserved from allocation are not authorized. Should a proposed use be identified as a potential indirect withdrawal from a reservation water body, the applicant shall demonstrate that the proposed use does not reduce waters reserved from allocation through an analysis conducted consistent with section 1.7.5.2, by establishing the proposed use is not an indirect withdrawal from a reservation water body or that the proposed indirect withdrawals are not sufficient to reduce the water reserved under Rule 40E-10.421, F.A.C. In the event these criteria cannot be met, the applicant shall modify the application to meet the reservation criteria.

2. Applications which propose a withdrawal of water from a water body for which only a portion of the waters have been reserved: a permit may be granted from a project that includes a reservation water body and have waters available for allocation that have not been reserved and for which the proposed use otherwise meet criteria contained in district rules. Consistency with the following criteria shall demonstrate that the proposed use does not utilize waters otherwise reserved from allocation:

(a) The proposed withdrawal is for water that has been certified as available for consumptive use by the governing board as defined in Section 1.8. The applicant must demonstrate that the proposed use of water is consistent with the governing board issued project water certification and the remaining criteria in the section.

(b) For proposed uses from a reservation water body for which a certification described in 2.(a) does not exist, the applicant shall demonstrate through the use of an approved model consistent with the criteria contained in section 1.7.5.2 that the proposed use will not use waters reserved under Rule 40E-10.421 F.A.C.

40E-2.301 Conditions for Issuance of Permits.

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

(j) Is consistent with Sections 373.016, 373.1501, 373.1502 and 373.036, F.S., and otherwise is consistent with the public interest as prescribed by Chapter 373, F.S., and this chapter.

(k) Is consistent with waters reserved for the protection of fish and wildlife or the public health and safety pursuant to the provisions in Chapter 373.223, F.S., this chapter and Chapter 40E-10, F.A.C.

(2) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.2295, 373.118, 373.223, 373.229, 373.470, 373.1501, 373.1502 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08,\_\_\_\_\_.

40E-2.331 Modification of Permits.

(1) through (3) No change.

(4)(a) Modification of an existing water use permit shall be approved by letter, provided the permit is in compliance with all applicable limiting conditions and the modification request:

1. Does not result in an increase in the amount of the permit allocation;

2. Does not modify the existing permit expiration date, except that when the permit duration is based upon the current lease expiration date, the permit duration shall be extended by letter modification to the new lease date, but shall not exceed the applicable permit duration pursuant to Rule 40E-2.321, F.A.C.;

3. Does not potentially interfere with any presently existing legal use of water, cause environmental harm, saltwater intrusion, pollution of the water resources, harm to offsite land uses, does not result in the use of water reserved from allocation, or does not otherwise raise issues requiring a Staff determination of whether such impacts would occur pursuant to the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C.; and

4. Does not change the permitted withdrawal source(s) or use classification.

5. Does not result in a modification of the permit which must be approved by the Governing Board pursuant to Section 373.239(2), F.S.

(b) The timeframes set forth in Rule 40E-1.603, F.A.C., shall apply to the processing of letter modifications.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.223, 373.229, 373.239 FS. History–New 9-3-81, Formerly 16K-2.09(1), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-4.021	Definitions
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: The South Florida Water Management District (District) proposes to amend the definition of listed species in its rules governing the issuance of environmental resource permits (ERP) to update the rule references concerning listed wildlife and plant species, and to specifically reference the bald eagle, which is protected under a federal statute known as the Bald and Golden Eagle Protection Act. Under the District’s existing rules, the bald eagle is included in the definition of listed species by reference to a previous Florida Fish and Wildlife Conservation Commission (FWC) rule identifying threatened species. However, the FWC has recently amended its rules, effective May 15, 2008, such that the bald eagle is no longer classified as a threatened species by the FWC. Specifically, the District proposes to amend the definition of listed species in subsection 40E-4.021(29), F.A.C., and in Section 2.18 Basis of Review for Environmental Resources Permit Applications within the South Florida Water Management District (BOR), and update rule references in Sections 2.10, 2.18 and 2.37. Table 4.2.7-1 of the BOR will also be amended to include the bald eagle under a new category (other) and remove it from the category of threatened species. If these amendments are adopted, the protections afforded by the District’s rules to wildlife species that are now classified as endangered, threatened or species of special concern would continue to be afforded the bald eagle.

SUBJECT AREA TO BE ADDRESSED: The proposed rules amend the definition of listed species in subsection 40E-4.021(29), F.A.C., and in Section 2.18 BOR, and update rule references in Sections 2.10, 2.18 and 2.37 of the BOR. The proposed rules will remove the bald eagle from the category of threatened species in Table 4.2.7-1 of the Basis of Review for Environmental Resources Permit Applications within South Florida Water Management District and include it under a new category.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.016(2), 373.413, 373.414, 373.416, 373.418, 373.426 FS.

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

DATE AND TIME: July 24, 2008, 10:00 a.m. – 12:00 Noon

PLACE: St. Johns River Water Management District’s Altamonte Springs Service Center, Econ Room, 975 Keller Road, Altamonte Springs, FL 32714-1618

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: Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with

disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements. 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 DEVELOPMENTS AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6866, email abain@sfwmd.gov. Any procedural matters you may contact Charron A. Follins, Senior Paralegal, Office of Counsel, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6293, email cfollins@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.021 Definitions.

When used in this chapter, Chapters 40E-40, 40E-41, and 40E-400, F.A.C.,

(1) through (28) No change.

(29) "Listed species" means those animal species which are endangered, threatened or of special concern and are listed in Rules 68A-27.003 (as amended December 16, 2003), 68A-27.004 (as amended May 15, 2008), and 68A-27.005 (as amended November 8, 2007), F.A.C.; the bald eagle (Haliaeetus leucocephalus), which is protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d); and those plant species listed in 50 Code of Federal Regulation 17.12 (as amended April 8, 2004).

(30) through (46) No change.

Specific Authority 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.019, 373.403-.443, 403.031, 668.003, 668.004, 668.50, 704.06 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-1.05(1), Amended 7-1-86, 4-20-94, 10-3-95, 4-1-96, 10-1-06,\_\_\_\_\_.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 7-22-07".

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History–New 9-3-81 Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07,\_\_\_\_\_.

BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCES PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT

2.0 Definitions

2.1 through 2.9 No change.

2.10 "Endangered Species" – Those animal species which are listed in Section 68A-27.003 (as amended December 16, 2003), ~~39-27.003~~, F.A.C., and those plant species which are listed as endangered in 50 Code of Federal Regulations 17.12 (as amended April 8, 2004), when such plants are located in a wetland or other surface water.

2.11 through 2.17 No change.

2.18 "Listed species" – Those animals species which are endangered, threatened or of special concern and are listed in Sections 68A-27.003 (as amended December 16, 2003), 68A-27.004 (as amended May 15, 2008), and 68A-27.005 (as amended November 8, 2007) ~~39-27.003, 39-27.004 and 39-27.005~~, F.A.C.; the bald eagle (Haliaeetus leucocephalus), which is protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d); and those plant species listed in 50 Code of Federal Regulation 17.12 (as amended April 8, 2004), when such plants are found to be located in a wetland or other surface water.

2.19 through 2.36 No change.

2.37 "Threatened Species" – Those animal species listed in Section 68A-27.004 (as amended May 15, 2008), ~~39-27.004~~, F.A.C., and those plant species which are listed as threatened in 50 Code of Federal Regulations 17.12 (as amended April 8, 2004), when such plants are located in a wetland or other surface water.

2.38 through 2.39 No change.

4.2.7 Secondary Impacts

Pursuant to paragraph 4.1.1(f), an applicant must provide reasonable assurances that a regulated activity will not cause adverse secondary impacts to the water resource, as described in paragraphs (a) through (d) below. Aquatic or wetland dependent fish and wildlife are an integral part of the water resources which the District is authorized to protect under Part IV, Chapter 373, F.S. Those aquatic or wetland dependent species

which are listed as defined in section 2.0 threatened, endangered or of special concern are particularly in need of protection.

A proposed system shall be reviewed under this criterion by evaluating the impacts to: wetland and surface water functions identified in subsection 4.2.2, water quality, upland habitat for aquatic or wetland dependent listed species, and historical and archaeological resources. De minimis or remotely related secondary impacts will not be considered. Applicants may propose measures such as preservation to prevent secondary impacts. Such preservation shall comply with the land preservation provisions of subsection 4.3.8. If such secondary impacts can not be prevented, the applicant may propose mitigation measures as provided for in subsections 4.3 – 4.3.9. This secondary impact criterion consists of the following four parts:

- (a) No change.
- (b) An applicant shall provide reasonable assurance that the construction, alteration, and intended or reasonably expected uses of a proposed system will not adversely impact the ecological value of uplands to aquatic or wetland dependent listed animal species for enabling existing nesting or denning by these species, but not including:
  - 1. areas needed for foraging; or
  - 2. wildlife corridors, except for those limited areas of uplands necessary for ingress and egress to the nest or den site from the wetland or other surface water.

Table 4.2.7-1 identifies those aquatic or wetland dependent listed species that use upland habitats for nesting and denning.

For those aquatic or wetland dependent listed animal species for which habitat management guidelines have been developed by the U.S. Fish and Wildlife Service (USFWS) or the Florida Fish and Wildlife Conservation Commission (FWC) Florida Game and Fresh Water Fish Commission (FGFWFC), compliance with these guidelines will provide reasonable assurance that the proposed system will not adversely impact upland habitat functions described in paragraph (b). For those aquatic or wetland dependent listed animal species for which habitat management guidelines have not been developed or in cases where an applicant does not propose to use USFWS or FWC FGFWFC habitat management guidelines, the applicant may propose measures to mitigate adverse impacts to upland habitat functions described in paragraph (b) provided to aquatic or wetland dependent listed animal species.

- (c) through (d) No change.

TABLE 4.2.7-1

Listed Wildlife Species That Are Aquatic Or Wetland Dependent

And That Use Upland Habitats For Nesting Or Denning

Fishes

Species of Special Concern

No change.

Reptiles

Endangered

No change.

Threatened

No change.

Species of Special Concern

No change.

Birds

Endangered

No change.

Threatened

Charadrius alexandrinus tenuirostris (southeastern snowy plover)

Charadrius melodus (piping plover)

Columba leucocephalus (white-crowned pigeon)

Grus canadensis pratensis (Florida sandhill crane)

~~Haliaeetus leucocephala (bald eagle)~~

Picoides borealis (red-cockaded woodpecker) THIS SPECIES ONLY WETLAND DEPENDENT IN LEE, COLLIER, AND CHARLOTTE COUNTIES

Polyborus plancus audubonii (Audubon’s crested caracara)

Sterna antillarum (least tern)

Sterna dougallii (roseate tern)

Species of Special Concern

No change.

Other

Haliaeetus leucocephalus (bald eagle)

Mammals

Endangered

No change.

Threatened

No change.

Species of Special Concern

No change.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: RULE TITLE:

40E-4.021 Definitions

PURPOSE AND EFFECT: The South Florida Water Management District (District) proposes to: expand the definition of electronic filing in subsection 40E-4.021(13), F.A.C., to include Works of the District permits.

**SUBJECT AREA TO BE ADDRESSED:** Subsection 40E-4.021(13), F.A.C., the definition of electronic filing, will be expanded to include Works of the District Permits.

**SPECIFIC AUTHORITY:** 373.044, 373.113, 668.003, 668.004, 668.50 FS.

**LAW IMPLEMENTED:** 373.019, 373.403-443, 403.031, 668.003, 668.004, 668.50, 704.06 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.**

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: Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements. 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:** Anita R. Bain, Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6866, email abain@sfwmd.gov. For any procedural matters, you may contact Charron A. Follins, Senior Paralegal, Office of Counsel, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6293, email cfollins@sfwmd.gov.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

40E-4.021 Definitions.

(1) through (12) No change.

(13) "Electronic filing" means filing or submission of an Environmental Resource, Surface Water Management, ~~Permit~~ ~~or~~ Consumptive Use, or Works of the District Permit Application; Response to Request for Additional Information; or Request for Permit Transfer at the District's e-Permitting website. Electronic filing is governed by the provisions of Chapter 668, F.S. If the applicant or sender of electronic data inhibits the ability of the District to store or print the electronic data, it shall not be considered filed with or received by the District. Filings received by the District after 5:00 p.m. shall be deemed filed on the next regular business day.

(14) through (46) No change.

Specific Authority 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.019, 373.403-443, 403.031, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-1.05(1), Amended 7-1-86, 4-20-94, 10-3-95, 4-1-96, 10-1-06\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40E-10.011	Policy and Purpose
40E-10.021	Definitions
40E-10.031	Permit Criteria for the Protection of the Natural System
40E-10.221	Protected Natural Systems Water
40E-10.321	State Priority Ecosystems
40E-10.421	Water Reservations
40E-10.431	Water Reservation Areas: Lower West Coast Planning Area

**PURPOSE AND EFFECT:** To identify the authorities and regulatory tools to be used to protect water from the natural system from consumptive uses and specifically define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project.

**SUBJECT AREA TO BE ADDRESSED:** The rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

**SPECIFIC AUTHORITY:** 373.016, 373.044, 373.103(4), 373.113, 373.118, 373.171, 373.219, 373.223 FS.

**LAW IMPLEMENTED:** 373.026(8), 373.036, 373.0361, 373.103(4), 373.118, 373.1501, 373.223, 373.229, 373.4592, 373.4595 FS.

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

**DATE AND TIME:** July 24, 2008, 1:00 p.m.

**PLACE:** Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, FL 34113

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENTS AND A COPY OF THE PRELIMINARY DRAFT IS:** Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6817 or (561)682-6817,



email: sburns@sfwmd.gov; Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208, email:bmills@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6343 or (561)682-6343, email: belewis@s fwm d.gov. For procedural questions: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email:jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

40E-10.011 Policy and Purpose.

(1) The waters of the state are among its basic resources. Such waters should be managed to preserve or restore natural resources, fish and wildlife and to promote the availability of sufficient water for all existing and future reasonable and beneficial uses and the natural system.

(2) The governing board may require permits for consumptive use of water and may impose reasonable conditions as are necessary to assure that such use is consistent with the overall objectives of the district and is not harmful to the water resources of the area.

(3) The objectives of the Governing Board in issuing consumptive use permits with regard to preserving or restoring the natural resources shall include:

(a) No harm to wetland systems occurs;

(b) Established minimum flows and levels criteria contained in District rules are met;

(c) Water that has been allocated or reserved for the natural system by the District under this chapter is not allocated to consumptive uses;

(d) Consistency with the restoration, preservation and protection objectives of the Everglades Restoration is achieved; and

(e) Consistency with the restoration, preservation and protection objectives of the water resource projects which the District has been established as local sponsor per Section 373.1501, F.S., is achieve.

(4) The purpose of this chapter is to:

(a) Identify the criteria and implementation authorities used to protect the natural system from consumptive uses,

(b) Identify the natural system waters protected, and

(c) Define the volume and timing of waters reserved from allocation for the natural system, where applicable.

(5) The waters for the natural systems pursuant to this chapter are based on best available information and public policy that has been expressed by legislation and governing board direction and may be periodically reviewed as a result of

new information or changing public policy. The District shall amend this chapter consistent with the provision contained in Section 120.54, F.S.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New

40E-10.021 Definitions.

(1) CERP Project Component(s) – Any structural or operational change, resulting from the Restudy, to the Central and Southern Florida Project as it existed and was operated as of January 1999.

(2) Fakahatchee Estuary – Waters that occur within the Ten Thousand Islands region include the following river/bay systems, from west to east (Figure 4): Royal Palm Creek/Palm Bay, Blackwater River/Blackwater Bay, Whitney River/Buttonswood Bay, Pumpkin River/Pumpkin Bay, Wood River, Little Wood River and Faka Union Canal/Faka Union Bay, and Fakahatchee Bay.

(3) Natural system – An ecological system supporting aquatic and wetland-dependent natural resources, including fish and aquatic and wetland-dependent wildlife habitat, water quality enhancement and water storage.

(4) Picayune Strand – The lands and waters that occur within the boundaries located southwest of the Florida Panther National Wildlife Refuge (NWR), north of the Ten Thousand Islands NWR, east of the South Belle Meade State Conservation and Recreation Lands (CARL) Project, west of the Fakahatchee Strand Preserve State Park, and northeast of Collier-Seminole State Park and Rookery Bay National Estuarine Research Preserve.

(5) Prospective reservation – A reservation of water in such locations and quantities, and for such seasons of the year, required for the protection of fish and wildlife or the public health or safety that is anticipated to be made available through the completion of a project(s) or change in operation of a water management system. When water is reserved prospectively the quantities that are anticipated to become available shall be identified in Rule 40E-10.421, F.A.C., along with a description of how the reserved quantities will be adjusted if the actual water made available is different than the quantities identified in the prospective reservation.

(6) State priority ecosystems – Ecosystems which have been specifically identified by state statute for protection or restoration as part of the public interest and are identified in Rule 40E-10.321, F.A.C., for the purposes of protecting waters for the natural system from consumptive use.

(7) Water reservation – Water that is withheld from allocation in such locations and quantities, and for such seasons of the year, required for the protection of fish and wildlife or the public health or safety for a specific water body as defined within Rule 40E-10.421, F.A.C. A reservation of water can be adopted prospectively.

(8) Wetlands – Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptation, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New \_\_\_\_\_.

40E-10.031 Permit Criteria for the Protection of the Natural System.

(1) The Governing Board shall regulate consumptive uses in a manner that is consistent with the provision of water in such locations and quantities and for such seasons of the year as is needed to prevent harm to natural systems, aid in the restoration of harmed/non-sustainable natural systems and otherwise needed for the protection of fish and wildlife. Applicants for consumptive use permits shall meet the requirements of this rule by providing reasonable assurances the criteria in paragraph 40E-2.301(1)(c), F.A.C., is met. The Governing Board shall impose such reasonable conditions on consumptive use permits as are necessary to assure that such use is consistent with the objectives of this chapter along with other permit criteria of the District. Minimum flows and levels (MFLs) are established by rule for specified priority water bodies that have been designated pursuant to Section 373.042(2), F.S. The recovery and prevention strategies set forth in Rule 40E-8.421, F.A.C., and implemented through the consumptive use permitting procedures described in paragraph 40E-2.301(1)(i), Rule 40E-8.431, F.A.C., and Section 3.9 of the Water Use Basis of Review are components for the prevention of significant harm to the water resources and ecology of the District.

(2) The Governing Board or Executive Director may by order, declare a water shortage when conditions are such as to require temporary reduction in total use within the area to protect water resources from serious harm. When considering whether to declare a water shortage, the District shall evaluate the potential for irreversible adverse impacts to fish and wildlife and the potential for an MFL exceedance during

climatic conditions more severe than a 1 in 10 year drought, to the extent consumptive uses contribute to such conditions per Chapters 40E-8 and 40E-21, F.A.C. During declared water shortages consumptive use permit holders will comply with the criteria contained in Chapters 40E-21 and 40E-22, F.A.C.

(4) Waters may be withheld from allocation or otherwise provided for the protection of the natural system under this rule for the purposes of:

(a) Maintain existing functions of sustainable natural systems.

(b) Prevent additional impacts to degraded natural systems.

(c) Aid in the restoration of harmed/non-sustainable natural systems.

(d) Protect public health and safety.

Applicants for consumptive use permits shall meet the requirements of this rule by providing reasonable assurances the criteria in paragraph 40E-2.301(1)(k), F.A.C., are met.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.042, 373.175, 373.219, 373.223, 373.246 FS. History–New \_\_\_\_\_.

40E-10.221 Protected Natural Systems Water.

(1) Wetlands not specifically identified in Rule 40E-10.321 or 40E-10.421, F.A.C.: Waters for wetlands are protected from harmful consumptive use impacts through demonstrated compliance with the criteria contained in section 3.3 of the Water Use Basis of Review.

(2) State Priority Ecosystems: Water for State Priority Ecosystems identified in Rule 40E-10.321, F.A.C., below shall be protected from harmful consumptive use impacts through demonstrated compliance with the criteria contained in section 3.2.1. of the Water Use Basis of Review.

(3) CERP Project Components: Water for the protection or restoration of a natural system(s) associated with a CERP project components shall be protected from consumptive use withdrawals through demonstrated compliance with section 3.11 or 3.2.1. of the Water Use Basis of Review.

(4) Other Natural Systems Water Bodies: Water for the protection or restoration of a natural system(s) not identified in Rule 40E-10.321 or 40E-10.421, F.A.C., shall be protected from harmful consumptive use impacts through demonstrated compliance with section 3.11 or 3.2.1. of the Water Use Basis of Review.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New \_\_\_\_\_.

40E-10.321 State Priority Ecosystems.

The following state priority ecosystems are protected from consumptive uses as described in subsection 40E-10.221(2), F.A.C.:

(1) Lake Istokpoga as defined in subsection 40E-8.021(11), F.A.C.; criteria governing consumptive uses from this water body are contained in section 3.2.1. A. of the Water Use Basis of Review.

(2) Lower East Coast Everglades Waterbodies and Northern Palm Beach County/Loxahatchee River Watershed Waterbodies as defined in subsection 40E-8.021(12), F.A.C., and section 1.8 of the Water Use Basis of Review; criteria governing consumptive uses from this water body are contained in section 3.2.1.E. of the Water Use Basis of Review.

(3) Lake Okeechobee as defined in subsection 40E-8.021(12), F.A.C.; criteria governing consumptive uses from this water body are contained in section 3.2.1.G. of the Water Use Basis of Review.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History--New \_\_\_\_\_.

#### 40E-10.421 Water Reservations.

(1) Water reservations defined in Rules 40E-10.431, .441, .451, .461 and .471, F.A.C. are established consistent with Section 373.233(4) F.S. and Rule 62-40.474, F.A.C.

(2) Water reservations may be established for protection or aid in the restoration of natural systems, public health and safety, or for water for the natural system associated with projects which are constructed and operated as part of Everglades Restoration.

(3) Such reservations shall be subject to periodic review at least every five year and revised if necessary in light of changed conditions or new information.

(4) Applicants for new or increased withdrawals shall demonstrate that the proposed withdrawals are consistent with this section by providing reasonable assurances that waters reserved in Rules 40E-10.431, .441, .451, .461 and .471 F.A.C., at such locations, quantities and for such seasons of the year are not impacted by the proposed use.

(5) Existing legal uses of water that impact the waters reserved in Rules 40E-10.431, .441, .451, .461 and .471, F.A.C., shall be protected unless such use is determined by the Governing Board to be contrary to the public interest.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History--New \_\_\_\_\_.

#### 40E-10.431 Water Reservation Areas: Lower West Coast Planning Area.

(1) Picayune Strand as defined in Rule 40E-10.021, F.A.C.:

##### (a) Surface waters:

1. The surface water flows within the Miller Canal at I-75 [structure id number] as depicted on Figure 10.1 are reserved from allocation.

2. The surface water flows within the Faka Union Canal at I-75 [structure id number] as depicted on Figure 10.2 are reserved from allocation.

3. The surface water flows within the Merritt Canal at I-75 [structure id number] as depicted on Figure 10.3 are reserved from allocation.

**Figure 10.1: Surface Water Reserved from Allocation; Miller Canal at I-75:  
Volume Probability Curve**

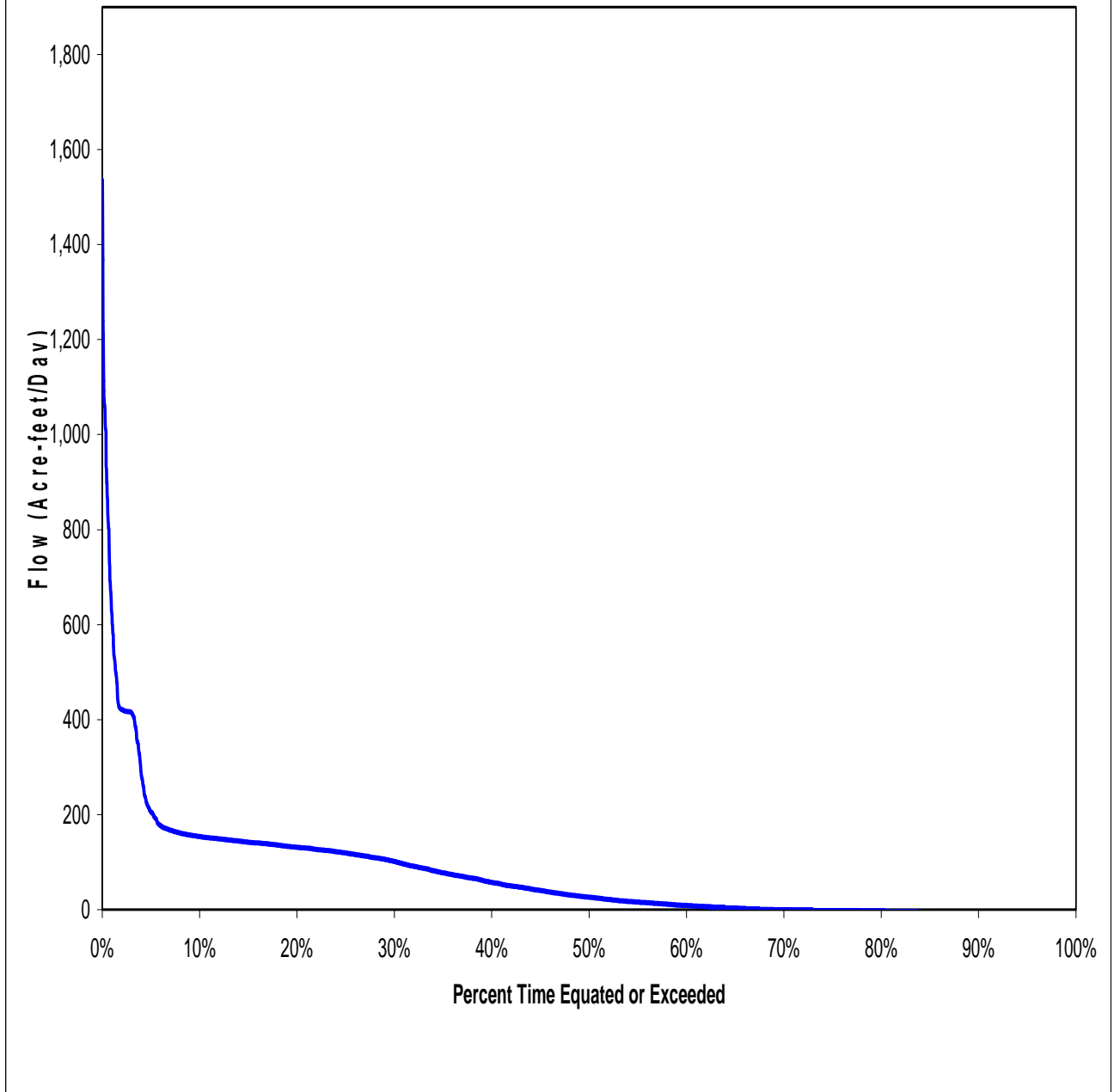


Figure 10.2: Surface Water Reserved from Allocation; Faka Union Canal at I-75:  
Volume Probability Curve

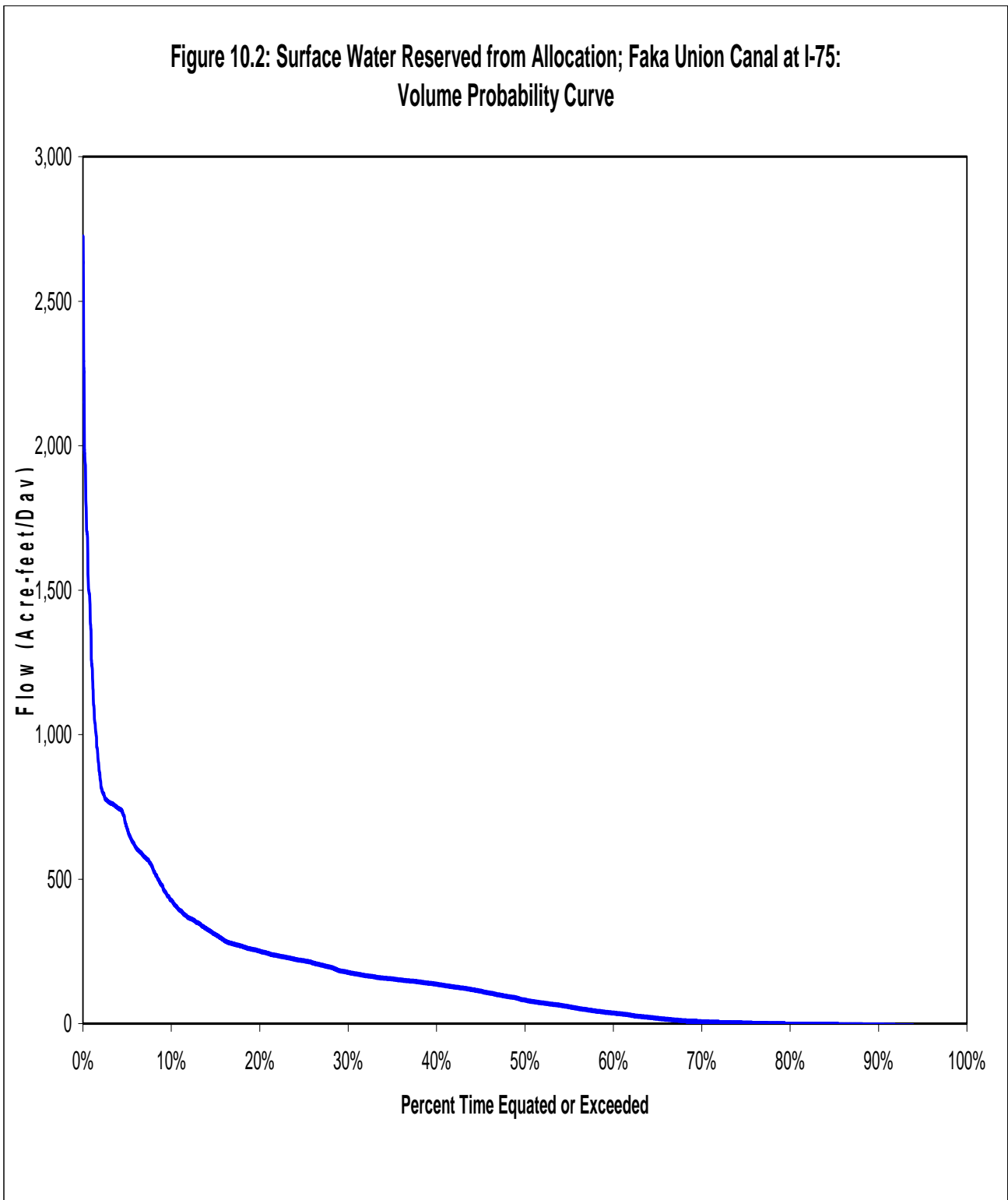
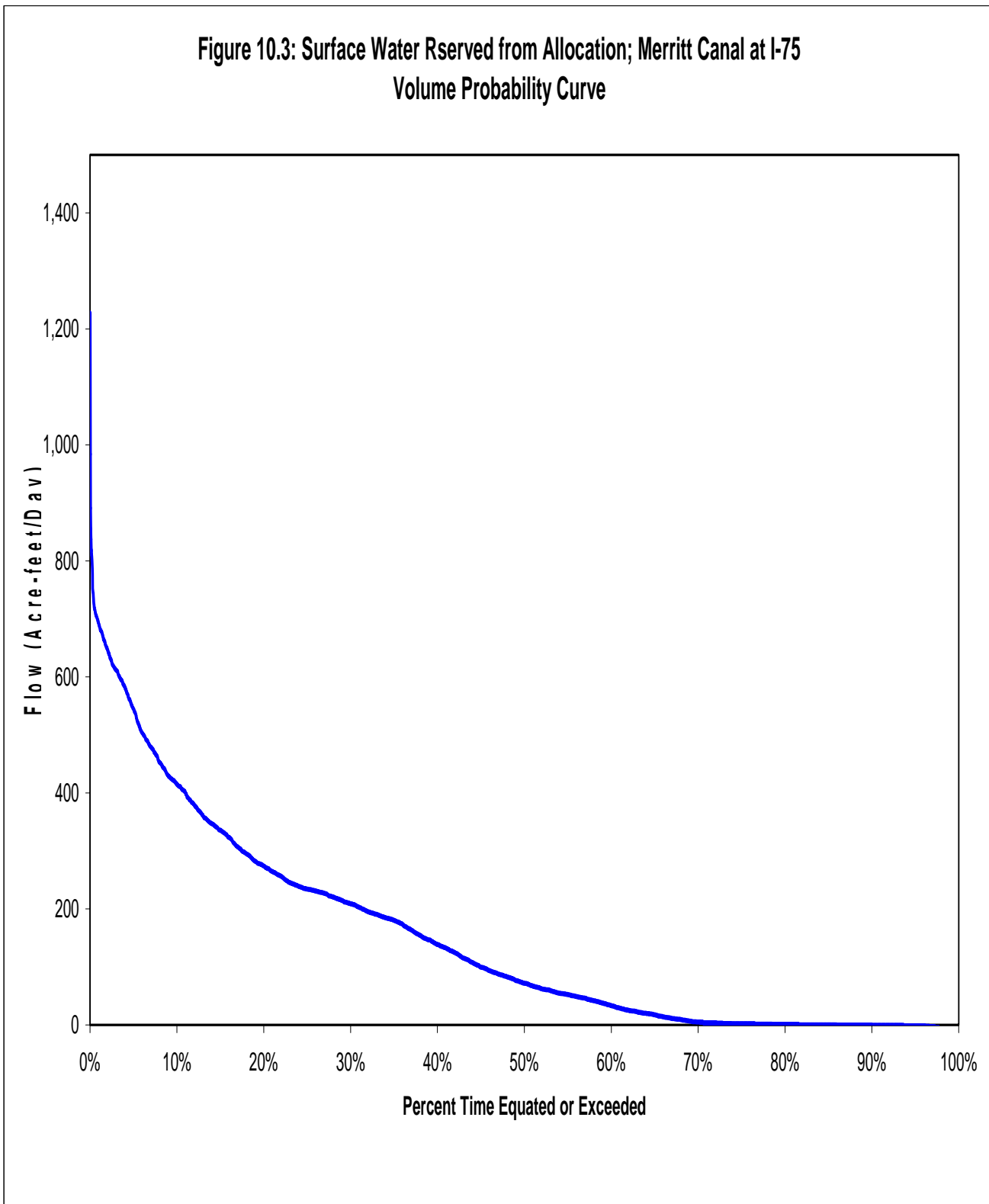


Figure 10.3: Surface Water Reserved from Allocation; Merritt Canal at I-75  
Volume Probability Curve



(b) Groundwater:

1. All groundwater in the unconfined surficial aquifer system that occurs within the Picayune Strand is reserved from allocation.

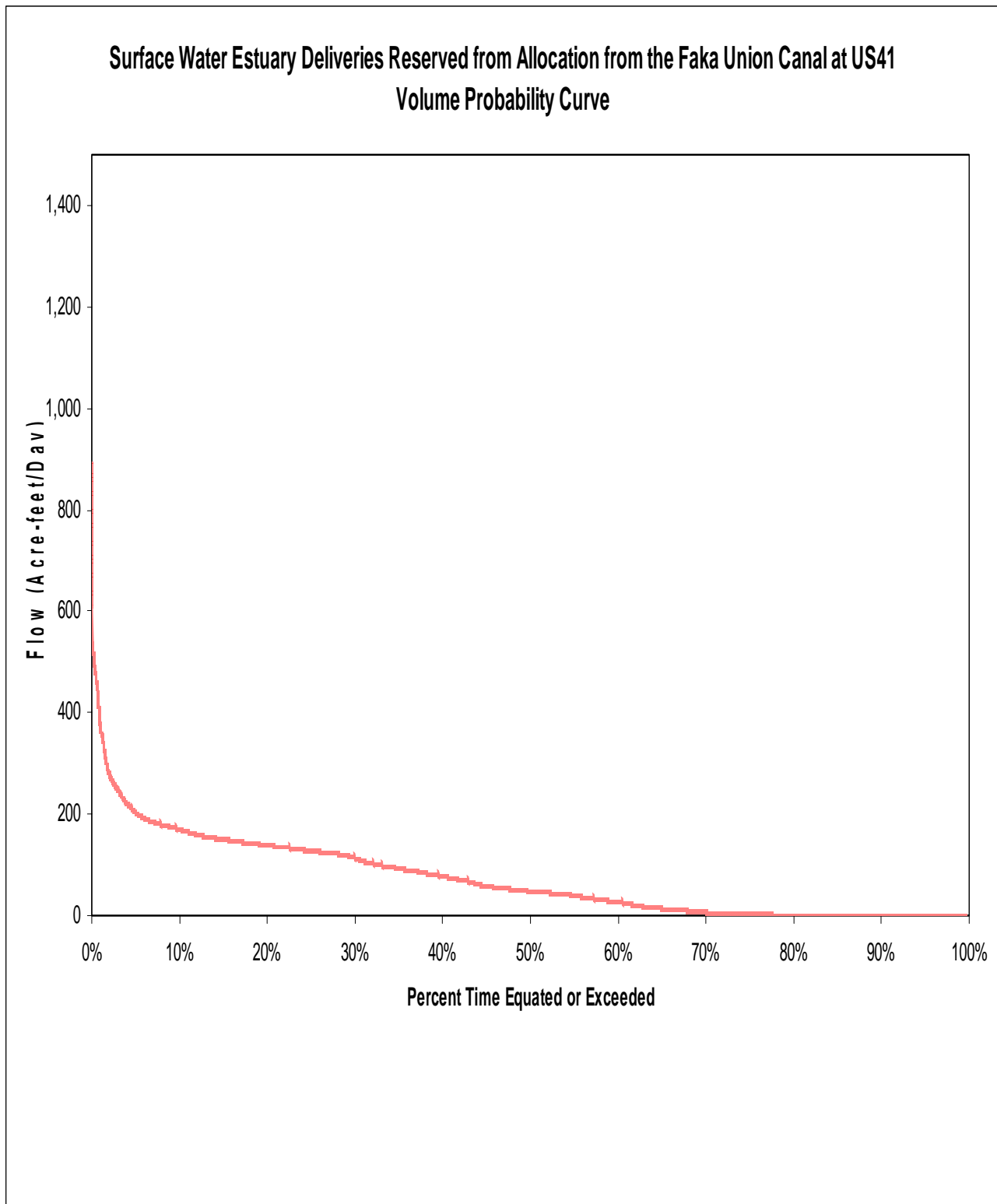
2. Groundwater that contributes to the surface water flows reserved in paragraph (a) of this section are reserved from allocation.

(2) Fakahatchee Estuary as defined in Rule 40E-10.021, F.A.C.

(a) Surface waters:

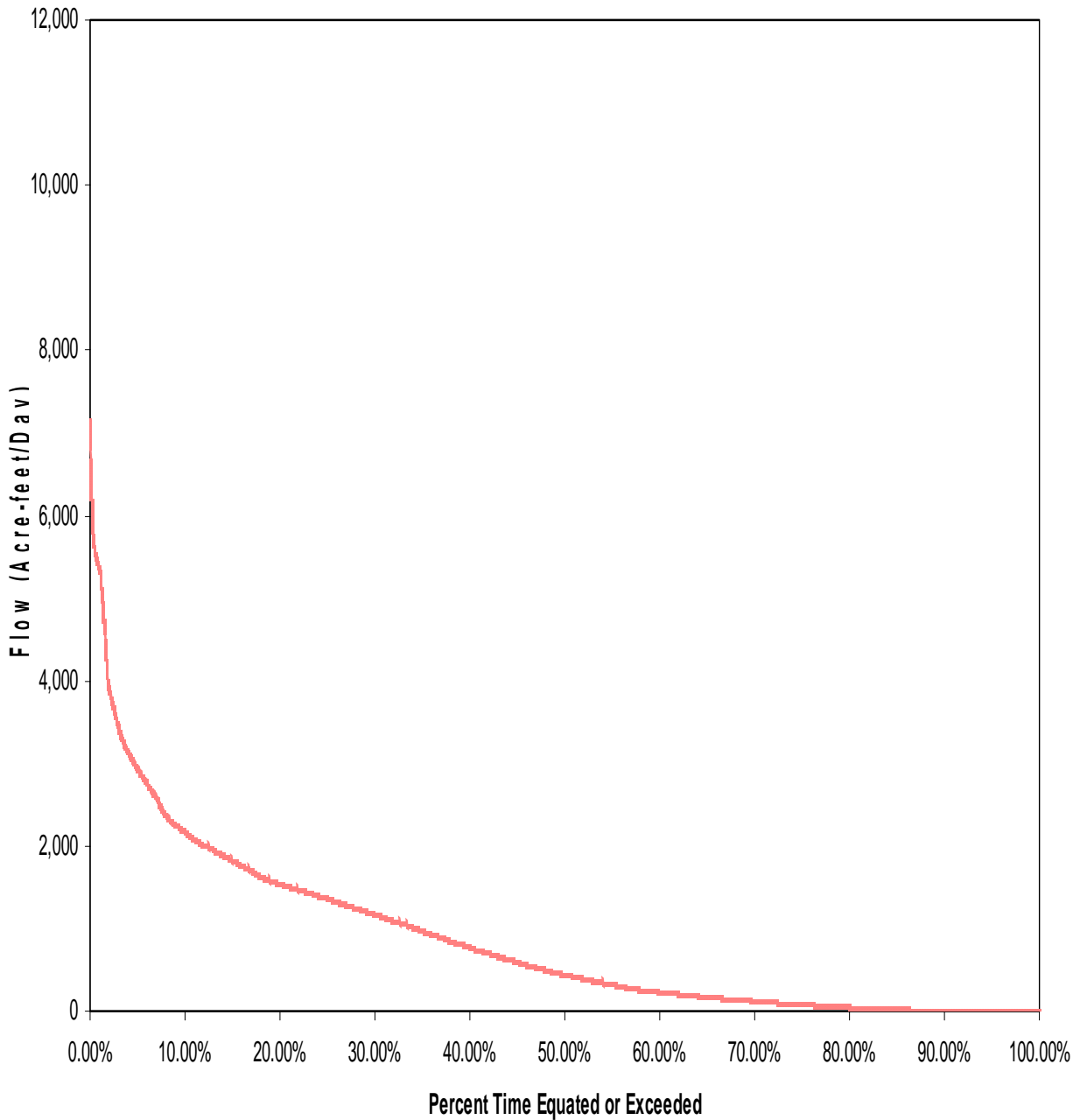
1. The surface water flows delivered from the Faka Union Canal at US 41 the as depicted on Figure 10.4 are reserved from allocation.

2. The surface water flows delivered from the Southern Transect at US 41 the as depicted on Figure 10.5 are reserved from allocation.





### Surface Water Estuary Deliveries Reserved from Allocation Across South Transect: Volume Probability Curve



(b) Groundwater: Groundwater that contributes to the surface water flows reserved in paragraph (a) of this Rule are reserved from allocation.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-20.091	Publications Incorporated by Reference
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.302	Types of General Water Use Permits
40E-20.331	Modification of General Water Use Permits

PURPOSE AND EFFECT: To identify the authorities and regulatory tools to be used to protect water from the natural system from consumptive uses and specifically define the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project.

SUBJECT AREA TO BE ADDRESSED: The rule is to be applied to protect waters for the natural systems that occur within the boundaries of the South Florida Water Management District.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.103(4), 373.118, 373.219, 373.223, 373.229, 373.2295, 373.239, 373.470, 373.1501, 373.1502 FS.

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

DATE AND TIME: July 24, 2008, 1:00 p.m.

PLACE: Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, FL 34113

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6817 or (561)682-6817, email: sburns@sfwmd.gov; Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 4208 or

(561)682-4208, email:bmills@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6343 or (561)682-6343, email:belewis@sfwmd.gov. For procedural questions: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6299 or (561)682-6299, email:jsluth@sfwmd.gov.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

40E-20.091 Publications Incorporated by Reference.  
The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~February 13, 2008~~” is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.223, 373.229 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 9-13-07, 2-13-08, \_\_\_\_\_.

(See the notice herein for Rule 40E-2.091, F.A.C., for proposed changes to the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – February 13, 2008”)

40E-20.301 Conditions for Issuance of General Water Use Permits.

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

(k) Is consistent with waters reserved for the protection of fish and wildlife or the public health and safety pursuant to the provisions in Section 373.223, F.S., this chapter and Chapter 40E-10, F.A.C.

(2) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.2295, ~~373.118~~, 373.223, 373.229, 373.470, 373.1501, 373.1502 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, \_\_\_\_\_.

40E-20.302 Types of General Water Use Permits.

(1) through (3) No change.

(4) Dewatering conducted under subsections (2) and (3) which involve waters that are reserved from allocation pursuant to Rule 40E-10.431 F.A.C. are consistent with paragraph 40E-20.301(1)(k), F.A.C. so long as all dewatering water is kept on site.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.219, 373.223 FS. History–New 9-3-81, Amended 12-1-82, Formerly 16K-2.031(1), 16K-2.032(1)(b), Amended 2-24-85, 3-29-87, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 11-4-01, 8-14-02, 8-31-03, 4-23-07, 2-13-08, \_\_\_\_\_.

40E-20.331 Modification of General Water Use Permits.

(1) through (2) No change.

(3)(a) Modification of an existing general water use permit shall be approved by letter, provided the permit is in compliance with all applicable limiting conditions and the modification request:

1. Does not exceed the applicable general permit allocation limitations in Rule 40E-20.302, F.A.C.;

2. Does not result in a requested permit duration which exceeds the expiration date of the existing permit, except that when the permit duration is based upon the current lease expiration date, the permit duration may be extended by letter modification to the new lease date, but shall not exceed the applicable permit duration pursuant to subsection 40E-20.321(2), F.A.C.;

3. Does not potentially interfere with any presently existing legal use of water, cause harm to wetlands or other surface waters, harmful saltwater intrusion or pollution of the water resources, harm to offsite land uses, does not result in the use of water reserved from allocation, or does not otherwise raise issues requiring a Staff determination of whether harm to the water resources would occur pursuant to the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-20.091, F.A.C.;

4. Does not change the permitted withdrawal source; and

5. Does not result in a modification of the permit which must be approved by the Governing Board pursuant to Section 373.239(2), F.S.

(b) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.223, 373.229, 373.239 FS. History—New 4-20-94, Amended 7-11-96, 4-9-97, 12-10-97, 8-14-02, 8-31-03, 4-23-07, 2-13-08,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-15.001 RULE TITLE: Qualification for Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment to address experience verification for certification.

SUBJECT AREA TO BE ADDRESSED: Experience verification for qualification for certification.

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 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: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NOS.:	RULE TITLES:
61G4-18.002	Definitions
61G4-18.004	Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes the rule amendments to address continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Definitions and approval of continuing education courses.

SPECIFIC AUTHORITY: 455.213(6), 455.2123, 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.213, 455.2177, 455.2178, 455.2179, 489.115 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

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

**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 ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-302.200	Definitions
62-302.300	Findings, Intent, and Antidegradation Policy for Surface Water Quality
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters
62-302.500	Surface Waters: Minimum Criteria, General Criteria
62-302.520	Thermal Surface Water Criteria

62-302.530 Table: Surface Water Quality Criteria  
 62-302.540 Water Quality Standards for Phosphorus Within the Everglades Protection Area

62-302.700 Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters

62-302.800 Site Specific Alternative Criteria

**PURPOSE AND EFFECT:** The Department is initiating its Triennial Review of state surface water quality standards as required by the Federal Clean Water Act. Proposed revisions to a number of rules in both Chapters 62-302 and 62-303, Florida Administrative Code (F.A.C.), are under consideration, but all surface water quality standards, including those within other F.A.C chapters, are part of the Triennial Review and are subject to possible revision. Proposed amendments within Chapter 62-302, F.A.C., include: (1) establishment of biological health criteria, (2) revision of human health-based water quality criteria, (3) establishment of criteria for un-ionized ammonia in marine waters, (4) revision of criteria for specific conductance, (5) listing of all site specific alternative criteria in Rule 62-302.800, F.A.C., (6) revision of criteria for transparency, (7) revisions of definitions for Predominantly Fresh Waters and Predominantly Marine Waters, (8) clarification of the upstream extent of Class II waters, and (9) establishment of numeric nitrate criteria for spring vents and boils.

**SUBJECT AREA TO BE ADDRESSED:** Rule development addresses all surface water quality standards, including those within Chapter 62-302, F.A.C.

**SPECIFIC AUTHORITY:** 373.043, 373.4592, 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

**LAW IMPLEMENTED:** 373.016, 373.026, 373.414, 373.4592, 403.021, 403.031, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.101, 403.141, 403.161, 403.182, 403.201, 403.502, 403.504, 403.702, 403.708, 403.802 FS.

**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** July 23, 2008, 9:00 a.m.  
**PLACE:** Room 609, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida  
**DATE AND TIME:** July 30, 2008, 9:00 a.m.  
**PLACE:** Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Rooms A and B, Orlando, 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 five days before the workshop/meeting by contacting: Eric Shaw, Bureau of Standards and Special Projects, MS 3560, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8429. 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: Eric Shaw, Bureau of Standards and Special Projects, MS 3560, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8429, e-mail Eric.Shaw@dep.state.fl.us  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-303.100	Scope and Intent
62-303.150	Relationship Between Planning and Verified Lists
62-303.200	Definitions
62-303.300	Methodology to Develop the Planning List
62-303.310	Evaluation of Aquatic Life Use Support
62-303.320	Exceedances of Aquatic Life-Based Water Quality Criteria
62-303.330	Biological Assessment
62-303.340	Toxicity
62-303.350	Interpretation of Narrative Nutrient Criteria
62-303.351	Nutrients in Streams
62-303.352	Nutrients in Lakes
62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.400	Methodology to Develop the Verified List
62-303.410	Determination of Aquatic Life Use Support
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.430	Biological Impairment
62-303.440	Toxicity
62-303.450	Interpretation of Narrative Nutrient Criteria
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support

62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.500	Prioritization
62-303.600	Evaluation of Pollution Control Mechanisms
62-303.700	Listing Cycle
62-303.710	Format of Verified List and Verified List Approval
62-303.720	Delisting Procedure
62-303.810	Impairment of Interstate and Tribal Waters

**PURPOSE AND EFFECT:** The Department is initiating its Triennial Review of state surface water quality standards as required by the Federal Clean Water Act. Proposed revisions to a number of rules in both Chapters 62-303 and 62-302, Florida Administrative Code (F.A.C.), are under consideration, but all surface water quality standards, including those within other F.A.C. chapters, are part of the Triennial Review and are subject to possible revision. Proposed amendments within Chapter 62-303, F.A.C., include: (1) establishment of biological health assessment impairment thresholds, (2) establishment of impairment threshold for fish/shellfish tissue methylmercury levels, (3) new definition for Predominantly Fresh Waters and revision of definition for Predominantly Marine Waters, and (4) addition of prioritization criteria for biological health assessments.

**SUBJECT AREA TO BE ADDRESSED:** Rule development addresses all surface water quality standards, including those within Chapter 62-303, F.A.C.

**SPECIFIC AUTHORITY:** 403.061, 403.067 FS.

**LAW IMPLEMENTED:** 403.021(11), 403.062, 403.067 FS.

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

**DATE AND TIME:** July 23, 2008, 9:00 a.m.

**PLACE:** Room 609, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida

**DATE AND TIME:** July 30, 2008, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Rooms A and B, Orlando, 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 five days before the workshop/meeting by contacting: Eric Shaw, Bureau of Standards and Special Projects, MS 3560, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8429. 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: Eric Shaw, Bureau of Standards and Special Projects, MS 3560, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8429, e-mail Eric.Shaw@dep.state.fl.us

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63E-7.010	Residential Case Management Services
63E-7.011	Delinquency Intervention and Treatment Services

**PURPOSE AND EFFECT:** The rule establishes the requirements for the administration and operation of state operated and contracted residential commitment programs for juvenile offenders.

**SUBJECT AREA TO BE ADDRESSED:** The rule sections address the provision of case management services within a residential program, including the function of the multidisciplinary intervention and treatment team. All aspects of case management are covered, from initial assessment, through performance planning and review, and concluding with transition planning prior to release. Delinquency intervention and treatment services are also addressed, including the provision of delinquency intervention services to address criminogenic needs, and treatment services for physical, mental health and substance abuse.

**SPECIFIC AUTHORITY:** 985.64 FS.

**LAW IMPLEMENTED:** 985.601(3)(a) FS.

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

**DATE AND TIME:** Tuesday, July 22, 2008, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-170.0144  
 RULE TITLE: Public Hurricane Loss Projection Model-Fee Schedule

PURPOSE AND EFFECT: To implement section 16 of Chapter 2008-66, Laws of Florida to establish a fee schedule for use of the Public Hurricane Loss Projection Model by Residential Property Insurers.

SUBJECT AREA TO BE ADDRESSED: Fee schedule for use of the Public Hurricane Loss Projection Model.

SPECIFIC AUTHORITY: 627.06281 FS.

LAW IMPLEMENTED: 627.06281 FS.

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

DATE AND TIME: July 22, 2008, 9:30 a.m.

PLACE: 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: Stephen Fredrickson, Assistant General Counsel, Office of Insurance Regulation, E-mail steve.fredrickson@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: Stephen Fredrickson, Assistant General Counsel, Office of Insurance Regulation, E-mail steve.fredrickson@fldfs.com

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

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NOS.:	RULE TITLES:
69V-40.002	Adoption of Forms
69V-40.031	Application Procedure for Mortgage Broker License
69V-40.051	Application Procedure for Mortgage Brokerage Business License
69V-40.100	Application Procedure for Transfer in Ownership or Control of Saving Clause Mortgage Lender
69V-40.200	Application Procedure for Mortgage Lender License
69V-40.220	Application Procedure for Correspondent Mortgage Lender License

PURPOSE AND EFFECT: The rules are being amended to increase fingerprint processing fees from \$42.25 to \$43.25. The current fee of \$42.25 represents \$23 charged by the Florida Department of Law Enforcement for a state criminal history check and \$19.25 charged by the U.S. Department of Justice for a national criminal history check. During the 2008 regular session, the Florida Legislature passed Senate Bill 1792. This bill was signed into law (Chapter 2008-112, Laws of Florida) by Governor Crist on June 10, 2008. Effective July 1, 2008, the Florida Department of Law Enforcement will be increasing its fingerprint processing fee to \$24 as required by Section 1 of Chapter 2008-112, Laws of Florida, which amends Section 943.053(3)(b), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Mortgage Brokering and Mortgage Lending/Fingerprint Processing Fees.

SPECIFIC AUTHORITY: 215.405, 494.0011(2), 494.0031(2), 494.0061(3), 494.0062, 494.0065(3) FS.

LAW IMPLEMENTED: 120.60, 494.001(30), 494.0025, 494.0031, 494.0033, 494.0035, 494.004(6), 494.0041, 494.0042, 494.0061, 494.0062, 494.0065, 494.0067 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, greg.oaks@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-40.002 Adoption of Forms.

(1) The forms referred to in this section below are incorporated by reference and readopted by this rule for the purposes of Rules 69V-40.001-.290, Florida Administrative Code:

(a) Application for Mortgage Brokerage Business and Lender License, Form OFR-494-01, effective ~~March 23, 2008~~;

(b) No change.

(c) Application for Licensure as a Mortgage Broker, Form OFR-494-03, effective ~~March 23, 2008~~;

(d) through (m) No change.

(2) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.0025, 494.0041, 494.0042 FS. History–New 3-23-08, Amended \_\_\_\_\_.

69V-40.031 Application Procedure for Mortgage Broker License.

(1) Each person desiring to obtain licensure as a mortgage broker shall apply to the Office of Financial Regulation by submitting the following:

(a) through (c) No change.

(d) A nonrefundable fingerprint card processing fee of \$43.25 ~~\$42.25~~;

(e) through (f) No change.

(2) through (9) No change.

Specific Authority 215.405, 494.0011(2) FS. Law Implemented 120.60(1), 494.0033 FS. History—New 10-30-86, Amended 1-30-89, 5-23-89, 11-28-89, 10-1-91, 6-8-92, 6-3-93, 6-6-93, 4-25-94, 5-14-95, 9-3-95, 11-24-97, 8-22-99, 12-12-99, 12-11-03, Formerly 3D-40.031, Amended 5-24-05, 3-23-08, \_\_\_\_\_.

69V-40.051 Application Procedure for Mortgage Brokerage Business License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, each chief executive officer, each chief financial officer, chief operations officer, chief legal officer, chief compliance officer, control person, member, partner, joint venturer, and each director of an entity applying for licensure as a mortgage brokerage business, shall submit a completed fingerprint card (FL921050Z) and Biographical Summary from Form OFR-494-01, to the Office of Financial Regulation along with a \$43.25 ~~\$42.25~~ nonrefundable processing fee.

(a) If any ultimate equitable owner of 10% or greater interest, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, director, control person, member, partner, joint venturer, of the applicant holds an active mortgage broker's license with the Office of Financial Regulation, they are exempt from the provisions of subsection (2).

(b) If an entity holds an active license under Chapter 494, F.S., with the Office of Financial Regulation, it is exempt from the provisions of subsection (2) when it applies for a different type of license under Chapter 494, F.S., unless there has been a change of control of 25% or more of the ownership interest or in controlling interest since the time its initial license was approved by the Office of Financial Regulation.

(c) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2), 494.0031(2) FS. Law Implemented 494.0031, 494.0035, 494.004(6) FS. History—New 10-30-86, Amended 1-30-89, 11-28-89, 10-1-91, 6-6-93, 5-14-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, 12-11-03, Formerly 3D-40.051, Amended 3-23-08, \_\_\_\_\_.

69V-40.100 Application Procedure for Transfer in Ownership or Control of Saving Clause Mortgage Lender.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, principal representative, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, director, control person, member, partner, or joint venturer of an entity applying for licensure as a mortgage lender licensed pursuant to the savings clause, shall submit a completed fingerprint card (FL921050Z) and Biographical Summary from Form OFR-494-01, to the Office of Financial Regulation along with a \$43.25 ~~\$42.25~~ nonrefundable processing fee.

(a) If the individual owner, director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, principal representative, control person, member, partner, or joint venturer holds an active mortgage broker's license with the Office of Financial Regulation, he or she is exempt from the provisions of subsection (2).

(b) If an entity holds an active license under Chapter 494, F.S., with the Office of Financial Regulation, it is exempt from the provisions of subsection (2) when it applies for a different type of license under Chapter 494, F.S., unless there has been a change of control of 25% or more of the ownership or in controlling interest since the time its initial license was approved by the Office of Financial Regulation.

(c) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (7) No change.

Specific Authority 494.0011(2), 494.0065(3) FS. Law Implemented 120.60, 494.001(30), 494.0061(1), (3), (8), 494.0065, 494.0067(3), (4) FS. History—New 8-24-93, Amended 9-3-95, 8-22-99, 12-12-99, 12-9-01, 12-8-02, 12-11-03, Formerly 3D-40.100, Amended 3-23-08, \_\_\_\_\_.

69V-40.200 Application Procedure for Mortgage Lender License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, principal representative, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, control person, member, partner, joint venturer, and each director of an entity applying for licensure as a mortgage lender, shall submit a completed fingerprint card (FL921050Z) and Biographical Summary from Form OFR-494-01, to the Office of Financial Regulation along with a \$43.25 ~~\$42.25~~ nonrefundable processing fee.

(a) If any ultimate equitable owner of 10% or greater interest, principal representative, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, control person, member, partner, joint

venturer, or director of the applicant holds an active mortgage broker's license with the Office of Financial Regulation, they are exempt from the provisions of subsection (2).

(b) If an entity holds an active license under Chapter 494, F.S., with the Office of Financial Regulation, it is exempt from the provisions of subsection (2) when it applies for a different type of license under Chapter 494, F.S., unless there has been a change of control of 25% or more of the ownership or in controlling interest since the time its initial license was approved by the Office of Financial Regulation.

(c) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2), 494.0061(3) FS. Law Implemented 494.0061, 494.0067(4) FS. History—New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, 12-8-02, 12-11-03, Formerly 3D-40.200, Amended 3-23-08, \_\_\_\_\_.

69V-40.220 Application Procedure for Correspondent Mortgage Lender License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, principal representative, each chief executive officer, each chief financial officer, chief operations officer, chief legal officer, chief compliance officer, control person, member, partner, joint venturer, and each director of an entity applying for licensure as a correspondent mortgage lender, shall submit a completed fingerprint card (FL921050Z) and Biographical Summary from Form OFR-494-01, to the Office of Financial Regulation along with a ~~\$42.25~~ \$43.25 nonrefundable processing fee.

(a) If the individual principal representative, owner, director, or chief executive officer holds an active mortgage broker's license with the Office of Financial Regulation, they are exempt from the provisions of subsection (2).

(b) If an entity holds an active license under Chapter 494, F.S., with the Office of Financial Regulation, it is exempt from the provisions of subsection (2) when it applies for a different type of license under Chapter 494, F.S., unless there has been a change of control of 25% or more of the ownership or in controlling interest since the time its initial license was approved by the Office of Financial Regulation.

(c) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2), 494.0062(3), (8), (11), (13) FS. Law Implemented 494.0062, 494.0067(4) FS. History—New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, 12-8-02, 12-11-03, Formerly 3D-40.220, Amended 3-23-08, \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**Finance**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69V-560.102	Application Forms, Procedures and Requirements

**PURPOSE AND EFFECT:** The rule is being amended to increase fingerprint processing fees from \$42.25 to \$43.25. The current fee of \$42.25 represents \$23 charged by the Florida Department of Law Enforcement for a state criminal history check and \$19.25 charged by the U.S. Department of Justice for a national criminal history check. During the 2008 regular session, the Florida Legislature passed Senate Bill 1792. This bill was signed into law (Chapter 2008-112, Laws of Florida) by Governor Crist on June 10, 2008. Effective July 1, 2008, the Florida Department of Law Enforcement will be increasing its fingerprint processing fee to \$24 as required by Section 1 of Chapter 2008-112, Laws of Florida, which amends Section 943.053(3)(b), Florida Statutes.

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

**SPECIFIC AUTHORITY:** 215.405, 560.105, 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.

**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 (2) No change.

(3)(a) All applicants for registration must file a completed application Form OFR-560-01, Application to Register as a Money Transmitter, effective \_\_\_\_\_ ~~7/15/07~~, which is hereby incorporated by reference.

(a) through (c) No change.

(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~~ \$43.25 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, 560.118(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, 6-17-08,\_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**Securities**

RULE NOS.:	RULE TITLES:
69W-600.002	Application for Registration as Associated Person
69W-600.006	Associated Persons' Fingerprints

PURPOSE AND EFFECT: The rules are being amended to increase fingerprint processing fees from \$42.25 to \$43.25. The current fee of \$42.25 represents \$23 charged by the Florida Department of Law Enforcement for a state criminal history check and \$19.25 charged by the U.S. Department of Justice for a national criminal history check. During the 2008 regular session, the Florida Legislature passed Senate Bill 1792. This bill was signed into law (Chapter 2008-112, Laws of Florida) by Governor Crist on June 10, 2008. Effective July 1, 2008, the Florida Department of Law Enforcement will be increasing its fingerprint processing fee to \$24 as required by Section 1 of Chapter 2008-112, Laws of Florida, which amends Section 943.053(3)(b), Florida Statutes.

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

SPECIFIC AUTHORITY: 517.03(1), 517.12(6) FS.

LAW IMPLEMENTED: 517.12(6), (7), (10), 517.1205 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: Pam Epting, 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:

69W-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or associated person shall be filed on Form U-4, which is incorporated by reference in subsection 69W-301.002(7), F.A.C., and shall include all information required by such form, any other information the Office of Financial Regulation may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 69W-600.0091, 69W-600.0092, or 69W-600.0093, F.A.C., the Office of Financial Regulation shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Financial Services. For dealers that are member of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0091, F.A.C. For federal covered advisers, such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0092, F.A.C. For investment adviser applicants and registrants who file via the IARD, such application shall be filed with the Office of Financial Regulation through the CRD of the NASD in accordance with Rule 69W-600.0093, F.A.C.

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

1. through 4. No change.

5. A complete Florida Fingerprint Card (FL921250Z) when required under Section 517.12(7), F.S., and Rule 69W-600.006, F.A.C., provided by the Office of Financial Regulation and taken by an authorized law enforcement agency and accompanied by a non-refundable ~~\$42.25~~ \$43.25 processing fee. Form FL921250Z, Florida Fingerprint Card, is incorporated by reference in subsection 69W-301.002(7), F.A.C.

(c) No change.

(2) No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6), (7), (10), 517.1205 FS. History--New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, 12-11-03, Formerly 3E-600.002, Amended 3-16-06, 5-15-07, 12-24-07,\_\_\_\_\_.

69W-600.006 Associated Persons' Fingerprints. Fingerprints filed in accordance with Section 517.12(7), F.S., shall be on fingerprint cards supplied by the Office of Financial Regulation taken by an authorized law enforcement agency, and accompanied by a non-refundable ~~\$42.25~~ \$43.25 processing fee. Form FL921250Z, Florida Fingerprint Card, is incorporated by reference in subsection 69W-301.002(7),

F.A.C. The fingerprint card requirement is waived for those associated persons requesting registration with a dealer which is registered with a national securities exchange or national securities association or the Securities and Exchange Commission, provided that fingerprints have been processed for such persons pursuant to the provisions of SEC rule 17f-2 (17 C.F.R. 240.17f-2 2006), which is hereby incorporated by reference, by said person’s current employer.

Specific Authority 517.03 FS. Law Implemented 517.12(7) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.06, Amended 8-1-91, Formerly 3E-600.006, Amended 5-15-07, 12-24-07,\_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF STATE

RULE NO.:                    RULE TITLE:  
1-2.0031                    Public Records Requests: Special  
                                  Service Charge

PURPOSE AND EFFECT: This rule is being amended to change the way labor cost is calculated for special service charges for extensive public records requests.

The amended rule will make the calculation based on the actual cost of wages and benefits instead of the pay grade of the personnel providing the service. This change is consistent with a recent opinion from the Second District Court of Appeal which held that the cost of labor used in calculating special service charges for responding to extensive public records requests may include both salary and benefits.

The rule amendment also specifies that the calculation of wages and benefits must be based on the lowest paid personnel who has the necessary skill and training to perform the public records request.

SUMMARY: This rule is being amended to change the way labor cost is calculated for special service charges for extensive public records requests.

The amended rule will make the calculation based on the actual cost of wages and benefits instead of the pay grade of the personnel providing the service. This change is consistent with a recent opinion from the Second District Court of Appeal which held that the cost of labor used in calculating special service charges for responding to extensive public records requests may include both salary and benefits.

The rule amendment also specifies that the calculation of wages and benefits must be based on the lowest paid personnel who has the necessary skill and training to perform the public records request.

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: 20.10(3), 119.07(4)(d) FS.

LAW IMPLEMENTED: 119.07(4) 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:

DATE AND TIME: July 28, 2008, 10:00 a.m.

PLACE: 500 S. Bronough St., Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kevin Gotfredson, (850)245-6536

THE FULL TEXT OF THE PROPOSED RULE IS:

1-2.0031 Public Records Requests: Special Service Charge.

(1) When a public records request is of the nature described in Section 119.07(4)(d), F.S., the following will apply:

(a) The term “extensive” means more than 15 minutes expended by personnel to complete all tasks defined in paragraphs (b) and (c) below.

(b) The term “clerical or supervisory assistance” includes searching for and or locating the requested record, reviewing for statutorily exempt information, deletion of statutorily exempt information, and preparing, copying and re-filing of the requested record.

(c) The term “use of information technology resources” includes the setup and implementation of ~~an~~ information technology defined in Section 282.0041(10) ~~282.0041(7)~~, F.S.

(2)(a) The Department will determine which personnel are appropriate to provide assistance in fulfilling the request. The special service charge will be computed to the nearest quarter of an hour exceeding 15 minutes based on the cost of wages and benefits of the lowest paid personnel who, in the discretion of the Department, has the necessary skill and training to perform the request ~~current pay grade of the personnel who performed the service~~. The special service charge shall be in addition to the duplication charge as provided in Sections 119.07(4)(a) and (b), F.S., and will be assessed regardless of the number of individual copies made. Payment for special services shall also be imposed where extensive use of personnel or information technology is necessary to determine whether the public record exists or is exempt from public disclosure.

(b) The requestor shall be required to pay any estimated special service charges, as determined by the Department, prior to personnel rendering such services. The Department will refund to the requestor any monies deposited with the Department in excess of the actual costs incurred to fulfill a request, or, in the alternative, the requestor shall be required to

remit additional monies to pay for any costs in excess of the deposit. In the event the requestor fails to remit additional monies to cover costs in excess of the monies deposited, the Department shall withhold releasing any public records identified pursuant to that request until those amounts are paid in full.

Specific Authority 20.10(3), 119.07(4)(d) FS. Law Implemented 119.07(4)(d) FS. History—New 3-21-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Staci Bienvenu

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lynn Hearn

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 16, 2008

**DEPARTMENT OF COMMUNITY AFFAIRS**  
**Division of Housing and Community Development**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
9B-65.020	Definitions
9B-65.021	Distribution of Funds
9B-65.022	Energy Assistance Benefits
9B-65.023	Client Eligibility
9B-65.024	Energy Payments
9B-65.025	Hearings

PURPOSE AND EFFECT: To amend Chapter 9B-65, F.A.C., to implement the Low-Income Home Energy Assistance federally mandated program requirements in the State of Florida.

SUMMARY: The amendment of Chapter 9B-65, 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: 163.03(3) FS.

LAW IMPLEMENTED: 163.03(3) FS.

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

DATE AND TIME: July 29, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Community Affairs, Conference Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paula Lemmo, Community Program Manager, Community Assistance Section, Department of

Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone: (850)488-7541, Fax: (850)488-2488

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-65.020 Definitions.

(1) “Act” means Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, as amended [42 U.S.C. Sections 8621-8629].

(2) “Department” or “DCA” means the Florida Department of Community Affairs.

(3) “Home Energy Crisis” means the situation existing when a household does not have or is in immediate danger of losing home energy for heating or cooling per 42 U.S.C. 8622(6), or there exists an immediate threat to life or health due to the lack of home energy.

(4) “Household” means a person or group of persons residing together in the same dwelling as one economic unit.

(5) “LIHEAP” means the Low-Income Home Energy Assistance Program authorized under the Act, and administered by DCA.

(6) “Poverty Income Guidelines” means the federal poverty guidelines established by the U. S. Department of Health and Human Services and published annually in the Federal Register.

(7) “Subgrant Agreement” means the written contract between the Department and a recipient party, which sets forth the services to be provided with the subgrant funds.

(8) “Subgrantee” is a unit of local government or a not-for-profit organization receiving LIHEAP financial assistance under a subgrant agreement from the Department.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History—New \_\_\_\_\_.

9B-65.021 Distribution of Funds.

Based on the availability of federal LIHEAP funds each year, the distribution of funds shall be made as follows:

(1) The Department shall retain no more than 3 percent of the total LIHEAP funds received from the federal government for the state administration of the program.

(2) With the approval of the U. S. Department of Health and Human Services, the Department will designate up to the maximum allowed in the Act for weatherization and other energy-related home repair for low-income households.

(3) The Department will provide up to 6 percent of the total LIHEAP funds to the Department of Elder Affairs to assist low-income households that include at least one member age 60 years of age or older.

(4) The Department will reserve funds to be used in case of a weather-related, supply shortage or economic emergency. These funds will be held each year until December 15 and may only be used during state or federal emergencies declared by

the President, the Governor or the Secretary of the Department as he or she deems necessary. After December 15, if no emergency has been declared, the Department will release these funds for energy benefits. When funds are distributed for an emergency, the Department will determine the allowable expenditures of the funds, based on the nature of the emergency.

(5) The balance of the LIHEAP funds shall be awarded through an allocation plan for statewide distribution of the funds based in part on the percentage of poverty population in each service area.

(6) Funds distributed by the Department to Subgrantees which have not been expended at the end of the contract period shall be returned to the Department at the time of close-out.

(7) Subgrantees shall be offered an annual subgrant until they either voluntarily withdraw from the program or are defunded for cause.

(8) When it is necessary to designate a new LIHEAP Subgrantee, the process shall be publicly announced and noticed and shall conform to the requirements of the Act.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History--New \_\_\_\_\_.

#### 9B-65.022 Energy Assistance Benefits.

(1) The number, nature and amount of energy benefits will be set by DCA and adjusted annually based on funding availability; DCA will notify the Subgrantees in writing at the address stated in the Subgrant Agreement.

(2) The following maximum benefits will be available to eligible households:

(a) One non-crisis benefit per 12 month period;

(b) One summer home energy crisis benefit between April 1 and September 30 each year; and

(c) One winter home energy crisis benefit between October 1 and March 31 each year.

(3) Based on local need for LIHEAP services and other non-LIHEAP energy assistance resources in their service area, the Subgrantee may limit benefits to less than those stated in subsection (2) above.

(4) In the event of an emergency as described in subsection 9B-65.021(4), F.A.C., the Department will allow expenditures of the funds in which the benefits may exceed those given in subsection 9B-65.022(2), F.A.C.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History--New \_\_\_\_\_.

#### 9B-65.023 Client Eligibility.

(1) Client eligibility will be determined based on the requirements of the Act and Rule Chapter 9B-65, F.A.C.

(2) The household must reside in Florida at the time of application.

(3) A household must apply for assistance from the LIHEAP Subgrantee which is designated to provide services in the county in which the household is located at the time of application.

(4) The applicant is not eligible for assistance if home energy costs are totally included in the rent and the applicant has no obligation to pay any portion of the energy costs.

(5) The following income factors shall be used to calculate client eligibility:

(a) The gross income of all household members is added together to determine eligibility and the level of assistance:

(b) Medicare premiums paid or deducted from Social Security and Railroad Retirement benefits are included in the gross income;

(c) All income received during the twelve-month period prior to the month of application must be verified. If verified income is not available for the entire twelve month period before the month of application, then a shorter period may be used to project estimated annual income. The income amount used must reflect the current economic status of the applicant;

(d) Annual income limits by household size shall be 150 percent of the federally established poverty income guidelines adjusted annually as published in the Federal Register;

(e) Within 30 days of the publication of the federal poverty income guidelines, DCA will send notice of the revised income limits and their effective date to all Subgrantees;

(f) Households receiving Supplemental Security Income (SSI) or Food Stamps or who have applied for and are currently eligible for Weatherization Assistance Program (WAP) or Community Services Block Grant (CSBG) funds are considered automatically eligible. This is used only as a method of determining income eligibility. Program benefits and eligibility policies apply regardless of the method of income documentation;

(g) Any applicant who reports income of less than 50 percent of the current poverty income guidelines and does not receive food stamps must explain how basic living expenses are being provided;

(h) If an applicant fails to provide a reasonable explanation of how the household's basic needs are or were met during the two months prior to application, the applicant will be denied services; and

(i) If an applicant cannot document household income and does not receive food stamps, the Subgrantee shall accept a signed self-declaration of income statement that adequately explains exceptional circumstances and gives the amount of their income.

(6) Priority will be given to those applicants with the "highest home energy needs and lowest household income." This will be determined by taking into account both the energy burden as defined in 42 U.S.C. 8622(2) and the unique situation

of a household that results from having members of vulnerable populations, including children 5 years and younger, the disabled, and frail older individuals.

(7) The following types of households/individuals will not be eligible to receive assistance from this program:

(a) A student living in a dormitory; and

(b) A resident of a group living facility or a member of a private home whose cost of residence is at least partially paid through any foster care or residential program administered by the State.

(8) Determination of eligibility will be made without discrimination as to race, color, sex, age, handicap, religion, national origin or political belief.

(9) Notice of whether an applicant is eligible to receive assistance must be sent to the applicant by first class mail or hand delivery.

(a) If the applicant is eligible, the notice will state the amount of the LIHEAP benefit payment and name of the utility vendor.

(b) Any applicant denied LIHEAP services must be provided a written notice of the denial. At a minimum, the written Notice of Denial and Appeals shall contain the reason for the denial, under what circumstances the client may reapply, what information or documentation is needed for the person to reapply, the name, telephone number and address to whom the re-application or appeal should be sent.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History–New \_\_\_\_\_.

#### 9B-65.024 Energy Payments.

(1) The Subgrantee shall make energy payments directly to the vendor on behalf of the eligible client. Only in cases where the Subgrantee cannot negotiate direct payment to the vendor will payment to the client be made in the form of a two party check payable to the client and vendor.

(2) The household must provide proof that it is responsible for paying the home energy cost. Fuel or energy types include electricity, fuel oil, kerosene, wood, natural gas, liquid propane or liquid propane gas. If the name on the bill/receipt is different from that of any member of the household, the relationship of the applicant to the fuel purchaser must be explained in the LIHEAP client files.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History–New \_\_\_\_\_.

#### 9B-65.025 Hearings.

Subgrantees are required to have written applicant appeal procedures. Appeal provisions must be posted in a prominent place in the office visible to all applicants.

Specific Authority 163.03(3) FS. Law Implemented 163.03 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Paula Lemmo, Community Program Manager, Community Assistance Section, Department of Community Affairs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008

### **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."

### **STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-8.010  
RULE TITLE: Reimbursement Contract

PURPOSE AND EFFECT: The Florida Hurricane Catastrophe Fund (FHCF) seeks to implement changes made to Section 215.555, Florida Statutes, during the 2008 legislative session.

SUMMARY: A fourth Addendum needs to be added which gives effect to the extension of the \$10 million FHCF optional coverage provided by the Legislature during the 2008 session.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has prepared a statement and found the cost of the proposed amendment to be minimal.

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: 215.555(4) FS.

LAW IMPLEMENTED: 215.555(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack E. Nicholson, Senior FHCF Officer, (850)413-1340, [jack.nicholson@sbafla.com](mailto:jack.nicholson@sbafla.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.010 Reimbursement Contract.

(1) through (13) No change.

(14) The reimbursement contract for the 2008-2009 contract year, including all Addenda, required by Section 215.555(4), F.S., which is called Form FHCF-2008K – "Reimbursement Contract" or "Contract" between (name of insurer) (the "Company")/NAIC #( ) and The State Board of

Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 05/08, is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2008 through May 31, 2009.

(15) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 11-13-05, 5-10-06, 9-5-06, 5-8-07, 8-13-07, 6-8-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jack E. Nicholson, Senior FHCF Officer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 30, 2008, Vol. 34, No. 22

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-203.201  
RULE TITLE: Inmate Trust Fund

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarity and consistency with Florida Statutes.

SUMMARY: The proposed rule is amended for clarity, specifically the ability of inmates to open private bank accounts and the fee exemption for honorably discharged veterans and the requirement that inmates provide notification and documentation of honorable discharge. The proposed rule corrects the reference to the provision of Florida Statutes providing for unclaimed funds to escheat to the state and time period for retention before escheat, and Form DC2-304, Inmate Trust Fund Special Withdrawal, by adding spaces for inmate’s dorm and bunk numbers.

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: 944.09, 944.516 945.091, 945.215 FS.

LAW IMPLEMENTED: 17.61, 57.085, 717.113, 944.09, 944.516 945.091, 945.215 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: Jamie Jordan-Nunes, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-203.201 Inmate Trust Fund.

(1) The following are the policies of the Department with respect to money received for the personal use or benefit of inmates:

(a) through (b) No change.

(c) Inmates may establish personal ~~savings~~ accounts ~~or similar interest bearing accounts~~ with a bank, savings and loan association, or similar private financial institutions.

(d) through (f) No change.

(g) An inmate’s right to establish an ~~savings~~ account ~~with~~ a private financial institution does not in any way diminish the provisions of paragraph 33-602.203(5)(a), F.A.C., Control of Contraband, which limits and controls the amount of money an inmate may have in his possession or Rule 33-602.201, F.A.C., Inmate Property, which does not allow inmates to possess checks, credit cards, debit cards, or other negotiables.

(h) Pursuant to Section 944.516, F.S., each inmate shall be charged an administrative processing fee of no more than \$6.00 per month for banking services. The fee shall be based upon account activity for the month. An inmate whose account has no activity for the month shall not be assessed a fee for that month. Inmates shall be charged one percent of their total weekly canteen purchases and \$0.50 for each deposit. Inmates housed at Work Release Centers (WRC’s) will be assessed a \$1.00 fee for each weekly cash draw. These fees are waived for Veterans of the United States Armed Forces who notify and provide documentation to the department that they have been honorably discharged.

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

(c) Deposits sent by mail are processed using an advanced high-speed processing machine which requires the use of the deposit form; the form should not be photocopied. Attempts will be made to process deposits sent without the accompanying form, but the absence of the form could cause a delay of up to 30 days to process. If staff are unable to determine to which inmate the money is being sent, the money will be returned to the sender with a request for additional information necessary to process the deposit. If staff are unable to determine to which inmate the money is being sent and are unable to return the money because the sender did not provide a valid return address, the money will be held in a clearing account until the sender or receiving inmate is identified. If the inmate remains unidentified for 1 ~~5~~ years the funds shall escheat to the state as unclaimed funds held by a government agency fiduciaries in accordance with Section 717.113 Chapter 717, F.S.

(d) An inmate may, ~~however,~~ withdraw his funds from the Inmate Trust Fund for deposit into a personal savings account ~~or similar interest bearing account~~ with a private financial institution. If an inmate does not wish his monies to be deposited into the Inmate Trust Fund, he must advise the donor of the funds to send them directly to the private financial savings institution of his choice. This option shall not be available when an inmate is on work release or a similar paid work program. In this case, the provisions of Rule 33-601.602, F.A.C., disbursement of earnings, shall apply. All inmates on work release shall submit their full pay for deposit in the Inmate Trust Fund so that subsistence and transportation costs, restitution, 10% savings hold, and court ordered payments, if applicable, may be deducted. In the case of inmates who are paid via EFT, the funds will be deposited into the Inmate Trust Fund and the same provisions of Rule 33-601.602, F.A.C., shall apply. The inmate may transfer any excess funds to a private account as defined in paragraph (1)(b) in accordance with the personalized program plan.

(3)(a) Inmates with sufficient balances in their individual Inmate Trust Fund accounts shall be allowed to spend an amount set by the Secretary not to exceed \$100 a week at the institution's canteen for personal use. Inmates on work release with sufficient balances in their individual Inmate Trust Fund accounts shall be allowed to request a weekly draw set by the Secretary not to exceed \$100 to be expended for personal use. In order to request an expenditure of funds in excess of the authorized canteen limit or weekly draw, the inmate shall complete Form DC2-304, Inmate Trust Fund Special Withdrawal. Form DC2-304 is hereby incorporated by reference. This form may be obtained from any institution or facility or from the Bureau of Finance and Accounting, Inmate Trust Fund Section, 1711 Mahan Drive, Tallahassee, Florida 32308 or from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is July 13, 2003. If the withdrawal is for the purpose of making a deposit to a personal account with a private financial institution savings or similar interest bearing account in the inmate's name, the check drawn upon the Inmate Trust Fund shall be made payable to the private financial savings institution which has been chosen by the inmate, with the inmate as a reference, and shall be mailed to the private financial savings institution. If an inmate requests a copy of a cancelled check or requests to stop payment on a check, the inmate shall be responsible for the fees charged to process these transactions. Requests for special withdrawals submitted without the required signatures or on other than the approved form will be returned to the inmate without processing. Inmates wishing to send funds to inmates at other institutions must obtain approval from the wardens at both institutions.

(b) No change.

(4) No change.

(5) When an inmate is released from the control of the department, and his or her inmate trust account balance exceeds \$1.00, the inmate's balance in the inmate trust fund at the time of discharge shall be mailed by the Bureau of Finance and Accounting, Inmate Trust Fund Section, within 45 days of the inmate's release to the address provided by the inmate during the release process. However, if deposits of checks, money orders or other negotiable instruments have been made to the inmate's account but have not cleared the account of the payer by the time the inmate is discharged, funds equal to the amount of the uncleared deposits shall be retained in the inmate's trust fund account. Immediately after the deposits have cleared, the balance due the inmate shall be forwarded by mail to the inmate. Inmates being released will be provided with cash for travel and related expenses. For inmates who meet eligibility requirements set forth in Rule 33-601.502, F.A.C., this money shall be in the form of a discharge gratuity. For inmates who are not eligible for discharge gratuities, a hold will be placed on the inmate's trust account and any remaining account balance shall be forwarded as indicated above. Pursuant to Section 717.113 Chapter 717, F.S., in the event that funds are unclaimed after a period of one five years, the balance shall escheat to the state as unclaimed funds held by a government agency fiduciaries.

(6) No change.

(7) When an inmate escapes and is not captured within 30 days, any balance in his Inmate Trust Fund account, in excess of \$1.00, shall be forwarded to the person designated on the inmate's notification record. If this person cannot be located after reasonable efforts, the funds shall be held for one five years and, if unclaimed, shall escheat to the state pursuant to Section 717.113 Chapter 717, F.S.

(8) through (9) No change.

(10) Any cost judgment or other monetary judgment, order, or sanction imposed against an inmate as described in paragraph (9)(~~d~~) above, shall be paid by offsetting the amount of the judgment or monetary order or sanction against the inmate's funds in his Inmate Trust Fund account in the following manner.

(11) through (12) No change.

Specific Authority 944.09, 944.516 945.091, 945.215 FS. Law Implemented 17.61, 57.085, 717.113, 944.09, 944.516 945.091, 945.215 FS. History--New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, 7-13-03, 10-20-03, 1-23-05, 5-12-05, 11-13-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jeff Straley, Professional Accountant Supervisor  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Richard D. Davison, Deputy  
Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.733  
RULE TITLE: Visiting – Special Status Inmates  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct cross references and to remove obsolete language.

SUMMARY: The proposed rule amendments reflect the renumbering of Rules 33-506.207 to 33-601.237, F.A.C., and remove the obsolete CVA approval requirement for an inmate in Special Status to receive visiting privileges.

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: 944.09, 944.23 FS.  
LAW IMPLEMENTED: 20.315, 944.09, 944.23, 944.8031 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**THE FULL TEXT OF THE PROPOSED RULE IS:**

- 33-601.733 Visiting – Special Status Inmates.
- (1) Inmates in special statuses, except for medical reasons, are not considered inmates with regular visiting privileges and must have special approval to visit. Inmates in special statuses shall be prohibited or restricted from regular visiting due to adverse impacts on security and orderly institutional operation.
  - (a) During initial reception periods, inmates awaiting transfer to their initial permanent facility shall not be permitted visits. The warden or duty warden has authority to grant exceptions if the inmate remains at the reception center more than 45 days and the CVA has approved the visitors.
  - (b) No change.
  - (c) Inmates in the youthful offender basic training program shall be allowed visiting in accordance with Rule 33-601.237 ~~33-506.207~~, F.A.C.
- (2) through (6) No change.

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

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard D. Davison, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 6, 2008

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: 40E-2.091  
RULE TITLE: Publications Incorporated by Reference

PURPOSE AND EFFECT: To address water supply availability issues within the Lake Okeechobee Service Area by amending consumptive use criteria which will also serve as a component of the Lake Okeechobee minimum flow and level recovery strategy. Undertaking this rule development is in response to lower Lake management levels and storage under the newly adopted U.S. Army Corps of Engineers’ interim Lake Okeechobee Regulation Schedule..

SUMMARY: The proposed rules include criteria which will affect applications for consumptive use permits requesting withdrawal of surface water from Lake Okeechobee or hydraulically connected systems. The proposed criteria requires permit applicants to demonstrate the requested allocation will not cause a net increase in the volume of surface water withdrawn from Lake Okeechobee over the base condition water use. Moreover, the criteria states allocation of water to new public water supply uses above the general permit threshold is determined to be incompatible with the Lake Okeechobee water supply source.

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, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS.

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

DATE AND TIME: August 14, 2008, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406



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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Harmon, Director, Water Use Permitting Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6777 or (561)682-6777, email: jharmon@sfwmd.gov or Beth Ross, Senior Specialist Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

#### THE FULL TEXT OF THE PROPOSED RULE IS:

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – February 13, 2008”, is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, \_\_\_\_\_.

Basis of Review for Water Use Permit Applications within the SFWMD

#### 3.2.1 Restricted Allocation Areas

(G) The following restrictions shall apply when allocating surface water derived from the Lake Okeechobee Waterbody for consumptive use within the Lake Okeechobee Basin as defined in Section 1.7.3. This rule is a component of the recovery strategy for minimum flows and levels for Lake Okeechobee, as set forth in Chapter 40E-8, F.A.C., to address lower lake management levels and storage under the U. S. Army Corps of Engineers’ interim Lake Okeechobee Regulation Schedule (LORS), adopted to protect the public health and safety (April 28, 2008). Compliance with this rule along with the other criteria contained in the Basis of Review implements the objectives of the

District to protect the public health and safety, to prevent interference among legal users of Lake water, to be consistent with the MFL recovery strategy as defined in Rule 40E-8.421, F.A.C., and to ensure that water necessary for Everglades restoration is not allocated for consumptive use.

- (1) The rule applies to applications for new projects, modifications to existing projects, and permit renewals for existing projects located within the Lake Okeechobee Basin as described in Section 1.7.3, that propose to use surface water from the “Lake Okeechobee Waterbody,” defined as:
- (a) Lake Okeechobee as identified in subsection 40E-8.021(12), F.A.C.; or
- (b) Integrated conveyance systems that are hydraulically connected to and receive water from Lake Okeechobee such as the Caloosahatchee River, the St Lucie Canal, or secondary canal systems that receive Lake Okeechobee water for water supply purposes via gravity flow or by pump.

This section does not apply to groundwater withdrawals such as withdrawals from wells, mining, and dewatering, or to projects that request to use a volume of water from the Lake Okeechobee Waterbody below the threshold contained in paragraph 40E-20.302(1)(a), F.A.C.

- (2) Except as otherwise provided in this section, an applicant must demonstrate the requested allocation will not cause a net increase in the volume of surface water withdrawn from the Lake Okeechobee Waterbody over the “base condition water use” as defined in paragraphs (a) through (d), below but in no case shall exceed the withdrawal authorized to the applicant as of October 29, 2008. In determining the base condition water use, pursuant to paragraphs (a) through (d) below, the District shall consider and allow adjustments if the applicant demonstrates that such use is not representative of normal operations due to unanticipated conditions affecting the actual quantity of water withdrawn, such as extreme climatic conditions or equipment failure.
- (a) Public Water Supply Use Class: the maximum quantity of water withdrawn by the applicant from the Lake Okeechobee Waterbody during any consecutive twelve month period between April 1, 2001 and October 29, 2008. If a permit allocation existing on October 29, 2008 contains an allocation based on a conversion of

- a water treatment system, the base condition water use shall be increased to account for treatment losses of the new treatment plant as if the treatment system was operational during the above stated time interval;
- (b) Irrigation Use Class: the quantity of water calculated using Section 2.3 and 3.9.1 to meet demands for:
- (i) The maximum number of acres actively irrigated by the applicant from April 1, 2001 and October 29, 2008. When determining the numbers of acres actively irrigated, data regarding historic crop plantings will be evaluated however short term reductions in historic plantings caused by disease or poor market conditions are not to be used in determining the actively irrigated acreage; or
- (ii) If the irrigation project, or a portion thereof, has been authorized but not yet constructed pursuant to the conditions of a surface water management construction or environmental resource permit or authorization existing on October 29, 2008, the base condition water use will be calculated based on the number of acres and crop type identified in the environmental resource and water use permit or authorization in place as of October 29, 2008;
- (c) Diversion and Impoundment Use Class: the demands of the applicant calculated pursuant to Section 2.7.2 for the physical conditions of the diversion and impoundment system as of October 29, 2008. In situations where historic uses were supplied by the diversion and impoundment project but not expressly identified or incorporated in the diversion and impoundment permit, the base case condition water use will be as calculated to include the historic demands served by the diversion and impoundment project between April 1, 2001 and October 29, 2008.
- (d) Other Use Classes: the maximum quantities of water withdrawn by the applicant (annual and maximum month) between April 1, 2001 and October 29, 2008.
- (3) Applicants shall provide reasonable assurances that the proposed use will not increase the base condition water use from the Lake Okeechobee Waterbody. Demonstration that the proposed use will not increase the base condition water use is provided when the following criteria are met on a project scale:
- (a) Permit Renewals: The requested volume for permit renewal is no greater than the project's base condition water use calculated pursuant to subsection (2) above.
- (b) Modifications that Reduce the Base Condition Water Use: The requested modification results in a reduction in the project's base condition water use. Examples of modifications that could result in a reduction in the project's base condition water use include a reduction in irrigated acreage or change in crop type or irrigation efficiency that lowers water demands. The applicant will be required to calculate the reduction in the project's base condition water use associated with the requested modification.
- (c) Except for those uses as identified in subsection (4) as an incompatible use, allocations above the project's base condition water use as identified in subsection (2) above will be provided from the following sources:
- (i) Certified Project Water. Water provided from an operational water resource development project, as defined in Section 373.019(22), Florida Statutes, that has been certified by the Governing Board for allocation to consumptive uses, as defined in Section 1.8;
- (ii) Lake Okeechobee Waterbody Withdrawals Offset by Alternative Sources. An alternative source of water that is demonstrated to replace the volume, including timing, of water proposed to be withdrawn from the Lake Okeechobee Waterbody over the base condition water use. Examples of offsets include recharge provided by reclaimed water applied to provide recharge to the Waterbody in equal or greater amounts than the proposed increase over the base condition water use;
- (iii) Alternative Water Supply. Water provided from a source not restricted under this section such as groundwater, reclaimed wastewater or stored stormwater; or
- (iv) Terminated or Reduced Base Condition Water Use: Water made available through the termination or reduction of other base condition water uses after October 29, 2008, unless the Governing Board determines that such retired or reduced

base condition water use is demonstrated to improve the performance of an MFL waterbody under recovery in terms of shortening the frequency or duration of projected MFL violations or improve the performance of meeting a restoration target as defined in an approved District restoration plan or project.

- (4) Incompatible Use Type: Requested allocations for new public water supply uses that exceed the thresholds in paragraph 40E-20.302(1)(a), F.A.C., or increases in existing uses above the project's base condition water use calculated pursuant to paragraph (2)(a), above, shall not be permitted from the Lake Okeechobee Waterbody. Temporary requested increases over the project's base condition water use from the Lake Okeechobee Waterbody may be granted to accommodate increased demands during a reasonable time period while alternative sources are constructed. The duration of the temporary increase shall be determined based on a construction schedule for the alternative source implemented with due diligence.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jim Harmon, Director, Water Use Permitting Division  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: South Florida Water Management  
 District Governing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: June 12, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: January 18, 2008

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: 40E-8.421                      RULE TITLE: Prevention and Recovery Strategies  
 PURPOSE AND EFFECT: To identify Lake Okeechobee as a waterbody which has experienced or is projected to experience minimum flow and level violations and establish a recovery strategy for Lake Okeechobee. Lake Okeechobee is a part of the Central and Southern Florida Flood Control Project and is subject to a U.S. Army Corps of Engineers (USACE) regulation schedule. Under implementation of the former Water Supply and Environment Lake regulation schedule, the Lake Okeechobee minimum flow and level was not projected to be violated and a prevention strategy existed. Due to recent implementation of a new USACE Lake regulation schedule, the Lake's minimum flow and level is now projected to be violated and a recovery strategy is necessary. This rule changes the Lake's status from prevention to recovery and details the essential components of the Lake's recovery strategy.

SUMMARY: The proposed rules change Lake Okeechobee's minimum flow and level status from prevention to recovery. Moreover, the rule identifies the recovery strategy's four components which will be fully described in the LEC Regional Water Supply Plan Appendix H update. One of these components concerns regulatory constraints which are detailed in a companion rulemaking effort and found in Chapter 40E-2, 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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

DATE AND TIME: August 14, 2008, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Harmon, Director, Water Use Permitting Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6777 or (561)682-6777, email: jharmon@sfwmd.gov or Beth Ross, Senior Specialist Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-8.421 Prevention and Recovery Strategies.

(1) No change.

~~Harm Standards~~

(2) The Everglades, Lake Okeechobee, and the Caloosahatchee River.

(a) ~~As the effective date of this rule, September 10, 1001,~~ The Everglades, Lake Okeechobee and Caloosahatchee River have experienced or are projected to experience MFL violations. As a result, the LEC Plan and the LWC Plan contain approved recovery strategies, pursuant to Section 373.0421, F.S. Included in these recovery and prevention strategies is the CERP.

(b) ~~MFLs for many areas within the Everglades, Lake Okeechobee, and the Caloosahatchee River, that are part of or served by the C&SF Project, will not be achieved immediately upon adoption of this rule largely because of the lack of adequate regional storage, including U.S. Army Corps of Engineers' regulation schedule effects, or ineffective water drainage and distribution infrastructure.~~ Although not all locations within the Everglades are currently in violation of the proposed MFL, the Everglades, as a whole, is subject to a recovery strategy. The LEC Plan identifies the structural and non-structural remedies necessary for the recovery of MFL water bodies. These structural and non-structural remedies are also intended to restore the Everglades, Lake Okeechobee and the Caloosahatchee River above the MFLs, through Chapter 373, F.S., authorities of the District.

(c) The projected long-term restoration of flows and levels in the Everglades resulting from implementation of the LEC Plan and the CERP is documented in the LEC Plan, and are intended to more closely approximate "pre-drainage" conditions. The planned components include implementing consumptive use and water shortage programs, removing conveyance limitations, implementing revised C&SF Project operational programs, storing additional freshwater, reserving water for the protection of fish and wildlife, and developing alternative sources for water supply. These components will be implemented over the next 20 years, resulting in a phased restoration of the affected areas.

(d)(e) The District, as the U.S. Army Corps of Engineers' local sponsor of the C&SF Project, is charged with implementing the CERP, in accordance with the Water Resources Development Act of 2000 (WRDA), Title VI entitled "Comprehensive Everglades Restoration," and in accordance with State law. Assurances regarding water availability for consumptive uses and protection of natural systems are set forth in WRDA, Chapter 373, F.S., CERP and the LEC Plan, which will be followed by the District in implementing this chapter. Additional quantities of water for both consumptive uses and the natural systems made available from the CERP and other water resource development projects will be documented and protected on a project basis. For project components implemented under CERP, the additional quantity, distribution and timing of delivery of water that is made available for the natural system for consumptive use, will be identified consistent with purposes of the CERP. Under

State law, water reservations and water allocations to consumptive uses will be utilized to protect water availability for the intended purposes.

(e) Lake Okeechobee. Under implementation of the Water Supply and Environment (WSE) lake regulation schedule assumptions, the Lake Okeechobee MFL was not projected to be violated and a MFL prevention strategy was adopted. However, due to changes in the Lake Okeechobee Regulation Schedule (LORS), which received final approval in April 2008, the Lake MFL is projected to be violated and a MFL recovery strategy is necessary. This recovery strategy will remain in effect until the MFL criteria is met pursuant to Section 373.0421, F.S. The Lake Okeechobee MFL recovery strategy shall consist of four components, as fully described in the LEC Regional Water Supply Plan Appendix H, as updated in October, 2008. These components consist of:

1. Environmental enhancement projects to be implemented during extreme low Lake stages.
2. Regulatory constraints on consumptive use of Lake water.
3. Water shortage restrictions as described in Chapter 40E-22, F.A.C., and
4. Capital projects that improve storage capacity both within and adjacent to the Lake.

~~(3) Lake Okeechobee. The LEC Plan contains an approved prevention strategy for Lake Okeechobee pursuant to Section 373.0421, F.S. The prevention strategy consists of implementing the District's water shortage plan, including supply side management, as simulated in the LEC Plan, and constructing and operating water supply and resource development projects.~~

- ~~(3)(4) Biscayne Aquifer. No change.~~
- ~~(4)(5) Lower West Coast Aquifers. No change.~~
- ~~(5)(6) St. Lucie River and Estuary. No change.~~
- ~~(6)(7) Northwest Fork of the Loxahatchee River Recovery Strategy: Purpose and Intent. No change.~~
- ~~(7)(8) Lake Istokpoga. No change.~~
- ~~(8)(9) Florida Bay. No change.~~

Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History—New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06, 4-23-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jim Harmon, Director, Water Use Permitting Division  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

RULE NO.: 40E-20.091  
 RULE TITLE: Publications Incorporated by Reference

**PURPOSE AND EFFECT:** To address water supply availability issues within the Lake Okeechobee Service Area by amending consumptive use criteria which will also serve as a component of the Lake Okeechobee minimum flow and level recovery strategy. Undertaking this rule development is in response to lower Lake management levels and storage under the newly adopted U.S. Army Corps of Engineers' interim Lake Okeechobee Regulation Schedule.

**SUMMARY:** The proposed rules include criteria which will affect applications for consumptive use permits requesting withdrawal of surface water from Lake Okeechobee or hydraulically connected systems. The proposed criteria requires permit applicants to demonstrate the requested allocation will not cause a net increase in the volume of surface water withdrawn from Lake Okeechobee over the base condition water use. Moreover, the criteria states allocation of water to new public water supply uses above the general permit threshold is determined to be incompatible with the Lake Okeechobee water supply source.

**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, 373.118 FS.

**LAW IMPLEMENTED:** 373.042, 373.0421, 373.103(4), 373.118, 373.223, 373.229 FS.

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

**DATE AND TIME:** August 14, 2008, 9:00 a.m.

**PLACE:** South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jim Harmon, Director, Water Use Permitting Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680,

1(800)432-2045, ext. 6777 or (561)682-6777, email: jharmon@sfwmd.gov or Beth Ross, Senior Specialist Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

**THE FULL TEXT OF THE PROPOSED RULE IS:**

40E-20.091 Publications Incorporated by Reference.

The "Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~February 13, 2008~~", is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08,\_\_\_\_\_.

See Notice of Proposed Rule 40E-2.091, F.A.C., herein, for amendments to Subsection 2.3.1 (G) Basis of Review for Water Use Permit Applications within the South Florida Water Management District

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Jim Harmon, Director, Water Use Permitting Division

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** South Florida Water Management District Governing Board

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 12, 2008

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** January 18, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION****Construction Industry Licensing Board**

RULE NO.: 61G4-12.011  
 RULE TITLE: Definitions

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to address the definition of services as related to sanitary sewer collections systems, main water distribution systems, storm collection systems, and utility lines.

**SUMMARY:** The rule amendment will address the definition of services as related to sanitary sewer collections systems, main water distribution systems, storm collection systems, and utility lines.

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

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

SPECIFIC AUTHORITY: 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.011 Definitions.

(1) through (14) No change.

(15) "Services" for purposes of sanitary sewer collection systems, main water distribution systems, storm sewer collection systems and utility lines as defined in Section 489.105(3)(n), Florida Statutes, shall include, the construction, installation, and repair of vertical improvements above grade, such as headwalls, end-walls, and retaining walls. Vertical improvements shall not exceed twenty feet in elevation above grade and vertical improvements below grade shall not be restricted. In addition, vertical improvements above grade shall also include structures, not designed for continuous human occupancy, to house pumps, lift stations, or other related equipment. In no case should said structures exceed 500 square feet.

Specific Authority 489.103(5), 489.105(3), 489.108, 489.113(3) FS. Law Implemented 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS. History--New 9-16-80, Formerly 21E-12.11, Amended 1-1-89, 4-18-89, 7-4-89, 4-22-90, 7-3-91, 12-21-92, Formerly 21E-12.011, Amended 11-4-93, 11-22-94, 10-10-95, 4-29-96, 9-18-96, 12-3-96, 11-25-97, 10-4-99, 2-12-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

**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**

**Division of Disease Control**

RULE NOS.:	RULE TITLES:
64D-4.002	Definitions
64D-4.003	Eligibility and Documentation Requirements
64D-4.005	Determination and Continued Eligibility

PURPOSE AND EFFECT: The purpose and effect of this amendment will be to increase the Federal Poverty Level and Cash Asset eligibility requirements for the HIV/AIDS Patient Care Programs to increase the number of person's living with HIV disease able to access services.

SUMMARY: The proposed revisions increase the federal poverty level and cash asset limit for those persons living with HIV disease to be able to access services.

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: 381.003(1)(c) FS.

LAW IMPLEMENTED: 381.011(1), 381.003(1)(c) 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:

DATE AND TIME: July 24, 2008, 10:00 a.m.

PLACE: Prather Building, Bureau of HIV/AIDS, 2585 Merchants Row Boulevard, Room 135Q, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Suzanne Stevens, Bureau of HIV/AIDS, 4052 Bald Cypress Way, BIN A09, Tallahassee, Florida 32399-1715, (850)245-4335

THE FULL TEXT OF THE PROPOSED RULES IS:

64D-4.002 Definitions.

For the purpose of this rule chapter, the words and phrases listed below are defined in the following manner:

(1) through (11) No change.

(12) "Low Income" means a person with a gross income less than or equal to ~~4~~300% of the Federal Poverty Level (FPL) as published and updated annually by the Federal Office of Management and Budget (OMB).

(13) No change.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History–New 3-21-08, Amended.

64D-4.003 Eligibility and Documentation Requirements.

The eligibility and documentation requirements for determination to receive allowable services from the HIV/AIDS Patient Care Programs include the following:

(1) through (5) No change.

(6) An applicant must have low-income with a gross income less than or equal to ~~43~~00% of Federal Poverty Level (FPL) as published and updated annually by the Federal Office of Management and Budget (OMB).

(7) An applicant cannot have cash assets greater than or equal to ~~\$2512~~,000.

(8) No change.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History–New 1-23-07, Amended.

64D-4.005 Determination of Continued Eligibility.

(1) through (2) No change.

(3) A client can be determined ineligible to receive services for the following reasons:

(a) A client is no longer living in the state of Florida with the intent to remain in the state.

(b) A client is eligible to receive services or participating in local, state or federal programs where the same type service is provided or available.

(c) A client is no longer considered low-income.

(d) A client’s assets exceed ~~\$2512~~,000.

(e) A client has not been truthful on the Re-certification Application.

(f) A client has been threatening, hostile and uncooperative towards Department staff.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History–New 1-23-07, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Suzanne Stevens, Patient Care Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Joseph P. May, Program Administrator

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 6, 2008

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NOS.:

69I-20.0011

69I-20.0027

69I-20.0028

69I-20.0029

69I-20.031

69I-20.050

PURPOSE AND EFFECT: The purpose of the rules is to do the following:

Rule 69I-20.0011, F.A.C.: The purpose and effect of the proposed rule is to implement the disclosure provisions of Sections 717.135(3) and 717.1351(2) and (4), F.S.

Rule 69I-20.0027: The purpose and effect of the proposed rule amendment is to repeal the conflicting claims rule.

Rule 69I-20.0028, F.A.C.: The purpose and effect of the proposed rule is to provide general principles for jointly owned property.

Rule 69I-20.0029, F.A.C.: The purpose and effect of the proposed rule is to provide that “and” accounts, “or” accounts, and accounts otherwise reported by financial institutions in the name of two or more individuals shall be treated as survivorship accounts in the absence of evidence to the contrary.

Rule 69I-20.031, F.A.C.: The purpose and effect of the proposed rule is to merge the definition of the term “due diligence” codified in Section 717.101(9), F.S., with the statutory provision of Section 717.117(4), F.S., which implements the definition.

Rule 69I-20.050, F.A.C.: The purpose and effect of the proposed rule amendment is to amend the rule and provide that a holder may not enter into a voluntary disclosure agreement if the holder has agreed to a self-audit, been requested by the Department to conduct a self-audit, or has been notified of the Department’s intention to audit or examine the holder.

SUMMARY: The proposed rule changes implement the disclosure provisions of Sections 717.135(3) and 717.1351(2) and (4), F.S., repeal the conflicting claims rule which provides six examples of how conflicting claims are to be paid, provide general principles for jointly owned property, provide that accounts reported by financial institutions shall be treated as survivorship accounts in the absence of evidence to the contrary, merge the definition of the term “due diligence” codified in Section 717.101(9), F.S., with the statutory provision of Section 717.117(4), F.S., and provide that a holder may not enter into a voluntary disclosure agreement if the

holder has agreed to a self-audit, been requested by the Department to conduct a self-audit, or has been notified of the Department's intention to audit or examine the holder.

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

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

**SPECIFIC AUTHORITY:** 717.117(1), 717.138 FS.

**LAW IMPLEMENTED:** 655.005, 655.79, 717.101, 717.117, 717.119, 717.124, 717.1241, 717.12403, 717.126, 717.129, 717.135, 717.1351, 731.201 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:** Thursday, August 7, 2008, 9:00 a.m.

**PLACE:** Suite 547, The Fletcher Building, 101 E. Gaines St., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting or hearing, please advise the Department at least 5 calendar days before the program by contacting the person listed below. 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:** Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 E. Gaines St., Tallahassee, Florida 32399-4247, (850)413-3010

**THE FULL TEXT OF THE PROPOSED RULES IS:**

69I-20.0011 Disclosure.

(1) For purposes of the FULL DISCLOSURE STATEMENT codified in Sections 717.135(3) and 717.1351(2), F.S., the mailing address of the Bureau of Unclaimed Property is "State of Florida Department of Financial Services, Bureau of Unclaimed Property, P. O. Box 1910, Tallahassee, FL 32302-1910".

(2) For purposes of the FULL DISCLOSURE STATEMENT codified in Sections 717.135(3) and 717.1351(2), F.S., the Internet address of the Bureau of Unclaimed Property is "www.fltreasurehunt.org".

(3) For purposes of the FULL DISCLOSURE STATEMENT codified in Sections 717.135(3) and 717.1351(2), F.S., and for purposes of Section 717.1351(4), F.S., the property description obtained from the CD-ROM of claimable accounts obtained from the Bureau of Unclaimed Property may be used as the property category.

(4) For purposes of the FULL DISCLOSURE STATEMENT codified in Sections 717.135(3) and 717.1351(2), F.S., the property category, date of last contact, and property remitted by or holder information from a single account that is being claimed may be disclosed in the FULL DISCLOSURE STATEMENT.

Specific Authority 717.138 FS. Law Implemented 717.135, 717.1351 FS. History--New \_\_\_\_\_.

69I-20.0027 Payment of Conflicting Claims.

Specific Authority 717.138 FS. Law Implemented 717.124, 717.1241, 717.126 FS. History--New 1-3-05, Repealed \_\_\_\_\_.

69I-20.0028 General Principles for Joint Ownership of Property for Accounts that are not Unclaimed Demand, Savings or Checking Accounts Formerly Held by a Financial Institution.

(1) Tenancy in common. Generally, each owner is entitled to receive a percentage share of the unclaimed property. If there are two owners, each owner will receive 50%; if there are 3 owners, each owner will receive 33.33%, etc. If an owner dies, the percentage share of the unclaimed property shall be remitted to that owner's estate or beneficiary, as defined in Section 731.201, F.S., provided that entitlement is established in accordance with Section 717.126, F.S. Unclaimed property reported with more than one owner designated with the word "and" is treated as a tenancy in common.

(2) Joint Tenancy with Rights of Survivorship. This type of property involves two or more people. Generally, each owner is entitled to receive a percentage share of the unclaimed property. If there are two owners, each owner will receive 50%; if there are 3 owners, each owner will receive 33.33%, etc. If one of the owners dies, the remaining owner or owners are entitled to receive the unclaimed property. If all owners are deceased, the unclaimed property shall be remitted to the estate or beneficiary of the last surviving owner provided that entitlement is established in accordance with Section 717.126, F.S.

(3) Tenancy by the Entirety. This type of tenancy applies only to married persons. Both persons must file a claim for the unclaimed property. If one spouse dies, the surviving spouse is entitled to the unclaimed property. If both owners are deceased, the unclaimed property shall be remitted to the estate or beneficiary of the last surviving spouse provided that entitlement is established in accordance with Section 717.126, F.S. If the spouses divorce, the tenancy by the entirety is converted to a tenancy in common.

Specific Authority 717.138 FS. Law Implemented 717.124, 717.126, 731.201 FS. History--New \_\_\_\_\_.



69I-20.0029 Survivorship Accounts Reported by a Financial Institution.

(1) In the absence of evidence to the contrary, an unclaimed demand, savings, or checking account from a financial institution as defined in Section 655.005, F.S., reported to the Department as an “and” account or as an “or” account, or otherwise reported in the name of two or more persons shall be treated as a survivorship account notwithstanding Rule 69I-20.0028, F.A.C.

(2) This rule relates to proving entitlement pursuant to Section 717.126, F.S., and shall not be interpreted as affecting any private cause of action that one account holder may have against a joint account holder.

Specific Authority 717.138 FS. Law Implemented 655.005, 655.79, 717.12403, 717.126 FS. History–New \_\_\_\_\_.

69I-20.031 Holder Due Diligence.

Holders of inactive accounts having a value of \$50 or more shall, not more than 120 days and not less than 60 days prior to filing the unclaimed property report, send written notice to the apparent owner's last known address informing the apparent owner that the holder is in possession of property subject to Florida's Disposition of Unclaimed Property Act, Chapter 717, Florida Statutes. However, if the holder has in its records an address for the apparent owner which the holder's records disclose to be inaccurate, the holder shall use due diligence to locate the apparent owner. “Due diligence” means the use of reasonable and prudent methods under particular circumstances to locate apparent owners of inactive accounts using a taxpayer identification number or social security number, if known. Reasonable and prudent methods may include, but are not limited to, using a nationwide database, cross-indexing with other records of the holder, or engaging a licensed agency or company capable of conducting such search and providing updated addresses.

Specific Authority 717.138 FS. Law Implemented 717.101, 717.117 FS. History–New \_\_\_\_\_.

69I-20.050 Voluntary Disclosure Agreements.

(1) The Department's mission goal is to collect and return unclaimed property to its rightful owners in accordance with the Florida Disposition of Unclaimed Property Act, Chapter 717, F.S. To achieve these results, the Department is encouraging businesses (“Holders”) inside and outside the State of Florida who are in possession of unclaimed property to comply with Florida's Unclaimed Property Law. This compliance can be achieved using a program called voluntary disclosure. This program provides the following benefits to a Holder holder:

- (a) It relieves the Holder of associated expense and liability holding unclaimed property;
- (b) Penalties and fines are not assessed by the Department;
- (c) The reach back period for the review of the Holder's records is five years instead of ten years; and
- (d) The audit period for verification of the disclosure is two years from the date that the report and remittance is accepted by the Department.

(2) To participate in this program, the Holder must not:

- (a) Be currently under examination or audit; ~~or~~
- (b) Have filed an annual report of unclaimed property with the Department,
- (c) Have agreed to a Department assisted or contractor assisted self-audit.
- (d) Have been requested to conduct a Department assisted or contractor assisted self-audit, or
- (e) Have been notified by the Department or by one of the Department's contract auditors of the intention or desire to conduct an examination or audit of the holder.

Specific Authority 717.117(1), 717.138 FS. Law Implemented 717.117, 717.119, 717.129 FS. History–New 1-3-05, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Walter Graham, Chief, Bureau of Unclaimed Property  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2008

**Section III  
 Notices of Changes, Corrections and  
 Withdrawals**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NOS.:	RULE TITLES:
5F-11.001	Definitions
5F-11.022	Marking of Containers
5F-11.026	Unsafe Container or System
5F-11.029	Inspection of DOT Cylinders
5F-11.047	Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation
5F-11.080	Penalties; General

- 5F-11.081 Aggravating and Mitigating Factors; Warning Letters
- 5F-11.082 Resolution of Violations, Settlement, and Additional Enforcement Remedies
- 5F-11.083 Facility Inspection Report; Failure to Correct
- 5F-11.084 Accident Related Violations
- 5F-11.085 Hazardous Acts
- 5F-11.086 Violations; Enforcement Actions
- 5F-11.087 Repeat Violations

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. 34, No. 6, February 8, 2008 issue of the Florida Administrative Weekly.

5F-11.001 Definitions.

(1) Unless otherwise expressly stated, the term “approved” shall, for the purpose of these rules and regulations, mean accepted by the Bureau of Liquefied Petroleum Gas Inspection by reason of test, listing, or approval by Underwriters’ Laboratories, Inc., the American Gas Association Laboratories, Canadian Gas Association, or other nationally recognized testing laboratory.

(2) “Nationally recognized testing laboratory” means a facility which:

- (a) Is regularly engaged in the examination, testing and evaluation of the type of product, equipment or material required to be tested under the applicable statute or regulation;
- (b) Has established test standards with regard to the type product, equipment or material required to be tested;
- (c) Has an established program for periodic inspection of factory production procedure, including quality control; and
- (d) Operates independently of control or influence of producers, suppliers, or vendors, of the product, equipment or material being tested under the applicable statute or regulation.

(2) The term “tank” shall, for the purpose of these rules, mean any liquefied petroleum gas container manufactured to the specifications of the American Society of Mechanical Engineers (ASME) in the “ASME Boiler and Pressure Vessel Code” as referenced in NFPA 58.

(3) The term “cylinder” shall, for the purpose of these rules, mean any liquefied petroleum gas container designed, constructed, tested and marked in accordance with the United States Department of Transportation specifications outlined in Title 49, Code of Federal Regulations, titled “Transportation” as referenced in NFPA 58.

(4) The term “container” shall, for the purpose of these rules, mean any vessel, including tanks and cylinders of any specification, which are used for the transporting or storing of liquefied petroleum gases.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History– New 8-7-80, Amended 7-18-85, Formerly 4B-1.21, Formerly 4B-1.021, Amended 3-15-94, 7-20-95,\_\_\_\_\_.

5F-11.022 Marking of Containers.

(1) All dealer-owned containers, aboveground or underground, installed at consumer locations shall be marked in a legible manner with the name and telephone number of the owner by decal, tag, stencil, or similar marking.

(2) Containers gained through acquisition shall be marked as soon as reasonably possible, but no later than 24 months after acquisition.

(3) Failure to mark all dealer-owned containers in a legible manner with the name and phone number of the owner shall result in the following penalties:

- (a) First Offense: Warning letter.
- (b) Second Offense: \$500 fine.
- (c) Third Offense: \$1,000 fine.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History– New 8-7-80, Formerly 4A-1.16, Formerly 4B-1.12, 4B-1.012, Amended 3-15-94,\_\_\_\_\_.

5F-11.026 Unsafe Container or System.

(1)(a) Any system or container that fails to comply with Chapter 527, F.S., this rule chapter, and any standards incorporated by reference shall be designated unsafe by bureau division staff by means of a “red tag” indicating the inspector’s name and the date of inspection. ~~where the violation creates an immediate threat to safety.~~

(b) ~~Systems identified by the bureau in this manner, i.e. red-tagged;~~ shall not continue in service until all deficiencies violations have been corrected.

(2) The owner of any container or system red-tagged ~~by the division~~ will be notified immediately by the bureau and furnished a copy of the inspection report identifying indicating the violations deficiencies found.

(3)(a) A red tag placed on a system or container shall not be removed until all violations inspection deficiencies have been corrected and the bureau or its representative removes or authorizes removal of the red tag from the system or container. Operation of redtagged equipment or systems or removal of a redtag without authorization of the department shall result in the following penalties:

- 1. First Offense, Cylinder Exchange Unit Operator license category: \$1,000 fine.
- 2. First Offense – all other license categories: \$3,000 fine.
- 3. Second Offense: License suspension.

(b) The red tag must be returned to the bureau immediately upon removal.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History– New 3-15-94, Formerly 4B-1.037, Amended 7-20-95,\_\_\_\_\_.

5F-11.029 Inspection of DOT Cylinders.

(1) This section pertains to cylinders, which are manufactured to U.S. Department of Transportation (DOT) specifications. DOT cylinders in stationary service that are filled on site, which are not under the jurisdiction of DOT and not requalified according to DOT requirements, shall be inspected according to the following visual inspection criteria:

(a) The cylinder is checked for exposure to fire, dents, cuts, digs, gouges and corrosion according to requirements of Section C.3.2, Annex Appendix C, of NFPA 58.

(b) The cylinder protective collar (where utilized) and the foot ring are intact and are firmly attached.

(c) The cylinder is painted or coated to retard corrosion.

(d) The cylinder pressure relief valve indicates no visible damage, corrosion of operating components, or obstructions.

(e) There is no leakage from the cylinder or its appurtenances that is detectable without the use of instruments.

(f) The cylinder is installed on a firm foundation and is not in contact with the soil.

(g) A cylinder that passes the visual examination shall be legibly marked with the date and year of the examination followed by the letter "E" (example:10-1E indicating requalification in October 2001 by the external visual inspection method.)

(h) The results of the visual inspection shall be documented and a record of the inspection shall be retained for a five-year period.

(2) Any cylinder that fails one or more of the criteria in this section shall not be refilled or continued in service until the condition is corrected. Stationary cylinders shall be visually inspected within 12 years of the date of manufacture and within five years after each subsequent visual inspection.

(3) All DOT cylinders in stationary service on the effective date of this rule, and which are not requalified according to U.S. Department of Transportation standards, shall be inspected according to the criteria of this section no later than January 1, 2008.

(4) Personnel trained and qualified to perform inspection procedures, with such training documented in accordance with Section 5F-11.060, Florida Administrative Code, shall conduct the visual inspection.

(5) Failure to inspect a stationary DOT cylinder as required in this rule shall result in the following administrative penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 5-9-04, Amended 1-29-06, \_\_\_\_\_.

5F-11.047 Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation.

(1) No person, firm or corporation, other than the owner and those authorized by the owner, shall connect or disconnect any cylinder, tank, or system containing liquefied petroleum gas, except in an out-of-gas situation, unless due and sufficient notice has been given by any person, firm or corporation to the owners of any cylinder or tank, prior to disconnecting or connecting such cylinder, tank, or system. Due and sufficient notice shall be received by the owners at least two (2) working days prior to installing the cylinder, tank, or system of said person, firm, or corporation, and shall be evidenced by a signed receipt. Acceptable evidence of receipt of notification shall be a signed certified mail receipt, signed receipt of hand delivery or facsimile transmission receipt. If after two working days the cylinder, tank or system has not been disconnected by the owner, the said person, firm or corporation, may then disconnect downstream of the system regulator or meter. It shall be mandatory that the person, firm or corporation who so disconnects any such cylinder or tank, whether empty or full, upon the premises of a consumer, does so in a manner that renders the cylinder or tank tight with valves turned off, the cylinder or tank service valve plugged with brass or steel fittings, and all other cylinder, tank or system openings properly plugged. In addition, any cylinder, tank or system disconnected must be done so in a manner that is in compliance with the requirements of NFPA 58.

(2) In an out-of-gas situation and upon receiving authorization from the end user or owner of the cylinder, tank or system, the person, firm or corporation may disconnect the cylinder, tank or system downstream of the system regulator or meter. A person, firm or corporation who disconnects any cylinder, tank or system shall notify the owner of the cylinder, tank or system within immediately, but not to exceed 24 hours, followed by written notification within 5 working days after said disconnect. Acceptable evidence of receipt of notification shall be a signed certified mail receipt, signed receipt of hand delivery or facsimile transmission receipt.

(3) The owner of any disconnected cylinder, tank or system must remove the cylinder or tank from the premises of the consumer or end-user within 30 working days after notification. No person, firm or corporation, other than the owner and those authorized to do so, shall transport or carry by any means of conveyance whatsoever, any cylinder or tank containing liquefied petroleum gas, whether in the liquid or vapor state. Failure to remove a disconnected cylinder, tank or system from the premises of the consumer or end-user within 30 working days from the notice of disconnection shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(c) Third Offense: \$1,500 fine.

(4) Complaints concerning violations of this section must be filed within 90 days of the occurrence.

(5) Connecting or disconnecting a cylinder, tank or system without proper notification as prescribed in this section will result in the following penalties:

- (a) First Offense: \$500 fine.
- (b) Second Offense: \$1,000 fine.
- (c) Third Offense: \$1,500 fine.
- (d) Fourth Offense: \$2,000 fine.
- (e) Fifth Offense: \$2,500 fine.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.07 FS. History--New 8-7-80, Formerly 4A-1.11, Amended 7-18-85, Formerly 4B-1.08, Amended 2-6-90, 2-5-91, Formerly 4B-1.008, Amended \_\_\_\_\_.

5F-11.080 Penalties; General.

(1) The Department will apply penalties as provided in Chapter 527, Florida Statutes, and this rule chapter, for violations of Chapter 527, Florida Statutes, Chapter 5F-11, Florida Administrative Code, or codes adopted in this rule chapter.

(1) In addition to the penalties provided in Chapter 527, Florida Statutes, and this rule chapter, the Department shall order or require remedial training for violations which have occurred as the result of inadequate training.

(2) Any department investigation or inspection which reveals minor violations for which the department has reason to believe that the violator was unaware of the law or rule or unclear as to how to comply with it, will result in the issuance of an inspection report, notice of noncompliance or a warning letter as the department's first response to a violation. For the purposes of this section a minor violation includes, but is not limited to, general violations of a non-threatening nature, i.e. housekeeping issues such as a lack of proper signage, painting required, weeds growing around containers, storage of combustibles too close to a container, or failure to file proper paperwork.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History--New \_\_\_\_\_.

5F-11.081 Aggravating and Mitigating Factors; Warning Letters.

A showing of one or more of the following aggravating or mitigating circumstances presented to the finder of fact will be considered by the Department when imposing administrative actions:

- (a) The violation was committed maliciously.
- (b) The danger to public safety or welfare.
- (c) The number of previous violations for the same type of offense, whether or not disciplinary action was taken.
- (d) The length of time the violator engaged in the prohibited activity.
- (e) The length of time since the violation occurred.

(f) Previous disciplinary action against the violator in this or any other jurisdiction.

(g) The amount of damage to persons or property caused by the violation.

(h) The deterrent effect of the penalty imposed.

(i) Any efforts by the violator at rehabilitation.

(j) Attempts by the violator to correct violations or the failure to correct violations.

(k) The violator's prior knowledge of Chapter 527, F.S.

(l) Whether the violation resulted from negligence or an intentional act.

(m) Financial hardship.

(n) The cost of disciplinary proceedings.

(o) The number of other violations proven in the same proceeding.

(p) The violation occurred while on probation.

(q) Any other aggravating or mitigating circumstances.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History--New \_\_\_\_\_.

5F-11.082 Resolution of Violations, Settlement, and Additional Enforcement Remedies.

(1) The Department and the violator may agree to resolve violations prior to administrative hearing, or to enter into settlement pursuant to Section 120.57(4), Florida Statutes. The penalties addressed in this rule shall not be construed to limit the authority of the Department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The Department may utilize all available remedies to ensure voluntary compliance including administrative action, civil actions and referrals for criminal prosecution. The Department shall enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement as authorized by law.

(2) Failure to respond to an administrative complaint shall result in the entry of a Final Order against the entity imposing administrative fines equal to twice the amount imposed in the original complaint, not to exceed \$3,000 per violation. A failure to comply with a Final Order of the department shall result in license revocation and additional penalties as prescribed by law.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History--New \_\_\_\_\_.

5F-11.083 Facility Inspection Report; Failure to Correct.

(1) Failure to correct law, rule or code deficiencies identified in a Facility Inspection Report within the time period specified by the notice shall result in the following penalties unless otherwise specified in this rule chapter:

- (a) First offense: \$500 fine.
- (b) Second offense: \$1,000 fine.

(c) Third offense: \$1,500 fine.

The Facility Inspection Report is department form DACS-03522 which is adopted and incorporated by reference in Rule 5F-11.004, F.A.C.

(2) A time extension may be requested by the facility owner or operator in order to effectuate corrections to any deficiencies noted in a Facility Inspection Report. All such requests must be in writing and submitted prior to the correction date stated on the Facility Inspection Report. Written approval must be given to the facility owner or operator by the department in order to extend the correction date.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New \_\_\_\_\_.

5F-11.084 Accident Related Violations.

(1) Violations found during the course of an accident investigation by the Department and that are determined to have contributed to the severity of the accident but were not a direct cause, shall result in the following penalties:

(a) Death, severe personal injury requiring professional medical treatment, or a total loss of property: \$1,500 fine per violation.

(b) Minor personal injury not requiring professional medical attention, or property damage over \$1,000 that is not a total loss: \$1,000 fine per violation.

(c) Property damage of less than \$1,000: \$500 fine per violation.

(2) Violations found during the course of an accident investigation that are determined to be a direct cause of the accident shall result in the following administrative fines:

(a) Death, severe personal injury requiring professional medical treatment, or a total loss of property: \$3,000 fine per violation.

(b) Minor personal injury not requiring professional medical attention, or property damage over \$1,000 that is not a total loss: \$2,000 fine per violation.

(c) Property damage of less than \$1,000: \$1,000 fine per violation.

(3) Any company found to be operating without a license and whose unlicensed activities result in an accident, shall receive a fine of \$3,000 for each violation found which contributed to the severity of, or is found to be the direct cause of the accident.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New \_\_\_\_\_.

5F-11.085 Hazardous Acts.

Any department investigation or inspection conducted under the authority of Chapter 527, Florida Statutes, which reveals willful or intentional violation of the law, or any acts on the part of a person, firm, corporation, qualifier or master qualifier which are considered dangerous, hazardous or potentially

harmful in any way, shall result in the maximum penalties of \$3,000 per violation, with the consideration of license, qualifier or master qualifier certificate suspension or revocation. In determining license, qualifier or master qualifier certificate suspension or revocation, the department shall consider the offenders compliance record, good faith efforts in correcting the situation, the degree and extent of harm or potential harm, and other mitigating or aggravating circumstances as determined during investigation.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New \_\_\_\_\_.

5F-11.086 Violations: Enforcement Actions.

(1) Conducting LP gas activities without the required insurance coverage in violation of Sections 527.02 and 527.04, Florida Statutes, shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(c) Third Offense: \$1,500 fine.

(2) Falsification of records relating to application for, or renewal of, qualifier or master qualifier status, including but not limited to misrepresentation of eligibility, of position within the licensed company, or place of full-time employment, shall result in the following penalties:

(a) First Offense: Warning letter.

(b) Second Offense: \$1,000 fine.

(3) Failure to notify the department of a loss of qualifier or master qualifier in violation of Section 527.0201, Florida Statutes, shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(4) Any company found to be operating without a license and whose unlicensed activities result in an accident, shall be fined \$3,000 per violation found. Companies found conducting unlicensed activities in the following categories, when such activities are not accident related, shall be penalized as follows:

(a) Categories I, II, IV, and Requalification and Fabrication

1. First Offense: \$500 fine.

2. Second Offense: \$1,000 fine.

3. Third Offense: \$1,500 fine.

(b) Installer and Specialty Installer Licenses.

1. First Offense: \$400 fine.

2. Second Offense: \$800 fine.

3. Third Offense: \$1,200 fine

(c) Category III, V, and Manufacturer of Equipment

1. First Offense: \$300 fine.

2. Second Offense: \$600 fine.

3. Third Offense: \$900 fine

(d) Dealer in Appliances and Equipment

1. First Offense: \$200 fine.

2. Second Offense: \$400 fine.

3. Third Offense: \$600 fine

(5) Failure to provide documentation of employee training upon request shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(c) Third Offense: \$1,500 fine.

(6) Filling a container without inspection or verification of compliance with codes shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(7) Transportation of propane cylinders in violation of the requirements of NFPA 58, shall result in the following penalties:

(a) First Offense: \$1,000 fine.

(b) Second Offense: \$2,000 fine.

(8) Failure to install LP gas appliances, piping, equipment in accordance with manufacturers instructions and/or safety codes adopted by this rule; or to install, disconnect, and/or store LP gas containers in accordance with rules and safety codes adopted in this rule chapter, when such installation causes direct or potential harm to individuals or property, shall result in the following administrative fines:

(a) First Offense: \$1,000 fine.

(b) Second Offense: \$2,000 fine.

(9) Failure to follow proper fill procedures, including overfilling of propane containers, shall result in the following penalties:

(a) First Offense: \$1,000 fine.

(b) Second Offense: \$2,000 fine.

(10) Failure to perform and/or document periodic testing required on propane cargo vehicles within the time frames prescribed by Title 49, Code of Federal Regulations, as referenced in NFPA 58, shall result in the following penalties for the referenced inspection:

(a) Annual External Visual and Leak Test:

1. First Violation: \$500 per vehicle

2. Second Violation: \$1,000 per vehicle

(b) Five-Year Cargo Vessel Pressure Test

1. First Violation: \$500 per vehicle

2. Second Violation: \$1,000 per vehicle

(c) Monthly Delivery Hose Inspection.

1. First Violation: \$500 per vehicle

2. Second Violation: \$1,000 per vehicle

(d) Monthly Emergency Shutoff Valve Test

1. First Violation: \$500 per vehicle

2. Second Violation: \$1,000 per vehicle

(11) The intentional alteration or disabling of any component in an LP gas system, including the container and its appurtenances, which either renders the equipment out of compliance with Chapter 527, Florida Statutes, this rule chapter, or any code adopted by reference herein; or which

renders the component inoperable, or prevents it from functioning as intended by the equipment manufacturer, shall result in the following penalties:

(a) First Violation: \$1,000 fine

(b) Second Violation: \$3,000 fine

(12) Failure to conduct a leak test in a new piping system, or in an out-of-gas or interrupted service situation, as required by NFPA 54 and Rule 5F-11.044, F.A.C., shall result in the following penalties:

(a) First Offense: \$1,000 fine.

(b) Second Offense: \$2,000 fine.

(13) Failure to respond to a verifiable leak call within a reasonable time period (non-accident related) or failure to physically respond to an emergency response unit as required by Sections 527.065(4) and 527.065(5)], Florida Statutes, shall result in the following penalties:

(a) First Offense: \$1,000 fine.

(b) Second Offense: \$3,000 fine.

(14) Failure to provide local emergency response personnel with emergency contacts for after-hour emergencies; failure to post emergency numbers on the premises; or failure to relay messages on emergency answering services or machines within time frames as required by Section 527.065(3), Florida Statutes, shall result in the following penalties:

(a) First Offense: Warning letter.

(b) Second Offense: \$500 fine.

(c) Third Offense: \$1,000 fine.

(15) Failure to notify the department of any accident meeting the criteria of Section 527.065, Florida Statutes, shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(16) Selling, filling, refilling, delivering, or using an LP gas container for any gas or compound, or for any other purpose, without permission of the owner, in violation of Section 527.07, Florida Statutes, shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(17) Placing a bulk plant or dispensing unit into operation without submitting a site plan; or failure to call for a final inspection as required by Section 527.0605, Florida Statutes, shall result in the following penalties:

(a) First Offense: \$500 fine.

(b) Second Offense: \$1,000 fine.

(c) Third Offense: \$3,000 fine.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New \_\_\_\_\_.

5F-11.087 Repeat Violations.

(1) A repeat violation is one for which the license holder has a previous violation where an administrative penalty was imposed by the Department within the last three years. The three-year period shall be calculated from the date of the violation.

(2) Unless otherwise specified in this rule chapter, any person, firm or corporation who accumulates more than three administrative fines for violations of Florida’s laws, rules, regulations or codes within a three-year period, shall receive a \$3,000 penalty for each subsequent action, and, based on the nature and severity of the cumulative deficiencies, shall be subject to license suspension or revocation, as provided for in Section 527.14, F.S.

Specific Authority 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers’ Compensation Administrative Trust Fund

**NOTICE OF CONTINUATION**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 Florida Administrative Weekly has been continued from August 19, 2008 to October 21, 2008.

**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**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-11.001	Definitions
61D-11.0025	Notification in Writing
61D-11.004	Dealer Responsibilities
61D-11.006	Inspection of Premises, Records
61D-11.007	Cardroom Operator License
61D-11.009	Cardroom Employee Occupational License and Pari-Mutuel/Cardroom Combination License
61D-11.012	Duties of Cardroom Operators
61D-11.013	Display of Identification and Possession of Occupational Licenses
61D-11.014	Cards
61D-11.0145	Dominoes
61D-11.016	Card and Domino Tables
61D-11.0175	Count Rooms and Count Procedures
61D-11.018	Reporting Requirements to Determine Net Proceeds or Gross Revenues
61D-11.019	Internal Control System
61D-11.025	Cardroom Electronic Surveillance
61D-11.0279	Jackpots, Prizes, and Giveaways

**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. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly. The changes are in response to written comments received from interested parties in the pari-mutuel industry and the Joint Administrative Procedures Committee. Changes to Rules 61D-11.012, 61D-11.0175, and 11.018, F.A.C., are a result of a Division of Administrative Hearings rule challenge, case no. 08-1310RP.

61D-11.001 Definitions.

(1) through (8) No change.

(9) “Cardroom gaming area” means any area of a licensed facility designated by the cardroom operator in its floor plan in which authorized games are played or where any type of cardroom operations may occur, such as handling of cash, chips, tokens, dominoes, or cards. The cardroom gaming area shall include entrances and exits.

~~(10)~~(9) “Cardroom surveillance” means the capability to observe and electronically record activities being conducted in a cardroom facility.

~~(11)~~(10) “Chips or tokens” mean a money substitute, redeemable for cash, issued and sold by a cardroom operator for use in cardroom games.

~~(12)(11)~~ “Day” means the 24-hour period that commences on the current calendar day at 6:00 a.m. and terminates at 5:59.59 a.m. the following calendar day.

~~(13)(12)~~ “Dedicated camera” means a color video camera that continuously records a specific activity.

~~(14)(13)~~ “Drop” means the total amount of money, chips, and tokens removed from the drop box.

~~(15)(14)~~ “Drop Box” means a locked container permanently marked with the number corresponding to a permanent number on the card or domino table.

~~(16)(15)~~ “Facility” means the cardroom, any storage area for card or domino tables, cards, chips, tokens, dominoes, drop boxes, tip boxes, records relating to cardroom activity, and other cardroom supplies, the count room, and imprest bank.

~~(17)(16)~~ “Game” means the completion of all betting rounds and final determination of a winner based upon the comparison of all cards dealt and held by players at the end of all betting at a table.

~~(18)(17)~~ “Hand” means the group of cards dealt to a player in a game.

~~(19)(18)~~ “Imprest bank” means the total amount of chips, tokens, and U.S. currency segregated for cardroom operation.

~~(20)(19)~~ “Imprest tray” means an area on a card table in which a predetermined dollar amount of chips, tokens, or U.S. currency is kept by the dealer.

~~(21)(20)~~ “Jackpot” means a cumulative pool of money collected from card games that is awarded to a player who holds a certain combination of cards specified by a cardroom operator.

~~(22)(21)~~ “Licensee” means a person holding any license issued by the division for purposes of cardroom operations.

~~(23)(22)~~ “Operate” means to conduct authorized games pursuant to Section 849.086, F.S., within a licensed cardroom facility. The term does not include the activities authorized in paragraph 61D-11.012(5)(c), F.A.C.

~~(24)(23)~~ “Playing light” means drawing chips or tokens from the pot to show how much a player owes when the player is out of chips or tokens in an effort to allow a player to continue without chips or tokens, until more chips or tokens are earned.

~~(25)(24)~~ “Pot” means the total amount wagered in a game or series of games of poker or dominoes.

~~(26)(25)~~ “Proposition player” means a player who is employed by a cardroom licensee, but who uses his own money to initiate or play in games.

~~(27)(26)~~ “PTZ Camera” means a light-sensitive video camera that possesses, at a minimum, pan, tilt, and zoom capabilities or features comparable thereto.

~~(28)(27)~~ “Raise” means to increase the size of the preceding bet.

~~(29)(28)~~ “Re-buy” means the additional tournament chips or tokens purchased by players according to the schedule of re-buys prominently displayed in the cardroom during tournament play.

~~(30)(29)~~ “Replenishment of chips or tokens” means in games of Texas Hold’em without a betting limit, when a player purchases additional chips or tokens above the minimum required and no more than the maximum allowed in the poker game being played.

~~(31)(30)~~ “Round of play” means, for any game of poker, the process by which cards are dealt, bets are placed and the winner is determined and paid in accordance with the rules of Chapter 61D-11, F.A.C.

~~(32)(31)~~ “Seeding the jackpot fund” means the cardroom operator contributes the initial value to start the jackpot fund. The amount of the cardroom operator’s contribution shall not be deducted from the jackpot fund prior to the award of the jackpot.

~~(33)(32)~~ “Shift” means a period of time designated by the employer during which an employee works when a licensed cardroom is open to conduct business pursuant to Rule 61D-11.012, F.A.C.

~~(34)(33)~~ “Shill” means a player in a game provided by or employed by a cardroom operator who only bets with money provided by the cardroom operator.

~~(35)(34)~~ “Showdown” means the point in a poker game in which all hands are fully revealed to all other players and the hand with the best combination becomes the winner.

~~(36)(35)~~ “Shuffle” means the process of mixing or rearranging a deck of cards to remove the probability that a predetermined series of cards may be drawn from the deck after it is mixed or rearranged.

~~(37)(36)~~ “Side bets” means additional wagers made between two or more persons on the outcome or any portion of an authorized game other than wagers authorized pursuant to Chapter 849, F.S.

~~(38)(37)~~ “Surveillance room” means a secure location in a pari-mutuel facility used for cardroom surveillance.

~~(39)(38)~~ “Surveillance system” means a system of video cameras, monitors, recorders, and other ancillary equipment used for cardroom surveillance.

~~(40)(39)~~ “Tip box” means a locked container into which all dealer tips must be inserted.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04,

61D-11.0025 Notification in Writing.

(1) Any written notice to the division required pursuant to Chapter 61D-11, F.A.C., shall be provided to the Office of Auditing, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399, by email ~~the most~~



~~expeditious means available which shall include but not be limited~~ to an email address provided by the division, facsimile to (850)488-0550, mail or hand delivery.

(2) Any written notice from the division required pursuant to Chapter 61D-11, F.A.C., shall be provided by email, facsimile, mail or hand delivery, to the specific address retained in the division's record of licensure ~~the most expeditious means available which shall include but not be limited to email, facsimile, mail or hand delivery, unless otherwise specified.~~

Specific Authority 849.086(4) FS. Law Implemented 849.086 FS. History--New \_\_\_\_\_.

#### 61D-11.004 Dealer Responsibilities.

(1) through (2) No change.

(a) Enter a card game, having come from another game table with more chips or tokens than the limit of \$100, unless the player is escorted by a cardroom supervisor to the new table, because play at the previous table is terminated due to circumstances beyond the player's control. Procedures for such circumstances must be provided in the cardroom operator's internal controls;

(b) No change.

(c) Replenish his or her chips or tokens in amounts other than multiples of \$5 \$10; or

(d) through (9) No change.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, \_\_\_\_\_.

#### 61D-11.006 Inspection of Premises, Records.

(1) through (1)(b) No change.

~~1. The cardroom operator shall: The cardroom operator shall advise the division in writing pursuant to Rule 61D-11.0025, F.A.C., when the deficiencies have been corrected;~~

a. Correct all deficiencies prior to requesting a re-inspection; and

b. Request any re-inspection in writing pursuant to Rule 61D-11.0025, F.A.C.

2. The division shall conduct a re-inspection no later than five state business days from the date of the cardroom operator's follow-up inspection no earlier than five days from the date of the inspection during which the deficiencies were determined and no later than five days from the date of the cardroom operator written notification of correction provided in writing pursuant to Rule 61D-11.0025, F.A.C.;

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

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, \_\_\_\_\_.

#### 61D-11.007 Cardroom Operator License.

(1) No change.

(2) An applicant for an annual cardroom license shall complete Form DBPR PMW-3160, Permitholder Application for Annual License to Operate a Cardroom, adopted and incorporated by Rule 61D-12.001, F.A.C., and Form DBPR PMW-3080, Permitholder Calendar, adopted and incorporated by Rule 61D-10.001, F.A.C., and submit a fee of \$1,000.00 for each table to be operated during the license period. For cardroom facilities at which more than one pari-mutuel permit is operated during a year, table fees for the facility may be paid by one or all of the permitholders. License fees are non-refundable. For the initial cardroom license application, in addition to the application and fees submitted, the applicant shall submit its written internal control system, required by Rule 61D-11.019, F.A.C., for approval by the division, and proof of authorization by a local government pursuant to Section 849.086(16), F.S. Any cardroom operator electing to offer a new authorized game shall inform the patrons on the list of authorized games offered by the operator, as required by Section 849.086(7)(e), F.S. Such list must be conspicuously displayed and a description of all card or domino games must be available for patron review. All games offered must comply with Section 849.086, F.S., and Chapter 61D-11, F.A.C., at all times.

(3) through (4) No change.

(a) Live racing or gaming is being or has been conducted at the cardroom operator's pari-mutuel wagering facility under a license issued pursuant to Section 550.01215, F.S., or Section 550.5251, F.S.; or

(b) No change.

Specific Authority 550.0251(12), 849.086(4), (5), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06, \_\_\_\_\_.

61D-11.009 Cardroom Employee Occupational License and Pari-Mutuel/Cardroom Combination License.

(1) Cardroom or pari-mutuel/cardroom combination licenses shall:

(a) Be required for:

1. Cardroom employees who take part in or officiate cardroom activity in any way;

2. All cardroom supervisors who are designated to supervise, take part in or officiate cardroom activity in any way;

3. Food service personnel who perform duties that require the licensee to perform any portion of duty within the cardroom area for any purpose;

4. Maintenance personnel who perform duties that require the licensee to come into contact with or work within the cardroom area at any time and have responsibilities that require physical contact with cardroom furnishings, lockboxes or similar secured items, surveillance equipment or associated

support equipment, surrounding structure for any incidental duty that enables in any way unrestricted access to the above-listed items;

5. Security personnel who perform duties that require the licensee's presence in the cardroom area for any purpose;

6. Mutuels teller personnel who perform duties that require the licensee to come into contact with any aspect of cardroom activity, financial activity, management or administration of cardroom information in any way; or

7. Permitholder management responsible for any aspect of management, supervision, administration or similar functions, or take part in or officiate cardroom activity in any way.

(b) Not be required for:

1. Incidental transit through the cardroom area during which time the individual in no way:

a. Comes in contact with cardroom furnishings, table tops, patrons or patron personal property, lockboxes or similar secured items, surveillance equipment or associated support equipment, surrounding structure for any incidental duty that enables in any way unrestricted access to the above-listed items; or

b. Takes part in or officiates cardroom activity in any way;

2. Incidental maintenance work performed under the direct and constant visual supervision of an individual possessing a current cardroom or pari-mutuel/cardroom combination license; and

3. Food service personnel who perform duties that do not at any time require the employee's presence within the cardroom area.

(2)(4) As part of the initial application or renewal for a cardroom employee occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) through (b) No change.

(c) The cardroom employee occupational license fee, unless qualified pursuant to Sections 205.171 and 1.01, F.S., of: The \$50.00 cardroom employee occupational license fee; and

1. \$50.00 for a cardroom employee occupational license;

2. \$40.00 for a pari-mutuel/cardroom supervisor combination license; or

3. \$10.00 for a pari-mutuel/cardroom employee combination license.

(d) No change.

(3)(2) Applicants who intend to work in a position providing food service, maintenance, security, or as a mutuels teller, or in permitholder management, shall apply for a pari-mutuel/cardroom combination occupational license by submitting items ~~(2)(a)~~ ~~(4)(a)~~ through (d) listed above.

(4)(3) Certified Florida Law Enforcement officers are exempt from the fingerprint requirement.

~~(5)(4)~~ All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error or the applicant withdraws the application before processing begins.

~~(6)(5)~~ Request for Waiver of any disqualifying factors in an application that would otherwise be grounds for disapproving the application shall be made on Form DBPR PMW-3180, Request for Waiver, adopted and incorporated by Rule 61D-12.001, F.A.C.

~~(7)(6)~~ Prior to transferring, a current pari-mutuel wagering occupational licensee who intends to work in a position performing food service, maintenance, security, mutuels teller, and/or permitholder management duties in the cardroom shall make application for and obtain an upgrade for his or her current pari-mutuel license to a pari-mutuel/cardroom combination license on Form DBPR PMW-3170, License Upgrade Application, adopted and incorporated by Rule 61D-12.001, F.A.C.

~~(8)(7)~~ Cardroom employee occupational licenses and pari-mutuel/cardroom combination licenses shall expire on June 30th of every year.

Specific Authority 550.0251(12), 849.086(4), (6) FS. Law Implemented 849.086(6) FS. History—New 1-7-97, Amended 5-9-04, 3-4-07, \_\_\_\_\_.

61D-11.012 Duties of Cardroom Operators.

(1) through (2) No change.

(3) Cardroom operators shall maintain a ~~current~~ log of persons whose employment with the cardroom operator has been terminated, or the employee resigned, or abandoned his or her position, that includes:

(a) through (4) No change.

(5) The cardroom operator must display ~~its~~ ~~the~~ hours of operation in a conspicuous location in the cardroom subject to the following terms and conditions:

(a) Days and hours of cardroom operation shall be those set forth in the application or renewal of the cardroom operator's license, or in the notice of change in the cardroom operator's hours of operation as required in paragraph (d) below operator. ~~Changes to days and hours of cardroom operation shall be submitted to the division at least seven days prior to proposed implementation;~~

(b) When multiple cardroom licenses are used at the same facility, the cardroom operator shall designate which hours of operation apply to its license. The hours of operation for each designated cardroom shall not exceed the number of hours authorized in paragraph (c) below. The licensee's hours of operation shall be designated as the cardroom's cumulative hours of operation.

(c)(b) Pursuant to Section 849.086(7)(b), F.S., a cardroom operator may operate a licensed facility any cumulative 12-hour period within the day for each cardroom license issued;

(e) ~~Activities such as the buying or cashing out of chips or tokens, seating customers, or completing tournament buy-ins or cash-outs may be done one hour prior to or one hour after the cumulative 12-hour designated hours of operation; and~~

(d) A cardroom operator shall submit proposed changes to days and hours of cardroom operation to the division at least seven days prior to proposed implementation; The playing of authorized games shall not occur for more than 12 hours within a day, regardless of the number of pari-mutuel permit holders operating at a pari-mutuel facility.

(e) When multiple cardroom licenses are used at the same facility within the same designated cardroom gaming area specified in the cardroom operator's internal controls pursuant to sub-subparagraph 61D-11.019(4)(n)1.d., F.A.C., a period of transition between each licensee's cumulative hours of operation shall be identified in the cardroom operator's system of internal controls. Procedures shall address exchanging the drop boxes for each table and count room operation and security. Patrons may remain in the cardroom according to the procedures in the system of internal controls if:

1. The cardroom system of internal controls addresses security requirements during the drop; and
2. Only the activities listed in subparagraph (5)(f)1.-3. are conducted until the drop has been completed.

(f) The cardroom operator shall allow only the following activities to be conducted during a period of up to one hour prior to or a period of up to one hour after the cumulative hours of operation:

1. Buying or cashing out of chips or tokens;
2. Seating cardroom customers at cardroom tables; or
3. Completing tournament buy-ins or cash outs.

(g) The cardroom operator shall not permit the following activities to occur during a period of up to one hour prior to or a period of up to one hour after the cumulative hours of operation:

1. The handling of the decks of cards by the dealers or dominoes by the dominoes supervisors, even if a deck of cards or dominoes are present on the table; or
2. The commencement, implementation or conclusion of authorized game play.

(h) If more than one cardroom operator is licensed to operate a cardroom at the same pari-mutuel facility in the same designated cardroom gaming area specified in the cardroom operator's internal controls pursuant to sub-subparagraph 61D-11.019(4)(n)1.d., F.A.C., the cardroom operator must provide the following in its internal controls:

1. Procedures to assure that each cardroom operator's funds are managed and accounted for separately; and
2. Count procedures as required in paragraph 61D-11.0175(5)(o), F.A.C.

(6) No change.

(7) Cardroom operators are required to issue a photo identification to all cardroom employees. The photo identification shall include, at a minimum, the name of the cardroom facility, cardroom employee occupational license number, the employee's name, and expiration date of the license.

(8) through (14) No change.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06,\_\_\_\_\_.

61D-11.013 Display of Identification and Possession of Occupational Licenses.

(1) No change.

(2) Cardroom occupational licensees may have the option to only wear a facility issued photo identification card if: Cardroom employees shall have their occupational license in their possession and wear it at all times while on duty.

(a) The employee has the cardroom employee occupational license on their person at all times; and

(b) The name which is on the photo identification card shall match the name on the cardroom employee occupational license.

Specific Authority 550.0251(12), 849.086(4), (6) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended\_\_\_\_\_.

61D-11.014 Cards.

(1) through (4) No change.

(5) Each dealer assigned to a card table shall inspect each deck of playing cards intended for use at that table ~~immediately prior to the start of the first round of play.~~ Inspection of the deck of playing cards shall commence no earlier than the start of the designated cumulative hours of operation for that cardroom license. The assigned dealer must ensure that cards are not taped, cut, shaved, marked, defaced, bent, crimped, or deformed in any fashion that may permit covert identification of the card by players.

(a) through (b) No change.

1. The entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards ~~deck~~ shall be placed in a sealed envelope or container;

2. The sealed envelope or container shall be marked with the table number, the date, and time the deck was withdrawn from play;

3. The cardroom supervisor shall sign his/her name across the seal of the envelope or container indicating the supervisor has sealed and inspected the seal prior to storage of the damaged card or cards;

4. All damaged cards shall be retained for at least 30 days from the date of withdrawal from play; and-

5. The remaining cards in the deck may be reused for play after the missing card or cards are replaced and the entire deck is inspected by the dealer as required in paragraph (d) of this rule.

- (c) No change.
- (d) Dealers shall:

1. Inspect ~~and count~~ all cards in the deck of cards provided for play at his/her card table prior to beginning card play before each game of cards begins;

- 2. through (6) No change.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New 1-7-97, Amended \_\_\_\_\_.

61D-11.0145 Dominoes.

- (1) through (2) No change.

~~(3) Dominoes shall have a symbol or marking that identifies the domino to the specific facility where it is used for play.~~

~~(3)(4)~~ Sets of dominoes must be locked in a secure location when not in use.

~~(4)(5)~~ Prior to use, each domino must be inspected by the dominoes supervisor to ensure that no domino is marked, defaced, chipped, substituted from another set, or deformed.

- (a) through (d) No change.

~~(5)(6)~~ Internal controls shall be established for the issuance of all dominoes to the shift supervisor and the dominoes supervisors.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New \_\_\_\_\_.

61D-11.016 Card and Domino Tables.

- (1) No change.

(2) Domino tables shall be square with clearly designated areas located at each of the two or four corners of the table for the placement of wagers and the payment of participation fees. The surface of the dominoes table shall be one solid color that will not interfere with the ability of the surveillance system to clearly identify each domino played or the value of chips or tokens in the wagering area. There shall be no imprest tray on a domino table.

- (3) through (6) No change.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New 1-7-97, Amended \_\_\_\_\_.

61D-11.0175 Count Rooms and Count Procedures.

- (1) through (4)(c) No change.

(d) A procedure ensuring that no person carry any personal items into the count room, other than those items needed for medical necessity; and

- (e) through (5)(n) No change.

(o) In the event more than one cardroom license is operated at the facility, a procedure ensuring:

1. Physical security for procedures at the end of each cardroom licensee’s cumulative hours of operation for:

- a. The drop;
- b. The count of the drop.

2. Funds from each licensee’s operation are maintained and accounted for separately; and

3. That prior to beginning the operations for each subsequent license for that day:

- a. Card play ceases at each table during a drop;
- b. The time required pursuant to the cardroom operator’s system of internal controls is maintained for the close out of the licensee’s cumulative hours of operation;

c. That procedures required pursuant to the cardroom licensee’s internal controls are in place for drop box retrievals and exchanges; and

d. The drop and count of funds related to each license occur in compliance with all of the requirements of Chapter 61D-11, F.A.C.

- (6) through (6)(e) No change.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History–New \_\_\_\_\_.

61D-11.018 Reporting Requirements to Determine Net Proceeds or Gross Revenues.

- (1) through (1)(b) No change.

(2) For each license operated, cardroom operators shall file a separate Form DBPR PMW-3640, Cardroom Monthly Remittance Report, adopted and incorporated by Rule 61D-12.001, F.A.C., with the division by the fifth day of each month for the preceding month’s cardroom activity.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History–New 1-7-97, Amended 4-12-06, \_\_\_\_\_.

61D-11.019 Internal Control System.

- (1) through (4) No change.

(a) A requirement that a supervisor or the transporter verify all transfers between imprest trays and the cardroom bank with their signature on the transfer document or a procedure in which tokens that display monetary amounts, commonly referred to as a lammers, are used by cardroom floor staff to authorize and document transfers between imprest trays and cardroom banks;

- (b) through (c) No change.

(d) The designation of a cashier cage methodology for or as a method of controlling the control and accounting for of funds within the cashier cage that are part of the cardroom bank as an alternative to an imprest bank if designated in the internal controls;

- (e) through (j) No change.

(k) The methodology for administration of jackpot payouts shall include:

1. Documentation of whether the payment was made in chips, tokens, currency, or by check, or any combination thereof; and Payouts for jackpots may be made in chips, tokens, or currency if the amount of the distribution is equal to or less than \$4,999.99; and

2. That the patron shall have the option to select the type of payment. A combination of check, chips, tokens, or currency shall be used for all jackpot payments greater than \$4,999.99.

(l) through (s)3. No change.

(t) The methodology for maintenance of any jackpot rake funds withheld for cash payment of jackpot winnings for the following cardroom gaming day; and

(u) The methodology for administration of Texas Hold'em without a betting limit when a player moves to an active table because play at a previous table is terminated due to circumstances beyond the player's control, pursuant to paragraph 61D-11.004(2)(a), F.A.C.

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

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History-New 1-7-97, Amended.

61D-11.025 Cardroom Electronic Surveillance.

(1) through (3) No change.

(4) The surveillance system and equipment shall employ digital electronic technology with the acuity and clarity that is no less than that provided by magnetic tape systems. The digital surveillance equipment installed at cardroom facilities shall provide the capability equal to or better than that required by this rule no later than January 1, 2009. The digital surveillance equipment shall:

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

3. The surveillance room pursuant to subsection ~~(17)(46)~~ of this rule.

(c) through (10) No change.

~~(11)(g)~~ Reasonable effort must be made to repair each malfunction of surveillance system equipment required by this rule within seventy-two (72) hours after the malfunction is discovered. Within twenty-four (24) hours of discovery, the licensee shall notify the division via facsimile transmission of the equipment malfunction. If a malfunction is not repaired within seven (7) days after it is discovered, causing the licensee to be in non-compliance with this rule, the licensee must immediately notify the division via facsimile transmission of the failure to repair.

~~(12)(H)~~ All tapes and other electronic surveillance recordings shall be:

(a) through (c) No change.

~~(13)(I2)~~ The surveillance system must possess the capability to monitor, identify, and record the activities of the patrons and dealers at each table in a manner that provides 100 percent camera coverage of the cardroom at all times.

~~(14)(I3)~~ Each operator shall maintain a log of all surveillance activities in the surveillance room that shall include:

(a) through (g) No change.

~~(15)(I4)~~ When surveillance equipment malfunctions and fails to operate as required by this rule:

(a) through (c)4. No change.

~~(16)(I5)~~ The surveillance system shall provide back-up for video or audio recording during the repair and replacement time.

~~(17)(I6)~~ The activity within the surveillance room shall be continuously recorded.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History-New 10-21-97, Amended.

61D-11.0279 Jackpots, Prizes, and Giveaways.

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

(b) Post the jackpot rake for each authorized game in the cardroom at each table;

(c) Ensure that:

1. For jackpot proceeds, an additional drop box is installed on the left hand side of tables or another area of the table as specified in the cardroom's system of internal controls for jackpot proceeds;

2. through 6. No change.

7. All revenue from the jackpot drop is accumulated separately from other revenue and shall be:

a. Deposited daily into a separate non-interest bearing bank account; or

b. Held as cash on hand:

(I) In a holding location or cash box;

(II) To be available for payment of winning jackpots for the following day, as specified in the approved system of internal controls;

(III) To be transferred from the jackpot count to the temporary holding location or cash box under surveillance camera until the next day; and

(IV) To be retrieved the next day and to be used to pay jackpots in cash;

8. through 10. No change.

11. The internal controls will state whether a maximum jackpot threshold limit is established. The internal controls shall state if a threshold is selected, when the designated threshold is achieved, the series of cards comprising the hand winning the jackpot shall be changed to a series of cards that has a higher probability of occurring.

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

1. The name, address, and telephone number of each winner. Address and telephone numbers shall not be required for winners of jackpots less than the Internal Revenue Service threshold;

2. The check number if paid by check;

3. A copy of the winner's identification for winnings which meet the Internal Revenue Service threshold required minimum of \$1,000 per wagering pool pursuant to 26 CFR 31.3402(q)-1, Aug. 18, 2000, adopted and incorporated by reference; and

4. A copy of any forms required to be filed by the Internal Revenue Service pursuant to 26 CFR 31.3402(q)-1, Aug. 18, 2000, adopted and incorporated by reference.

(5) through (8) No change.

Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:                   RULE TITLE:  
61G4-21.005                Payment of Claims  
NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, FS, published in Vol. 34, No. 7, of the February 15, 2008, issue of the Florida Administrative Weekly. Paragraph 2 is language that was previously approved by the Board. The change in paragraph 3 is in response to comments submitted by the Joint Administrative Procedures Committee in letters dated March 11, 2008 and May 12, 2008. The changes are as follows:

61G4-21.005 (3) of the rule shall read as:

(2) Procedures for disbursements of funds shall not commence until ~~35~~ **45** days after the filing of the Final Order of the Board approving payment of any claim from the recovery fund.

(3) No claimant eligible for, or currently receiving, restitution under a civil or criminal restitution order or other repayment plan shall be eligible to recover from the Fund until two or more payments have been missed. Prior to receiving any payments, such a claimant shall provide the Board with a written statement with a notarized signature of the claimant ~~affirmation~~ stating any amount received to date under such an order or plan, the date and amount of the last payment, and how much is still due and owing under such an order or plan.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

**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 Osteopathic Medicine**

RULE NO.:                   RULE TITLE:  
64B15-19.008                Mediation

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 22, May 30, 2008 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development publication date listed in the Notice of Proposed Rulemaking should read:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.:                   RULE TITLE:  
64B32-4.002                Reactivation of Retired Status  
License Education Courses

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 34, No. 18, of the May 2, 2008, issue of the Florida Administrative Weekly. The correction is to correct a typographical error. The correction is as follows:

The Rule Development publication date on the rule notice should read as December 14, 2007. The year 2008 was entered incorrectly.

64B32-4.002(1)(b) makes reference to citation Section 468.359, Florida Statutes. The correct citation should be Section 468.355, Florida Statutes

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:                RULE TITLES:  
65C-15.001                Definitions  
65C-15.002                Licensed Child-Placing Agencies  
65C-15.003                Application and Licensing Study  
65C-15.0035              License Renewal  
65C-15.004                On-Site Visits and Complaint  
                                  Investigation  
65C-15.005                Disclosure

65C-15.006	Statement of Purpose
65C-15.010	Finances
65C-15.011	Changes in Agency Function or Purpose
65C-15.012	Notification of Critical Injury, Illness or Death
65C-15.013	Right to Privacy
65C-15.014	Office Equipment and Transportation
65C-15.015	Policies and Practices
65C-15.016	Staff Functions and Qualifications
65C-15.017	Personnel
65C-15.018	Staff Development
65C-15.019	Volunteers
65C-15.020	Intake Procedures and Practices for Children in Foster Care and Residential Care
65C-15.021	Placement Services to Families and Children in Foster Care and Residential Care
65C-15.022	Agency Services to Children in Foster Care
65C-15.023	Foster Home Licensing
65C-15.024	Foster Home Studies
65C-15.025	Monitoring and Annual Licensing Study
65C-15.026	Recommendations to Revoke a Family Foster Home License
65C-15.027	The Agency's Responsibilities to Foster Parents
65C-15.028	Adoptive Home Study
65C-15.029	Services to Adoptive Parents
65C-15.030	Case Records
65C-15.031	Child's Case Records
65C-15.032	Family Case Record
65C-15.033	Family Foster Home Records
65C-15.034	Adoptive Home Records
65C-15.035	Agency Closure
65C-15.036	Intercountry Adoption Services
65C-15.037	Interstate Adoptions
65C-15.038	Specific Rules for Lead Agencies and Contracted Providers

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 48, December 1, 2006 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 CITRUS**

RULE NOS.:	RULE TITLES:
20ER08-2	Processed Form
20ER08-3	Fruit Handled by Express and Gift Package Shippers
20ER08-4	Requirements to Guarantee Payment of Excise Tax
20ER08-5	Late Filing of Returns and Inadequacy of Bond
20ER08-6	Fresh Form

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Section 120.54(4)(b), F.S., states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

In June 2008, Governor Crist signed into law a statutory amendment to Section 601.15, F.S. authorizing the Florida Citrus Commission to set the tax rates no later than November after the release of more accurate crop estimates.

The amendment changed the deadline for the Commission setting the tax rate from August 1 to November 1 requiring the Department to amend certain parts of Chapter 20-9, F.A.C. related to the logistics of taxpayers' filings of their excise tax returns.

Following the standard rulemaking time periods outlined in Section 120.54, F.S., would have created an impermissible gap whereby no amended rule complying with the amended statute would have been in place.

This "gap" would have created uncertainty in the industry, and could have undermined the ability of the Department to collect legislatively authorized excise taxes, potentially crippling the Department and its research and promotion programs.

Therefore emergency rulemaking is justified, especially in light of the concurrent initialization of rulemaking with an identical rule.

After taking testimony and discussing the matter at a regular public meeting and hearing in Lakeland, Florida on June 18, 2008, the Florida Citrus Commission found that there exists unusual circumstances and voted to adopt Emergency Rules 20ER08-2, 20ER08-3, 20ER08-4, 20ER08-5, and 20ER08-6

deferring reporting of early season fruit and payment of taxes until the tax rate is approved by the Florida Citrus Commission.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Amendment A(1) to Department of Citrus Rule Chapter 20-9 in that notice was made via mail on June 10, 2008 of the meeting to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons. The Florida Citrus Commission was requested to pursue emergency rulemaking by interested persons and parties who would be affected by the regular rulemaking in order to more clearly communicate the changes to the industry before the beginning of the Florida citrus season on August 1, 2008.

SUMMARY: Emergency Rules 20ER08-2, 20ER08-3, 20ER08-4, 20ER08-5, and 20ER08-6 defer the reporting of early season fruit and payment of taxes until after the tax rate is approved by the Florida Citrus Commission at its regularly scheduled meeting in October, with reporting and payment to begin on November 10.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P O Box 148, Lakeland, Florida 33802-0148 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULES IS:

20ER08-2 (20-9.002) Processed Form.

(1) Filing excise tax returns effective July 12, 2008: All excise tax returns required by law to be filed by handlers of citrus fruit sold or delivered for processing in the State shall be filed on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.), and shall be filed with the Department of Citrus each week with the first cumulative report due by November 10. Returns shall state stating the number of standard packed boxes of 1-3/5 bushels, or equivalent thereof in other containers or in bulk, received during the preceding week. Excise taxes shall be due and payable at the time of delivery of such fruit to the handler, allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) All persons or entities required to file excise tax returns pursuant to Section 601.155, Florida Statutes, shall file, each week, an excise tax return on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.).

(a) No change.

(b) Equalizing excise taxes shall be due and payable within 61 days after the first of the taxable privileges is exercised in this state. Taxes related to taxable privileges exercised during August are due and payable by November 10, after the tax rate has been established in October.

(c) through (d) No change.

(3) through (4) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS. Law Implemented 601.15(5),(6), 601.155 FS. History—Formerly 105-1.15(2), Revised 1-1-75, § (2), Amended 11-21-77, 8-1-80, § (3), 2-1-81, 8-1-83, Formerly 20-9.02, Amended 7-21-86, 8-30-89, 8-27-91, 7-13-94, 10-22-95, 8-1-97, 8-3-00, 11-27-01, 7-23-03, 7-25-06, 7-12-08.

20ER08-3 (20-9.004) Fruit Handled by Express and Gift Package Shippers.

(1) Filing excise tax returns effective July 12, 2008:

(a) Every shipper of express or gift packages shall file, as directed by the Department of Citrus, weekly returns of all fruit shipped in the preceding week with remittance attached for total excise taxes due, with the first cumulative report due by November 10.

(b) through (c) No change.

(d) The advertising excise taxes shall be due and payable at the time of offering such fruit for shipment allowing a deferral for fruit handled prior to November until the November 10 deadline.

(2) through (3) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a) FS. Law Implemented 601.15(3),(5),(6), 601.152, 601.154 FS. History—Formerly 105-1.15(4), Revised 1-1-75, Formerly 20-9.04, Amended 12-10-95, 4-14-96, 11-27-01, 7-12-08.

20ER08-4 (20-9.005) Requirements to Guarantee Payment of Excise Tax.

To qualify to guarantee to the Department of Citrus payment of any excise tax imposed by law:

(1) No change.

(2) The total amount of such cash bond, surety bond or certificate of deposit shall be in an amount based upon the following formula:

(a) To determine the total estimated tax liability of the handler, multiply the number of boxes or equivalent boxes utilized in the prior season, or estimated utilization during the current season, including the exercised privileges of imported products, whichever is greater, times the total average tax rate from the prior season for fresh form and processed form for the period covered by the bond.

(c) through (d) No change.

Specific Authority 601.10(1), 601.15(1),(5),(6),(10)(a) FS. Law Implemented 601.15(1),(5),(6), 601.152, 601.154, 601.155 FS. History—Formerly 105-1.15(5), Revised 1-1-75, Amended 11-21-77, 8-1-80, 2-1-81, 8-1-83, Formerly 20-9.05, Amended 11-27-01, 7-12-08.



20ER08-5 (20-9.006) Late Filing of Returns and Inadequacy of Bond.

Effective July 12, 2008 all ~~the~~ excise taxes levied and imposed on citrus fruit or product shall be paid or the amount thereof guaranteed at the time the fruit is first handled in the primary channel of trade, allowing a deferral for fruit handled prior to November until the November 10 deadline. Payments not made the week following entry into the primary channel of trade become delinquent for payments due after November 10. Payment shall be made in accordance with Rules 20-9.001, 20-9.002, 20-9.003 and 20-9.004, F.A.C.

(1) through (2) No change.

Specific Authority 601.10(1),(7), 601.15(1),(5),(6),(10)(a) FS. Law Implemented 601.15(5),(6),(9), 601.152, 601.154, 601.155(6),(7),(9), 601.27 FS. History—Formerly 105-1.15(6), Revised 1-1-75, Formerly 20-9.06, Amended 12-13-92, 10-17-93, 11-27-01, 7-12-08.

20ER08-6 (20-9.001) Fresh Form.

(1) Filing excise tax returns effective July 12, 2008: All excise tax returns required to be filed by handlers of citrus entering the primary channel of trade in fresh form shall be filed with the Department of Citrus each week with the first cumulative report due by November 10. Returns shall state stating the number of standard shipping boxes of 4/5 bushels, or equivalent, of each variety of citrus fruit handled during the preceding period or week. Excise taxes shall be filed on forms furnished by the Department of Citrus (incorporated by reference in Rule 20-100.004, F.A.C.) and shall be due and payable, or the amount guaranteed as hereinafter provided, when the citrus fruit is first handled in the primary channels of trade allowing a deferral for fruit handled prior to November until the November 10 deadline. Payment of taxes shall be remitted with the excise tax return for a period reported unless other payment schedules are prescribed in Chapter 20-9, F.A.C.

(2) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a) FS. Law Implemented 601.15(5),(6) FS. History—Formerly 105-1.15(1), Revised 1-1-75 §(2), Amended 2-1-81, Formerly 20-9.01, Amended 7-21-92, 11-27-01, 7-12-08.

**THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.**

EFFECTIVE DATE: July 12, 2008

#### **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 June 23, 2008, the Suwannee River Water Management District, received a petition for variance from John & Cheryl Tyrone, 3918 S. W. 92nd Terrace, Gainesville, FL 32608, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from paragraph 40B-4.3030(12)(b), F.A.C., to the 75-foot setback requirement. The permit applicant is proposing an addition to an existing structure partially located within the 75-foot setback of the Suwannee River, in Township 10 South, Range 14 East, Section 31, Dixie County. 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 08-0230.

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 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on July 8, 2008, the St. Johns River Water Management District has issued an order.

The St. Johns River Water Management District (District) intends to grant a variance from paragraph 40C-4.302(1)(c), Florida Administrative Code (F.A.C.), and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), to Robert E. W. McMillan of Edgewater Harbor, LLC, for the construction of a fishing pier and a docking structure for the temporary staging of watercraft associated with an upland dry storage facility. The project is located in Sections 13 and 24, Township 18 South, Range 34 East, Volusia County, Florida. Paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), are designed to protect Class II or Class III waters which are classified as approved, restricted, conditionally approved or conditionally restricted for shellfish

harvesting and require permit applicants to comply with additional criteria when the proposed work is located in, adjacent to, or in close proximity to such waters. The petitioner seeks a variance pursuant to Section 373.414(17), Florida Statutes (F.S.), in conjunction with Environmental Resource Permit Application 4-009-123000-9, to construct a fishing pier including an access walkway and a terminal platform and a docking structure for the temporary staging of watercraft. The work would occur in the Indian River which in this area is a Class II water. Notice of receipt of the petition for variance was published in the Florida Administrative Weekly on June 6, 2008. The District's Governing Board is scheduled to take final action on the petition for variance and the related permit application at its meeting on July 8, 2008.

A person whose substantial interests are or may be affected by the District's intended action has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106, F.S. and Rule 40C-1.1007, F.A.C., and Section 403.201, F.S., the petition must be filed (received), either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of this publication date (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax), as explained below. Mediation pursuant to Section 120.573, F.S., is not available.

If the Governing Board takes action that substantially differs from this notice, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106, F.S. and Rule 40C-1.1007, F.A.C., the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described above, within fourteen (14) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within fourteen (14) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within fourteen (14) of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). The petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. Mediation pursuant to Section 120.573, F.S., is not available.

A person whose substantial interests is or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), F.S., where there is a dispute between the District and the party regarding an issue of

material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, F.A.C. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), F.S., where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, F.A.C.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at [www.sjrwmd.com](http://www.sjrwmd.com). These conditions include, but are not limited to, the petition being in the form of a PDF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

Pursuant to Section 120.68, F.S., a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, F.S., may seek review of the order pursuant to Section 373.114, F.S., by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order. Review by the Florida Land and Water Adjudicatory Commission is not available for final orders resulting from an evidentiary hearing held under Sections 120.569 and 120.57, F.S.

Failure to timely file a petition for administrative hearing under Sections 120.569 and 120.57, F.S., for judicial review under Section 120.68, F.S., or for Commission review under Section 373.114, F.S., shall result in waiver of that right to review. A District action (order) is considered rendered after it is signed on behalf of the District and filed by the District Clerk.

The petition for variance (F.O.R. 2008-18) and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at District Headquarters.

A copy of the Order may be obtained by contacting: Kealey West, Assistant General Counsel, Office of General Counsel, at the address above, or by telephone at (386)312-2317.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on June 16, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on May 29, 2008, for a Petition for a Routine Variance for paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and subsection 61C-4.010(6), Florida Administrative Codes (F.A.C.s), from Dippin Dots located in Tallahassee. The above referenced F.A.C.s state the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C. and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. The Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

This variance request was approved and is contingent upon Petitioner using an adequately sized potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: supply for potable water tank must be from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours. Petitioner must store the in-use utensils on a clean, sanitized dry surface and those utensils are to be properly washed, rinsed, and sanitized. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code, Section 2-301.14. If during inspections sanitary nuisances are documented this variance request will be re-evaluated. All provisos shall be complied with prior to final 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on June 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on May 29, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Fritanga Nica #1 located in Miami. 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 and have seating for seven.

Approval is contingent upon the Petitioner ensuring the bathrooms located inside of California Market 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 more than eight seats 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

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NOTICE IS HEREBY GIVEN THAT on June 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on June 11, 2008, for a Routine Variance for subsection 61C-4.010(6), Florida Administrative Code, from JB's Blue Water Grill located in Coconut Creek. The above referenced F.A.C. states...the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code....Specifically, the Petitioner requests to have exposed joists in the ceiling of the bar area.

This variance request was approved and is for allowing exposed solid sealed joists and ties in the bar ceiling only. The joists shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to drink preparation only including the scooping of ice; there will be no other food service activities including slicing of fruit, shucking, peeling, warewashing, etc. If the surface of the joists, ties or metal tie downs become weathered and/or cracked rendering them uncleanable, the variance will be rescinded and a properly finished ceiling will be required. 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

**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**

The Board of Dentistry hereby gives notice that it has received a petition, filed on June 12, 2008, by Anas Selman, DDS, seeking a waiver or variance of Rule 64B5-2.0146, F.A.C., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact Sue Foster, Executive Director at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on June 17, 2008, the Board of Pharmacy, received a petition for Seong Sook Kim, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 12, 2008, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on August 14, 2007, by Daniel Hernandez, representing Infiltrator Systems, Incorporated, regarding the "Quick 4 Equalizer 24 HD Chamber". Petitioner sought a variance from subsection 64E-6.009(7), subparagraphs 64E-6.009(7)(a)3., (7)(a)4., and paragraph 64E-6.009(7)(d), Florida Administrative Code, which requires applicants requesting alternative system component approval to supply empirical data showing results of innovative testing in Florida. Notice of the petition was published in the August 31, 2007, edition of the Florida Administrative Weekly.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular

circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner's request for a variance.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on June 13, 2008, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Friendship Tower, Ltd.

DATE PETITION WAS FILED: May 13, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: subsection 67ER06-34(4)

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 23, 2008, Vol. 34, No. 21

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 13, 2008

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to [Sherry.Green@floridahousing.org](mailto:Sherry.Green@floridahousing.org). The Final Order is posted on Florida Housing's website at [www.floridahousing.org](http://www.floridahousing.org).

NOTICE IS HEREBY GIVEN THAT on June 13, 2008, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Golden Acres Redevelopment Phase II, Ltd.

DATE PETITION WAS FILED: May 13, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: subsection 67ER06-34(4)

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 23, 2008, Vol. 34, No. 21

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 13, 2008

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on June 13, 2008, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Florida Low Income Housing Associates, Inc.

DATE PETITION WAS FILED: May 6, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: subsection 9I-35.006(6), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 16, 2008, Vol. 34, No. 20

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 13, 2008

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on June 13, 2008, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: West Bartow Partnership Ltd., LLLP

DATE PETITION WAS FILED: May 13, 2008

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: paragraph 67-48.0075(7)(a)1. and 67-48.004(1)(a), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 23, 2008, Vol. 34, No. 21

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 13, 2008

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org. The Final Order is posted on Florida Housing's website at www.floridahousing.org.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources, Bureau of Historic Preservation** and the **Florida Folklife Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 10:00 a.m.

PLACE: Conference Room, St. Clair Whitman House, Cedar Key Museum State Park, 12231 Southwest 166 Ct., Cedar Key, Florida 32625

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Folklife Council and receive public input.

A copy of the agenda may be obtained by contacting: Tina Bucuvalas, Florida Folklife Program, Bureau of Historic Preservation, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

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 Bureau of Historic Preservation by telephone (850)245-6333 or by Fax at (850)245-6437. 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: Tina Bucuvalas at (850)245-6333 or email at: tbucuvalas@dos.state.fl.us.

The **Department of State, Division of Cultural Affairs** announces a telephone conference call to which all persons are invited.

DATE AND TIMES: Tuesday July 15, 2008, 9:00 a.m. – 11:00 a.m. at Level 1; 1:00 p.m. – conclusion, Levels 2 and 3

PLACE: \*This meeting will be held via conference call. The meeting is a public process that any person may participate. If you would like to participate in the meeting, you may dial into the conference call by following the instructions below.

Instructions for Conference Call Participation

Join the teleconference by dialing the ReadyTalk phone number: 1(866)740-1260. This is a toll-free call.

Enter the 7-digit access code: 2456470 (You will be placed on hold until the Chairperson starts the meeting)

\*If you have problems joining the conference or if you need technical assistance, please contact the ReadyTalk Customer Care Line: 1(800)843-9166 or you may contact the Division of Cultural Affairs at (850)245-6470.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Reconvening of the Historical Museum panels for the specific purpose of determining a funding method and approving a funding recommendation. No scoring or discussion of altering scores will take place.

A copy of the agenda may be obtained by contacting: Scott Moore at (850)245-6478 or by email at [atdsmoore@dos.state.fl.us](mailto:atdsmoore@dos.state.fl.us).

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review. To request accommodations or services, contact Morgan Lewis with the division at least 48 hours prior to the above stated schedule at (850)245-6470. You may also contact the Division by calling Florida Relay at 711.

For more information, please contact: Division of Cultural Affairs, R.A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or (850)245-6470.

**DEPARTMENT OF LEGAL AFFAIRS**

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 8, 2008, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Awards and Recognition Task Force.

DATE AND TIME: July 9, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Annual Report Committee.

DATE AND TIME: July 10, 2008, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Finance and Budget Committee.

DATE AND TIME: July 16, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Annual Report Committee.

DATE AND TIME: July 17, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee.

DATE AND TIME: July 23, 2008, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Outreach Task Force.

DATE AND TIME: July 31, 2008, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** FCSW Foundation, Inc.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131. 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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following committee telephone conference meetings which all persons are invited to attend.

Committee on Criminal Justice

DATE AND TIME: July 21, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 8733623109

Committee on Legislative Review

DATE AND TIME: July 23, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 3221010629

Committee on Improving Health Outcomes

DATE AND TIME: July 24, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 6532211382

Committee on Improving Foster Care and Family Issues

DATE AND TIME: July 24, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 6532211382

Committee on Improving Economic Outcomes

DATE AND TIME: July 24, 2008, 3:00 p.m. – 4:00 p.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 6532211382

Committee on Improving Educational Outcomes

DATE AND TIME: July 25, 2008, 11:15 a.m. – 12:15 p.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 6532211382

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by contacting: Fredrica Doctor via telephone at (850)414-3300 or via email at Fredrica.Doctor@myfloridalegal.com.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

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## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Pest Control Research Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2008, 10:00 a.m. – 2:00 p.m.

PLACE: Mid-Florida Research and Education Center, 2725 Binion Road, Room 185, Apopka, Florida 32703, (407)884-2034

GENERAL SUBJECT MATTER TO BE CONSIDERED: To set priorities for the coming fiscal year.

For more information, you may contact: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

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The Florida Propane Gas Safety, Education and Research Council, **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2008, 8:00 a.m. – 10:00 a.m.

PLACE: Naples Grande Resort & Club, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a general meeting of the Council to review and discuss budget allocations, council projects and council expenditures.

A copy of the agenda may be obtained by contacting: Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

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: Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001. 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: Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

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The **Florida Liquefied Petroleum Gas Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2008, 9:30 a.m. – 10:30 a.m.

PLACE: Naples Grande Resort & Club, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a general meeting of the advisory board to update board members on departmental staffing changes and discuss board and regulatory issues.

A copy of the agenda may be obtained by contacting: Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

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: Vicki O'Neil, Bureau Chief of LP Gas Inspections,

3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001. 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: Vicki O'Neil, Bureau Chief of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

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**DEPARTMENT OF EDUCATION**

The **Florida Rehabilitation Council for the Blind and Division of Blind Services** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 17, 2008, 9:00 a.m. – 1:00 p.m.; July 18, 2008, 8:30 a.m. – 5:00 p.m.

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting of the Florida Rehabilitation Council for the Blind.

A copy of the agenda may be obtained by contacting: Phyllis Dill, AAII, 14 W. Jordan Street, Suite 2G, Pensacola, FL 32501, (850)595-5282, phyllis.dill@dbs.fldoe.org.

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: Division of Blind Services, 1320 Executive Center Drive, Atkins Bldg., Suite 201, Tallahassee, FL 32399, (850)245-0370 Toll Free 1(800)672-7038. 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).

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The **Florida Rehabilitation Council for the Blind and Division of Blind Services** announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2008, 4:00 p.m. – 6:00 p.m.

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under Title I of the Rehab Act.

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: Division of Blind Services, 1320 Executive Center Drive, Atkins Building, Suite 201, Tallahassee, FL 32399,

(850)245-0370. 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: Phyllis Dill, AAII, 14 W. Jordan Street, Suite 2G, Pensacola, FL 32501, (850)595-5282, phyllis.dill@dbs.fldoe.org.

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The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2008, 9:00 a.m.

PLACE: The Fairmont Turnberry Isle Resort and Club, 19999 West Country Club Drive, Aventura, Florida 33180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting Institutions on July 21, 2008 for the following: Disciplinary Matters, Informal Hearings, Settlement Agreements, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges.

A copy of the agenda may be obtained by contacting: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, 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 the Area of Critical State concern at (850)488-4925. 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: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department of Community Affairs/Housing and Community Development, Community Assistance Section** announces a public meeting to which all persons are invited.  
Hearing



DATE AND TIMES: Monday, August 4, 2008, 9:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the CSBG State Administrative Plan for FFY 2009 and FFY 2010, which will be submitted to the United States Department of Health and Human Services.

A copy of the agenda may be obtained by contacting: Department of Community Affairs, Hilda S. Frazier, Planning Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, by Fax at (850)488-2488 or by appearing in person at the Agency headquarters.

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 Community Assistance Section at (850)488-7541. 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 Hilda Frazier at (850)488-7541.

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The **Florida Building Commission** announces an additional hearing to which all persons are invited.

DATE AND TIME: August 20, 2008, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Naples Grand Resort and Club Hotel, 475 Seagate Drive, Naples, Florida 34103

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an additional hearing for Rule 9B-130041 Thermal Efficiency Standards Adopted, and Rule 9B-13.0061, Effective Date, Florida Administrative Code. The purpose of this additional hearing is to consider a Notice of Change that will be published in the Florida Administrative Weekly when the materials are developed.

A copy of the agenda may be obtained by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824.

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## DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 5, 2008, 2:00 p.m., Training Center Directors' Test Bank Committee Mtg.; Tuesday, August 5, 2008, Physical Fitness Training Committee Meeting (To begin after the Test Bank Committee Meeting); Tuesday, August 5, 2008, 3:00 p.m., Training Center Directors' Advanced Training Committee Meeting; Tuesday, August 5, 2008, 4:00 p.m., Training Center Directors' Committee Meetings; Wednesday, August 6, 2008, 8:30 a.m., Training Center Directors' Business Meeting; Wednesday, August 6, 2008, 10:00 a.m., Probable Cause Determination Hearings; Wednesday, August 6, 2008, 1:00 p.m., Basic Abilities Test Workshop; Wednesday, August 6, 2008, 3:00 p.m., Criminal Justice Selection Center Directors' Association Meeting; Thursday, August 7, 2008, 8:00 a.m., Criminal Justice Standards and Training Commission Meeting: Business Agenda; Thursday, August 7, 2008, 9:30 a.m., Criminal Justice Standards and Training Commission Meeting: Officer Discipline Agenda

PLACE: Sawgrass Marriott Resort, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082. Reservation Information: Telephone Number: (904)285-7777 (Group Name: FDLE Criminal Justice), On-Line Reservations: <http://marriott.com/property/propertypage/jaxsw?groupCode=FDCFDCA&app=resvlink>. The guest room rate is \$89.00 Single or Double from 8/3/08 – 8/9/08. The deadline for making reservations is July 3, 2008. You may cancel your reservation 48 hours prior to your scheduled date of arrival. Check-in is 3:00 p.m. and Check-out is 12:00 Noon.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools.

For the Criminal Justice Standards and Training Commission Agenda contact: Donna Hunt at (850)410-8615 or e-mail at [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us). If you have any questions

concerning the August 2008 Commission meeting. The Commission agenda and agenda items will be posted to the FDLE website on Monday, July 21, 2008, and may be accessed at [www.fdle.state.fl.us](http://www.fdle.state.fl.us). Click on "Councils," click on "Criminal Justice Standards and Training Commission," and then click on "Meeting Agenda".

For information about hotel accommodations, please contact: Cheryl Taylor at (850)410-8657 or e-mail at [cheryltaylor@fdle.state.fl.us](mailto:cheryltaylor@fdle.state.fl.us).

For the Officer Discipline Agenda contact: Brenda Presnell at (850)410-8648 or via e-mail at [rendapresnell@fdle.state.fl.us](mailto:rendapresnell@fdle.state.fl.us).

If you wish to write the Commission for a copy of the above meeting agendas, please write to: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Brenda Presnell.

For the Training Center Directors' Agenda contact: Training Center Director Association Chairman Jim Hague, Seminole Community College, 100 Weldon Boulevard, Sanford, Florida 32773-6199 or call (407)328-2316, or e-mail [haguec@scc-fl.edu](mailto:haguec@scc-fl.edu).

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 Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615.

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## DEPARTMENT OF REVENUE

The Florida **Department of Revenue** announces a hearing to which all persons are invited.

DATE AND TIME: July 29, 2008, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule 12A-1.053, F.A.C. (Electric Power and Energy), and Rule 12A-1.087, F.A.C. (Exemption for Power Farm Equipment; Suggested Exemption Certificate for Items Used for Agricultural Purposes). Notice of this proposed adoption was published in the Florida Administrative Weekly on April 11, 2008 (Vol. 34, No. 15, pp. 1983-1989).

A copy of the agenda may be obtained by contacting: Larry Green at (850)922-4830.

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 days 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).

For more information, you may contact: Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2008, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the adoption of amendments to Rule 12E-1.032, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly on April 11, 2008 (Vol. 34, No. 15, pp. 1989-1993). This rule was originally scheduled for approval by the Governor and Cabinet at their meeting on June 10, 2008, but this meeting was canceled.

A copy of the agenda may be obtained by contacting: Larry Green at (850)922-4830.

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).

For more information, you may contact: Larry Green at (850)922-4830.

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## DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2008, 8:30 a.m.

PLACE: Florida Department of Transportation, Burns Building, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

The **Department of Transportation**, Florida's Turnpike Enterprise announces a hearing to which all persons are invited.

DATE AND TIMES: July 31, 2008, Open House: 5:30 p.m. – 6:30 p.m.; Formal Presentation: 6:30 p.m.

PLACE: Sadkin Community Center, 1176 N. W. 42nd Way, Lauderhill, Florida 33313 (In the event that severe weather or other unforeseen conditions cause the hearing to be postponed, it will be held on the alternate date of August 13, 2008 at the same time and location.)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental effects of the proposed project Financial Project ID Number: 406103-1 Sunrise Boulevard Interchange Modification Project Development and Environment Study. A Toll Rate Rule Development Workshop will also be held as part of the public hearing to allow the public an opportunity to comment on the proposed toll rates for the project.

A copy of the agenda may be obtained by contacting: Mr. Imran Ghani, P.E., Project Development Engineer at Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069 or by e-mail: imran.ghani@dot.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 7 days before the workshop/meeting by contacting: Mr. Imran Ghani, P.E., Project Development Engineer by e-mail to: imran.ghani@dot.state.fl.us or call (407)264-3802. 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).

#### **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."

#### **FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 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, FL 32399-2450 (850)488-1293.

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 Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 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, FL 32399-2450, (850)922-6137.

#### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a prehearing conference and a hearing in the following docket to which all persons are invited.

**DOCKET NO. AND TITLE:** Docket Number 080253-EM – Petition to Determine Need for Cane Island Power Park Unit 4 Electrical Power Plant in Osceola County, by Florida Municipal Power Agency.

**PREHEARING CONFERENCE**

DATE AND TIME: Monday, July 21, 2008, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

**HEARING**

**DATES AND TIME:** Monday-Tuesday, August 4-5, 2008, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this hearing is for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for Florida Municipal Power Agency's (FMPA) proposed electrical power plant to be constructed in Osceola County and to consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow FMPA to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

Any member of the public who wishes to offer testimony should be present at the beginning of the hearing on Monday, August 4, 2008. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code (F.A.C.). All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The hearing will be governed by the provisions of Chapter 120, F.S.; Section 403.519, F.S.; and Chapters 25-22 and 28-106, F.A.C. Only issues relating to the need for the electrical power plant will be heard at the August 4-5, 2008, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed power plants, as required by the "Power Plant Siting Act," Sections 403.501-.519, F.S.

Any person requiring some accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 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).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

**Emergency Cancellation of Customer Meeting** – If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to

the parties. 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 the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.

**DATE AND TIME:** Wednesday, July 30, 2008, 10:00 a.m. (Central Time)

**PLACE:** Washington County Commission Board Room, 1331 South Blvd., Chipley, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** DOCKET NO. 080121-WS – Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

**PURPOSE:** The purpose of the service hearing is to provide customers an opportunity to present testimony and other evidence before the Florida Public Service Commission concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

**EMERGENCY CANCELLATION OF SERVICE HEARING:** If a named storm or other disaster requires cancellation of the service hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the service hearing 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 General Counsel at (850)413-6199.

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 at (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).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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## EXECUTIVE OFFICE OF THE GOVERNOR

The **Agency for Enterprise Information Technology**, Chief Information Officers (CIO) Council announces a public meeting to which all persons are invited.

DATES AND TIME: Third Monday of every month for 2008; July 21, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Tentatively scheduled for the Emergency Operations Command Center, 2575 Shumard Oaks Blvd., subject to change. Alternate location will be Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Gail Kent, Department of Financial Services, email: Gail.Kent@myfloridacfo.com or call at (850)413-1557.

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: Gail Kent, with the Department of Financial Services, email: Gail.Kent@myfloridacfo.com or call at (850)413-1557. 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: Gail Kent, with the Department of Financial Services, email: Gail.Kent@myfloridacfo.com or call at (850)413-1557.

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## REGIONAL PLANNING COUNCILS

The **District 5 Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

Training Subcommittee

DATE AND TIME: Wednesday, July 16, 2008, 9:30 a.m.

Local Emergency Planning Committee

DATE AND TIME: Wednesday, July 16, 2008, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

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: Michael Arnold at (352)732-1315, ext. 228.

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The **Withlacoochee Regional Planning Council**, Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 5:30 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2008-2009.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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.

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The **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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.

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The **Tampa Bay Local Emergency Planning Committee (LEPC) District VIII** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 30, 2008, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, ext 33.

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: Bill Lofgren at (727)570-5151, ext 33. 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: Bill Lofgren at (727)570-5151, ext 33.

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The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 16, 2008, 12:00 Noon

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council's Lower West Coast Watersheds Subcommittee to address water quality issues throughout Southwest Florida.

A copy of the agenda may be obtained by contacting: Mr. David Crawford at (239)338-2550, ext. 226 or email [dcrawford@swfrpc.org](mailto:dcrawford@swfrpc.org).

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: Ms. Deborah Kooi at (239)338-2550, ext. #210 or email: [dkooi@swfrpc.org](mailto:dkooi@swfrpc.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).

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: Mr. James Beever at (239)338-2550, ext. #224 or email at [jbeever@swfrpc.org](mailto:jbeever@swfrpc.org) or visit our website at [www.swfrpc.org](http://www.swfrpc.org).

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The **Southwest Florida Regional Planning Council** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 9:00 a.m.

PLACE: Babcock Wilderness Lodge, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council's 2008 Retreat.

A copy of the agenda may be obtained by contacting: Mrs. Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. #232.

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: Mrs. Deborah Kooi at [dkooi@swfrpc.org](mailto:dkooi@swfrpc.org) or (239)338-2550, ext. #210. 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: Mrs. Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. #232.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2008, 9:30 a.m.

PLACE: Wolf High Technology Center, Indian River Community College, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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).

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## WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management**, the Southwest Florida Water Management District and the **South Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: July 24, 2008, 10:00 a.m. – 12:00 Noon

PLACE: St. Johns River Water Management District, Altamonte Springs Service Center, Econ Room, 975 Keller Road, Altamonte Springs, FL 32714-1618

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed rule revisions on Listed Species Protection, including the bald eagle.

The person to contact regarding this workshop is: Norma Messer, Rules Coordinator, Office of General Counsel, 4049 Reid Street, Palatka, FL 32177-2529, [nmesser@sjrwmd.com](mailto:nmesser@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 5 days before the workshop/meeting by contacting: Sandy Bertram, Assistant District Clerk at (386)329-4127. 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.

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 14, 2008, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council and including the discussion of the Barge Canal Western Terminus and the Lower Withlacoochee River.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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: (352)796-7211 or 1(800)423-1476 (Florida only), extension 4226; TDD: 1(800)231-6103 (Florida only); Fax: (352)797-5806. 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.

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, July 15-18, 2008, 8:30 a.m.

PLACE: Marriott's Marco Island Resort, 400 S. Collier Boulevard, Marco Island, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2008 ENVIRONMENTAL PERMITTING SUMMER SCHOOL: Advanced instruction on Florida's environmental permitting programs. Ad Order 60216.

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: General Services Department, 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.

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The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: ALAFIA RIVER BASIN BOARD MEETING: To reconsider the proposed fiscal year 2009 millage rate adopted by the Alafia River Basin Board on June 5, 2008. Ad Order 60216.

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: 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.

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 1:00 p.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: NORTHWEST HILLSBOROUGH BASIN BOARD MEETING: To reconsider the proposed fiscal year 2009 millage rate adopted by the Northwest Basin Board on June 5, 2008. Ad Order 60216.

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: 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.

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### REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2008, 4:30 p.m.

PLACE: Citrus County Courthouse, Commission Chamber, First Floor, 110 N. Apopka Avenue, Inverness, FL 34450

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, 1107 Shalimar Drive, Tallahassee, FL 32312 or at [www.wrwsa.org](http://www.wrwsa.org) under "minutes and notices," "current agenda."

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: Jackson Sullivan at (850)385-0220.

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### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, July 17, 2008, 2:00 p.m. – 5:00 p.m.; Friday, July 18, 2008, 8:30 a.m. – 4:30 p.m.

PLACE: Holiday Inn Select – Orlando International Airport, 5750 T. G. Lee Boulevard, Orlando, Florida 32822, (407)851-6400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alzheimer's Disease Initiative Advisory Committee Quarterly Meeting to discuss various issues regarding the Alzheimer's Disease Initiative.

A copy of the agenda may be obtained by contacting: Karen Griffith at (850)414-2000.

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: Karen Griffith at (850)414-2000. 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: Karen Griffith at (850)414-2000.

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### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Florida Center for Health Information and Policy Analysis** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 22, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: 110 Senate Office Building, 404 South Monroe, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review laws and regulations related to the privacy and security of health records and make recommendations for legislation to establish clear and concise standards that would facilitate health information exchange.

A copy of the agenda may be obtained by contacting: Lyric Cobb at [cobbl@ahca.myflorida.com](mailto:cobbl@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 14 days before the workshop/meeting by contacting: Lyric Cobb at [cobbl@ahca.myflorida.com](mailto:cobbl@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).

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: Lyric Cobb at [cobbl@ahca.myflorida.com](mailto:cobbl@ahca.myflorida.com).

The **Agency for Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: Friday, July 25, 2008, 9:00 a.m. – 11:00 a.m. (IF REQUESTED)

PLACE: Conference Room C, Bldg. 3, 2727 Mahan Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency proposes to develop a new rule to be entitled Rule 59A-4.135, F.A.C., to include provisions to design new nursing homes and additions or renovations that physically alter the interior space of existing nursing homes, to incorporate the design concepts of a cluster or house-hold unit in accordance with the Florida Building Code. Chapter 4, Section 420 of the Florida Building Code will be revised to conform to this administrative code change and requirement.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: July 22, 2008, 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 32399, (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 agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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 **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 16, 2008, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)808-6959, Conference Code: 9226020

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, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (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 the board office 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).

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: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 20, 2008, 10:00 a.m. or soon thereafter

PLACE: Hilton Daytona Beach, 100 N. Atlantic Avenue, Daytona Beach, Florida 32118. The telephone number to the hotel is (386)947-8061

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, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (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 the board office 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).

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: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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**The Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 17, 2008, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)808-6959, Conference Code: 9226020

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, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (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 the board office 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).

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: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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**The Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2008, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)808-6959, Conference Code: 9226020

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, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (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 the board office 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).

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: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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**The Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 22, 2008, 10:00 a.m.

PLACE: 1(888)808-6959, Conference code 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee meeting.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL.

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 Board office. 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.

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**The Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, July 22, 2008, 1:00 p.m., Application Committee and General Business (If time allows); Wednesday, July 23, 2008, 9:00 a.m. (If necessary)

PLACE: Four Seasons Resort Palm Beach, 2800 South Ocean Blvd., Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and General Board Business.

A copy of the agenda may be obtained by contacting: Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 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: Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399. 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: Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399.

The **Building Code Administrators and Inspectors Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 11, 2008, 10:00 a.m.

PLACE: Conference Call: 1(888)808.6959, Conference Code: 4148135\*

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting which portions may be closed to the public.

A copy of the agenda may be obtained by contacting the Board office.

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 **Building Code Administrators and Inspectors Board** announces a public meeting to which all persons are invited.

DATES AND TIME: August 12-15, 2008, 9:00 a.m.

PLACE: Renaissance Tampa Hotel, 4200 Jim Walter Blvd., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review, Rules and Legislation, Continuing Education and Executive Committee meetings and General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N Monroe St., Tallahassee, FL 32399-2211.

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 Board Office. 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.

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#### 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."

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The **Board of Directors of Babcock Ranch, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 14, 2008, 11:00 a.m. – 12:00 Noon

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board members will be conducting further discussion regarding the Babcock Ranch Conceptual Management Plan, and the Babcock Business Management Plan.

A copy of the agenda may be obtained by calling: 1(888)272-7337, when prompted, enter the following ID number: 5447045.

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).

For more information, you may contact: Ann Rowe-McMullen, Meeting Coordinator, Babcock Ranch, Inc., Post Office Box 10095, Tallahassee, FL 32301, (850)681-3200 office, Fax (850)681-7200, [www.babcockcmp.org](http://www.babcockcmp.org).

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

**DATES AND TIME:** July 16, 2008; July 23, 2008; July 29, 2008; August 13, 2008; September 2, 2008; September 9, 2008, 1:30 p.m. – 3:30 p.m. or until completion of business

**PLACE:** All of the meetings will be held via teleconference and members of the public may listen to the meeting by phone, with the opportunity to speak at the end of the call, by dialing 1(800)704-9804 and entering the following code: 612 147.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These are meetings of the technical workgroups associated with the Governor's Action Team on Energy and Climate Change 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.: Allena Nelson (allena.nelson@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.: Allena Nelson (allena.nelson@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.: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

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The **Acquisition and Restoration Council** (ARC), as defined in Section 259.035, Florida Statutes, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, July 17, 2008, 9:00 a.m.\

**PLACE:** Marjorie Stoneman Douglas Building, Conference Rooms A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider changes to the Management Plan for Babcock Ranch Preserve (Lee and Charlotte counties).

A copy of the agenda may be obtained by contacting the Office of Environmental Services at (850)245-2784.

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 Office of Environmental Services at (850)245-2784.

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: Office of Environmental Services at (850)245-2784.

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The **Department of Environmental Protection, Division of State Lands** announces a workshop to which all persons are invited.

**DATE AND TIME:** Tuesday, July 22, 2008, 9:00 a.m. (ET)

**PLACE:** Department of Environmental Protection, Conference Room A, Douglas Bldg., 3900 Commonwealth Boulevard, Tallahassee, FL. Toll Free Conference Call: 1(888)808-6959, Conference Code: 3361044

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Proposed changes to Chapter 18-21, F.A.C., simplifying fees for sovereignty submerged lands use, extending the standard lease term, and clarifying definitions.

A copy of the agenda may be obtained by contacting: Vicki Thompson, MS 130, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2720, or on the Department's Division of State Lands website at [www.dep.state.fl.us/lands](http://www.dep.state.fl.us/lands) after July 8. (OGC No. 07-1898).

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 Vicki Thompson at (850)245-2720. 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).

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Tuesday, July 22, 2008, 1:00 p.m. – close of business; Wednesday, July 23, 2008, 8:30 a.m. – close of business; Thursday, July 24, 2008, 8:30 a.m. – 12:00 Noon

**PLACE:** Florida Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Draft metadata standard will be developed for the Biological Measurement scientific discipline. This is a continuation of workshops carried out by the Florida Water Resources Monitoring Council in support of the Florida Oceans and Coastal Council's Integrated Data Management (IDM) program for the Florida Department of Environmental Protection, Total Maximum Daily Load Program to define and document metadata elements. The goal is improved storage, sharing, and assessment of research and monitoring data.

A copy of the agenda may be obtained by contacting: Becky Panebianco at (850)245-2094 or [Becky.Panebianco@dep.state.fl.us](mailto:Becky.Panebianco@dep.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 by contacting: Becky Panebianco at (850)245-2094 or Becky.Panebianco@dep.state.fl.us. 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 **Siting Coordination Office** announces a hearing to which all persons are invited.

DATE AND TIME: July 29, 2008, 9:00 a.m.

PLACE: Florida State Capitol Building, 400 South Monroe Street, Lower Level, Cabinet Hearing Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection announces a public hearing of the Governor and Cabinet, sitting as the Transmission Line Siting Board, to consider the Administrative Law Judge's Recommended Order concerning the certification of the proposed Tampa Electric Company, Willow Oak-Wheeler-Davis 230 Kilovolt Transmission Line Project, Transmission Line Siting Application No. TA07-15, DOAH Case No. 07-4745TL, DEP-OGC Case No. 07-1858 pursuant to the Florida Transmission Line Siting Act, Sections 403.52-.5365, Florida Statutes. The Cabinet Aides will meet and discuss the item on July 23, 2008 at 9:00 a.m., in the same location to review and gather information regarding this item for consideration by the Siting Board.

A copy of the agenda may be obtained by contacting: Cindy Muir, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399 3000, (850)245-2024.

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: Denise Cunningham, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. 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: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

The **Siting Coordination Office** announces a hearing to which all persons are invited.

DATES AND TIMES: August 18-22, 2008, 9:30 a.m.; September 19, 22-23, 2008, 9:00 a.m.

PLACE: Radisson Resort Worldgate, 3011 Maingate Lane, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection-Siting Coordination Office announces the rescheduling of the certification hearing for which Administrative Law Judge Donald R. Alexander will take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site certification of the proposed Progress Energy Florida and Tampa Electric Company, Lake Agnes-Gifford 230 Kilovolt Transmission Line Project, Transmission Line Siting Application No. TA07-16, DOAH Case No. 07-569ITL, DEP-OGC Case No. 07-1858, pursuant to the Transmission Line Siting Act, Sections 403.52-.5365, Florida Statutes. This notice replaces the notice filed in the April 4, 2008 issue of the Florida Administrative Weekly, scheduling the hearing for July 14 and subsequent days.

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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: Landa Korokous, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. 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: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: September 17, 2008, 10:00 a.m. – 5:00 p.m. or until completion of business; September 18, 2008, 8:30 a.m. – 2:30 p.m.

PLACE: Room 412, Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Governor's Action Team on Energy and Climate Change 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: Allena Nelson (allena.nelson@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: Allena Nelson (allena.nelson@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: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

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The **Department of Environmental Protection**, Energy Office announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2008, 9:00 a.m. – 5:00 p.m. or until completion of business

PLACE: Room 412, Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Governor's Action Team on Energy and Climate Change 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.: Allena Nelson (allena.nelson@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.: Allena Nelson (allena.nelson@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.: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

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## DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 17, 2008, 10:00 a.m. – 11:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 245-4583. Correctional Medical Authority, 4030 Esplanade Way, 2nd Floor, Room 258, Tallahassee, FL 32399-1732

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by contacting: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

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: Suzanne Wieczorek, Correctional Medical Authority, (850)245-4557. 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: Suzanne Wieczorek, Correctional Medical Authority at (850)245-4557.

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The Florida **Board of Massage Therapy** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, July 24, 2008; Friday, July 25, 2008, 9:00 a.m. or shortly thereafter

PLACE: Marriott Tampa Airport, Tampa International Airport, 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Christy Robinson, (850)245-4161, at least five calendar days prior to the meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the

proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based. Persons who are hearing or speech impaired, can contact: Christy Robinson using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Massage Therapy** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a continued public rule hearing will be held on subsection 64B7-25.001(2), F.A.C., at the time, date and place listed below.

DATE AND TIME: Friday, July 25, 2008, 9:00 a.m. or soon thereafter as can be heard

PLACE: Tampa Airport Marriot, Tampa International Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Subsection 64B7-25.001(2), F.A.C., Examination Requirements – approved examinations. Subsection 64B7-25.001(2), F.A.C. was scheduled for a hearing on April 25, 2008. A rule challenge was filed and a hearing was scheduled before the Department of Administrative Hearings on June 17, 2008. The parties agree that further discussions are necessary in an effort to resolve the disputes in the rule challenge.

A copy of the agenda may be obtained by writing: Department of Health, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or by calling the Board office at (850)245-4161.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Massage Therapy** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a public rule workshop will be held on Rule 64B7-32.003, F.A.C., at the time, date and place listed below.

DATE AND TIME: Friday, July 25, 2008, 9:00 a.m. or soon thereafter as can be heard

PLACE: Tampa Airport Marriot, Tampa International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 64B7-32.003, F.A.C., Minimum Requirements for Board of Massage Therapy Approval.

A copy of the agenda may be obtained by writing: Department of Health, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or by calling the Board office at (850)245-4161.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2008, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Probation Committee.

A copy of the agenda may be obtained by contacting: Tiana Jackson, Medicine Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C-01, Tallahassee, Florida 32399-3251.

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: Tiana Jackson, Medicine Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C-01, Tallahassee, Florida 32399-3251. 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: Tiana Jackson, Medicine Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C-01, Tallahassee, Florida 32399-3251.

The **Board of Podiatric Medicine**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 17, 2008, 4:00 p.m.

PLACE: Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

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 Podiatric Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 18, 2008, 9:00 a.m.

PLACE: Renaissance Orlando Hotel Airport, Orlando, Florida 32812

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 Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/podiatry/index.html](http://www.doh.state.fl.us/mqa/podiatry/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 **Office of Public Health Research** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, July 14, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Room 280N, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Comments on Proposed Rule Making (Rule 64H-2.002, F.A.C.).

A copy of the agenda may be obtained by contacting: Ronique Hall, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin #A-24, Tallahassee, FL 32399, (850)245-4444, ext. 3927.

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).

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: Ronique Hall, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin #A-24, Tallahassee, FL 32399, (850)245-4444, ext. 3927.

The **Florida Tobacco Education and Use Prevention Advisory Council** announces a series of conference call meetings of its subcommittees to which all interested parties are invited to participate. The subcommittees are the Youth Programs, Health Communications, and Surveillance and Evaluation. This notice was originally published on March 28, 2008.

Committee: Youth Programs

DATE AND TIME: Friday, April 4, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, May 2, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meetings.

DATE AND TIME: Friday, July 11, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, August 8, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, October 10, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, November 7, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, December 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meeting.



Committee: Health Communications.

DATE AND TIME: Monday, March 31, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, April 28, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATES AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATES AND TIME: Monday, July 7, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, August 4, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Monday, October 6, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, November 3, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, December 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meeting.

Committee: Surveillance and Evaluation.

DATE AND TIME: Friday, April 4, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, May 2, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, June 2, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, July 11, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, August 8, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Subcommittees meet during council meeting

DATE AND TIME: Friday, October 10, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, October 10, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9344074

DATE AND TIME: Monday, December 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: No call. Subcommittees meet during council meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the mandates of the Tobacco Education and Use Prevention Program as instituted in Section 381.84, FS.

A copy of the agenda for any of the conference calls may be obtained at: Florida Department of Health's tobacco website: <http://www.doh.state.fl.us/tobacco/TAC.html#Sub-Committees>. A copy of the specific agenda for this meeting may be obtained by contacting: Carlos Martinez at (850)413-6844 ([carlos\\_martinez@doh.state.fl.us](mailto:carlos_martinez@doh.state.fl.us)) or by going to the Department of Health Tobacco website at <http://www.doh.state.fl.us/tobacco/TAC.html#Sub-Committee> s. prior to the conference call.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these conference calls is asked to advise the agency at least 2 days before the conference call by contacting: Mr. Carlos Martinez at (850)245-4144, ext. 2473 or email [carlos\\_martinez@doh.state.fl.us](mailto:carlos_martinez@doh.state.fl.us).

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 a subcommittee 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. Additional information may be obtained by contacting: Carlos Martinez at (850)245-4144, ext. 2473 (email [carlos\\_martinez@doh.state.fl.us](mailto:carlos_martinez@doh.state.fl.us)).

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## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Community Alliance ByLaws**, Officer Elections Committees announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 21, 2008, 9:00 a.m.

PLACE: Conference Call 1(888)808-6959, Conference Code: 9474017

GENERAL SUBJECT MATTER TO BE CONSIDERED: Add/Delete Alliance Representative; Create slate of officers for October meeting.

A copy of the agenda may be obtained by contacting: Denise Kelly at (386)238-4648 or 210 N. Palmetto Ave., Suite 440, Daytona Beach, FL 32114.

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: Denise Kelly at (386)238-4648. 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.

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#### **FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 22, 2008, 10:00 a.m.

**PLACE:** Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Charlotte Crossing Apartments, a 124-unit multifamily residential rental development located North of the intersection of Sandhill Boulevard and Rio De Janeiro Avenue in unincorporated Charlotte County, FL 33983. The prospective owner and operator of the proposed development is Charlotte Crossing, Ltd., 2950 S. W. 27th Avenue, Suite 200, Miami, FL 33133, or such successor in interest in which TCG Charlotte Crossing, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Carlisle Property Management, Inc., 2950 S. W. 27th Avenue, Suite 220, Miami, FL 33133. The total tax-exempt bond amount is not to exceed \$9,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by

5:00 p.m. (Tallahassee local time), July 21, 2008, and should be addressed to the Attention: Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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: Wayne Conner 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).

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.

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#### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The **Fish and Wildlife Conservation Commission**, Boating and Waterways Section announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, July 15, 2008, 9:00 a.m.

**PLACE:** Ferris Bryant Building, Second Floor, Conference Room, 620 South Meridian Street, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Florida Boating Improvement Program (FBIP) Evaluation Committee to review and score applications for fiscal year 2008-2009 grants.

A copy of the agenda may be obtained by contacting: Susanna Stephens, FBIP Coordinator at (850)488-5600.

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 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).

For more information, you may contact: Susanna Stephens, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)488-5600, [www.fbip@MyFWC.com](mailto:www.fbip@MyFWC.com).

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The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 8:30 a.m. – 5:30 p.m.  
 PLACE: The Marathon Garden Club, Inc., 5270 Overseas Highway, Marathon, Florida

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).

For more information, you may contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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#### DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF CANCELLATION – The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 26, 2008, 1:00 p.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium Building, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: MEETING CANCELLED.

For more information, you may contact: Casia Sinco, Safety Program Manager or Donald Rollins, Administrative Assistant I, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling him at (850)413-3171.

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The **Division of Funeral, Cemetery and Consumer Services** announces a workshop to which all persons are invited.

DATE AND TIME: July 23, 2008, 10:00 a.m. – 5:00 p.m.

PLACE: Department of Financial Services, 2012 Capital Circle, S. E., Hartman Bldg., Suite 104J, Koger Center, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of receiving public comment concerning the possibility of shifting from a system of quarterly preneed remittances, to a system of annual preneed remittances. Relevant statutes include, but are not limited to Sections 497.453(6) and 497.456, Florida Statutes (2007).

To assist the Division in monitoring whether the meeting facility will be of adequate size, persons planning to attend are asked to email Ms. Bryant at the earliest possible time with their name, and their anticipated number of attendees. The Division will create an email list of persons desiring to receive any updates or additional information about this workshop. Persons desiring to be on that email list should email Ms. Bryant to that effect.

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).

For more information, you may contact: LaTonya Bryant at LaTonya.Bryant@myfloridacfo.com or (850)413-3039.

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#### FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

MEETING: Advocacy Committee Meeting

DATE AND TIME: Tuesday, July 8, 2008, 1:30 p.m. (EST)

MEETING: Planning Committee Meeting

DATE AND TIME: Thursday, July 10, 2008, 1:30 p.m. (EST)

MEETING: Evaluation Committee Meeting

DATE AND TIME: Tuesday, July 10, 2008, 2:30 p.m. (EST)

MEETING: Finance Committee Meeting

DATE AND TIME: Thursday, July 17, 2008, 1:30 p.m. (EST)

MEETING: Executive Committee Meeting

DATE AND TIME: Thursday, July 24, 2008, 2:30 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

GENERAL SUBJECT MATTER TO BE CONSIDERED: COMMITTEE AND TASK FORCE MEETINGS.

Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or Toll Free 1(877)822-1993.

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#### SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2008, 8:00 a.m.  
PLACE: South Seas Island Resort, 5400 Plantation Road, Captiva Island, Florida 33924  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic planning: review 2007-08 strategic goals, develop long-term strategic goals.  
A copy of the agenda may be obtained by contacting: wendy.schaefer@mail.callsunshine.com.

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The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.  
DATE AND TIME: July 17, 2008, 8:00 a.m.  
PLACE: South Seas Island Resort, 5400 Plantation Road, Captiva Island, Florida 33924  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning: long-term strategic goals development; Committee Meetings.  
A copy of the agenda may be obtained by contacting: wendy.schaefer@mail.callsunshine.com.

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The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.  
DATE AND TIME: July 18, 2008, 8:00 a.m.  
PLACE: South Seas Island Resort, 5400 Plantation Road, Captiva Island, Florida 33924  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Meetings; Board Meeting; Committee Reports.  
A copy of the agenda may be obtained by contacting: wendy.schaefer@mail.callsunshine.com.

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### REGION XII TRAINING COUNCIL

The **Region XII Training Council** and Assessment Center Board of Directors announces a public meeting to which all persons are invited.  
DATE AND TIME: July 22, 2008, 10:00 a.m.  
PLACE: Palm Beach Community College, Room CE 119, 4200 Congress Avenue, Lake Worth, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to: F.D.L.E./C.J.S.T.C. updates; Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.  
A copy of the agenda may be obtained by contacting: Sue Voccola at (561)868-3403.

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### SECURE AIRPORTS FOR FLORIDA'S ECONOMY COUNCIL

The **Secure Airports for Florida's Economy (SAFE) Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 9:00 a.m.  
PLACE: The Breakers (Magnolia Room), One South County Road, Palm Beach, Florida 33480  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes; Funding Options; Outreach Update; Digicast Update; GA Security Assessment Presentation; Project/Program Recommendations; FY 2009 Budget.  
A copy of the agenda may be obtained by contacting: Rebecca Bosco at (813)974-9777.

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 Rebecca Bosco at (813)974-9777. 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.

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mr. Abe Sacks, on behalf of Structa Wire Corp. (Petitioner), on June 23, 2008. The following is a summary of the agency's disposition of the petition: It was assigned the number DCA08-DEC-047. The Commission determined that the Petitioner's line of welded-wire stucco reinforcing products are not within the scope of Chapter 9B-72, Florida Administrative Code.  
A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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### DEPARTMENT OF REVENUE

NOTICE IS HEREBY GIVEN THAT Florida Department of Revenue has received the petition for declaratory statement from Four Star Homes, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 212, F.S., as it applies to the petitioner.

The Petitioner is requesting a declaratory statement as to whether various separately stated items related to the sale of a manufactured or mobile home are subject to sales tax pursuant to Chapter 212, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Nancy Purvis, Agency Clerk, Department of Revenue, Office of General Counsel, P. O. Box 6668, Tallahassee, FL 32314-6668, (850)488-0712, Fax (850)488-7112.

Please refer all comments to: Tom Butscher, Assistant General Counsel, Department of Revenue, e-mail: butschet@dor.state.fl.us.

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### **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."

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### **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 declined to rule on the petition for declaratory statement filed by Laurel Oak Community Association, Inc.; Docket No. 2008024987 on April 25, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division does not have authority under Chapter 720, Florida Statutes, to enforce or interpret Section 720.3085(4), Florida Statutes, governing homeowners' association lien disputes.

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.

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.

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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 John R. Phillips, Unit Owner, In RE: Indian Sunset Beach Property Owners Association, Inc., Docket No. 2008034023. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Indian Sunset Beach Property Owners Association, Inc. may change the method of apportioning the common expenses for limited common elements under Sections 718.104(4)(f), (g), 718.113(1), 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.

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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 Jan Sawitoski, Unit Owner, In RE: Southern Breeze Gardens Condominium Association, Inc., Docket No. 2008016365 on March 17, 2008. The following is a summary of the agency's disposition of the petition:

It is ordered that Southern Breeze Gardens Condominium Association, Inc.'s (Association) amendment to the declaration imposing a transfer fee, application and approval process for unit leases may be applied to petitioner under Section 718.110(13), Florida Statutes.

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.

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.

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NOTICE IS HEREBY GIVEN THAT the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, (hereinafter "Division") has received the petition for declaratory statement from Jacksonville Kennel Club, Inc., (hereinafter "Petitioner"), on June 11, 2008, in DBPR Case No. 2008036447 (DS 2008-038). The petition seeks the agency's opinion as to the applicability of Sections 550.0555, 550.475, 550.615(8) and 849.086(5)(a), Florida Statutes, as it applies to the petitioner.

The petition requests a declaratory statement regarding several issues arising from the potential relocation of Petitioner's pari-mutuel wagering facility which is located in Duval County, Florida. The specific questions presented are:

- a. Assuming that appropriate zoning for any new facility is demonstrated to the Division, if Petitioner petitions to relocate its pari-mutuel wagering permit to a new facility located in Duval County within a 30-mile radius of its existing facility, would the Division's decision on this request rest solely on whether the relocation is necessary to maintain or enhance the capability of Petitioner to produce tax revenues for the state from wagering activities without deteriorating the capability of Orange Park Kennel Club and St. Johns Greyhound Park to produce such tax revenues?
- b. If Petitioner successfully petitions to relocate its pari-mutuel wagering permit to a new facility located in Duval County within a 30-mile radius of its existing facility, would Petitioner be able to: (a) continue to conduct pari-mutuel wagering on live greyhound races at the leased Orange Park facility pursuant to an annual license issued by the Division; and (b) conduct intertrack pari-mutuel wagering at its new facility in Duval County?
- c. Would the Division's answers to the questions posed in Question b. be the same if a greyhound racing oval will not be constructed at the new facility?
- d. Under the same scenario described in Question b, assume further that Petitioner submits a properly completed application for a cardroom license for its new facility in Duval County, the required license fee, and adequate evidence of local government approval under Section 849.086, Florida Statutes, and that both Orange Park Kennel Club and Jacksonville Kennel Club have each consistently applied for and received licenses to conduct a "full schedule" of live greyhound racing at the Orange Park facility in compliance with Section 849.086(5)(b), Florida Statutes. Under these circumstances, would Petitioner qualify to conduct cardroom operations at its new facility in Duval County pursuant to an annual license issued by the Division?

Any person whose substantial interests may be affected by the Division's response to the request for declaratory statement may petition the Division to intervene in this matter.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT June 12, 2008, Board of Employee Leasing Companies has issued an order disposing of the petition for declaratory statement filed by American Pool Service of Orlando, L.L.C. on February 5, 2008. The following is a summary of the agency's disposition of the petition:

The initial notice was published on February 22, 2008 in Vol. 34, No. 8 of the Florida Administrative Weekly, and an amended notice was published on March 28, 2008 in Vol. 34, No. 13 of the Florida Administrative Weekly. American Pool

Service sought a determination from the Board as to whether it was required to apply for licensure as an employee leasing company in Florida. The Board intended to consider this matter during its April 16, 2008 public meeting in St. Petersburg, Florida. However, with the consent of American Pool Service, the Board tabled consideration of the Petition until a publicly-noticed, telephonic conference call on May 21, 2008 during which it ruled as follows: 1. Section 468.520(4), Florida Statutes (2007), defines "employee leasing" to mean "an arrangement whereby a leasing company assigns its employees to a client and allocates the direction of and control over the leased employees between the leasing company and the client." 2. However, the term "employee leasing" does not encompass a "temporary help arrangement" as defined in Section 468.520(4)(a), Florida Statutes (2007), or a "facilities staffing arrangement" as defined in Section 468.520(4)(c), Florida Statutes (2007). 3. After considering the assertions set forth in the Petition, the Board concluded that the nine-month contractual agreement between American Pool Service and its customer in Florida is too long in duration to be considered a "temporary help arrangement" intended to assist the aforementioned customer with meeting seasonal demand. 4. Instead, the nine-month contractual agreement described in the Petition is more akin to an arrangement that will be maintained on an "ongoing, indefinite basis." 5. Accordingly, the Board declared that the contractual agreement described in the Petition amounted to a "facilities staffing arrangement" as set forth in Section 468.520(4)(c), Florida Statutes (2007).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Mr. Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

**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 June 17, 2008, the Board of Podiatric Medicine has received the petition for declaratory statement from Paul M. Greenman, DPM. The petition seeks the agency's opinion as to the applicability of Section 461.003(5), F.S., and Rule 64B18-23.001, Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 461.003(5), F.S., and Rule 64B18-23.001, Florida Administrative Code, regarding whether an endovenous ablation of the Greater Saphenous Vein is within the scope of practice for a podiatric physician in Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT Florida Department of Financial Services has declined to rule on the petition for declaratory statement filed by Charles K. Bortell, Jr. on April 11, 2008. The following is a summary of the agency's declination of the petition:

It is well established that declaratory statements issued pursuant to Section 120.565, Florida Statutes, can be applicable only to the specific petitioner and question that is not so limited and would require a response that is the equivalent of a rule. Therefore, the instant petition, which by its own terms, is not limited in its application to the specific petitioner, but to all similarly licensed insurance agents, must be denied. Also the Petition asks for a declaratory statement relative to ongoing conduct, which circumstance also militates for denial of the petition. *Novick v. Department of Health*, 816 So.2d 1237 (Fla. 5th DCA 2002).

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Douglas Shropshire, Staff Counsel, Department of Financial Services, Division of Legal Services, Larson Building, 6th Floor, 200 East Gaines Street, Tallahassee, Florida 32399-0333, or by email at shropshired@dfs.state.fl.us.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from Roy Tremain, Fire Chief. The petition seeks the agency's opinion as to the applicability of Section 509.215(1)(a), Florida Statutes, in conjunction with subsection (3) of the same statute as it applies to the petitioner.

The Petitioner is charged with enforcement of the fire code and is substantially affected by the interpretation of Section 509.215(1)(a), Florida Statutes, in conjunction with subsection (3) of the same statute, as it applies to a particular parcel of property located in Eustis, Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to Lesley.Mendelson@fldfs.com.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**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**

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida A&M University (FAMU) announces that Professional Services in the discipline of Architecture will be required for the following: Project No.: FM-318, Rural Diversity Healthcare Center, Crestview, Florida.

The facility was constructed in 1937 as a manufacturing plant building. The textile facility assisted the area economy during the post depression era and produced various items including military clothing during WWII. This project consists of the design and renovations of 39,200 gsf of space into teaching labs, classrooms and offices. The university design solutions will involve the restoration of the historical aspects of the building, while redesigning the building's interior square footage into classrooms, teaching labs and offices for the

professional schools of Nursing, Allied Health Sciences and Pharmacy. The design consultant will provide programming services in addition to basic architectural design engineering services.

The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as a part of Basic Services.

**INSTRUCTIONS:** Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed "Professional Qualifications Supplement" (PQS); form is to be obtained from the FAMU Facilities Planning & 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 may be disqualified. Application materials will not be returned. The plans and specifications for State University System 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Samuel J. Houston, Director, Office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, (850)599-3197, Fax (850)561-2289, e-Mail: samuel.houston@famuedu.

Submittals must be received in the Office of Facilities Planning and Construction, by 12:00 noon local time, on August 20, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida A&M University, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline of Architecture will be required for the project listed below: Project No. BR-352; Project and Location: Five Year Update of the Comprehensive Master Plan, Florida A&M University, Tallahassee, FL 32307.

This project consists of a five year update of the Comprehensive Campus Master Plan on a Continuing Services Contract basis, for studies through the next five years, up to the time of the next five year update. Work will consist of updating the various elements in the current Master Plan, including Land Use, Academic Facilities, Support Facilities, Housing, Recreation and Open Space, General Infrastructure, Utilities, Intergovernmental Coordination, Transportation, Capital Improvements, Architectural Design Guidelines, Landscape Design Guidelines and Facilities Maintenance.

Consultants should demonstrate the ability to assess the impacts of five years of University facilities development on public facilities and services (i.e. stormwater management, electrical, potable water, sanitary sewer, solid waste, roads and parks and recreation facilities). Consultants should demonstrate the ability to update existing master plan map conditions to reflect the five year assessment. Greater consideration will be given to those consultants with previous experience in master planning, local government comprehensive plans and concurrency management in Florida. **INSTRUCTIONS:** Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed "Professional Qualifications Supplement" (PQS); form is to be obtained from the FAMU Facilities Planning & 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 may be disqualified. Application materials will not be returned.



The plans and specifications for State University System 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 their being placed on the convicted vendor list.

Professional Qualifications Supplement (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Karen Brown, Associate Director at (850)599-8005, email: karen.brown@fam.u.edu, Office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, (850)599-3197, Fax (850)561-2289. Submittals must be received in the Office of Facilities Planning and Construction, by 12:00 Noon (Local Time), August 21, 2008 to the Attention of: Samuel J. Houston, Director. Facsimile (FAX) submittals are not acceptable and will not be considered.

Florida Agricultural and Mechanical University  
Notice to Professional Developers  
(STUDENT RESIDENTIAL COMMUNITIES)

AMENDED NOTICE – Florida A & M University (FAMU) invites qualified firms licensed to do business in the State of Florida to submit Invitation To Negotiate (ITN) proposals for the development, financing, designing, constructing, operating, and renovating of student housing facilities on FAMU's Tallahassee campus.

Project Name: ITN #7372 FINANCING, DESIGNING, CONSTRUCTING, OPERATING, AND RENOVATING OF FLORIDA A&M UNIVERSITY'S STUDENT HOUSING. Please see the ITN document for further details. You may download of the ITN document from the FAMU website at: [http://www.famu.edu/Purchasing/UserFiles/File/ITN\\_FAMU\\_HOUSING\\_DOCUMENT.doc](http://www.famu.edu/Purchasing/UserFiles/File/ITN_FAMU_HOUSING_DOCUMENT.doc) or request a copy by contacting: Mr. Willie Minton, Sr., Purchasing Agent, Purchasing Department at (850)599-3203, fax (850)561-2160; or email willie.minton@fam.u.edu. In all requests be sure to include the company name, address, phone number, fax, email address, and point contact and the number/title of the ITN document you are requesting. ITN submittals should be addressed to: Mr. Willie Minton, Sr., Purchasing Agent, Purchasing Department and must be received in the Purchasing Department's Office, Foote-Hilyer Administration Center, Room 208, Lee Hall Drive, Tallahassee, FL 32307. Closing date: July 18, 2008, by 3:00 p.m. (Local time).

NOTICE TO PROFESSIONAL CONSULTANTS

Request for Qualifications – RFQ 09-01

The University of North Florida – Board of Trustees, a public body corporate, announces that Professional Services in the discipline of Civil Engineering will be required for the project listed below:

Extension of Road and all Infrastructure Systems

The University of North Florida is planning to develop the Northwest portion of the campus to accommodate up to 18 free-standing fraternity and sorority houses. This project is to provide engineering services for the road system, underground utilities, survey, all necessary permit application and follow-up to secure all permits, other services as required, and construction administration. Preliminary site planning for this project was completed in April 2008 by the firm of Arcadis U.S., Inc. The site plan will be available on our web page <http://www.unf.edu/dept/facplan>.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The most recent version of the "Professional Qualifications Supplement," completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The University of North Florida strongly encourages Minority Business participation.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as a part of Basic Services (each, aggregate and per occurrence).

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained electronically by emailing: Evelyn Jenkins Burton at [e.jenkins@unf.edu](mailto:e.jenkins@unf.edu) AND Angela Dyal at [angela.dyal@unf.edu](mailto:angela.dyal@unf.edu)

Submittals must be received in the office of:

UNIVERSITY OF NORTH FLORIDA  
 PURCHASING DEPARTMENT  
 BUILDING 6  
 # 1 UNF DRIVE  
 JACKSONVILLE, FL 32224

by 2:00 pm local time, on July 30, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

**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**

Addendum to RFQ 07/08-047 LA  
 Approved Surveyor List

Suwannee River Water Management District has extended the deadline for submittal of qualifications for surveying services until 5:00 p.m., July 30, 2008.

In addition, another pre-qualification meeting will be held at District headquarters at 2:00 p.m., Tuesday July 15, 2008. Attendance at one of the pre-qualification meetings is mandatory. Those surveying firms represented at the June 11, 2008, meeting are not required to attend the second meeting.

The proposed schedule for the request for qualifications has been amended as shown below:

- |                   |   |
|-------------------|---|
| May 30, 2008      | Release of Request for Qualifications   |
| June 11, 2008     | Pre-qualification meeting at 2:00 p.m.*   |
| July 12, 2008     | Attendance at <u>one</u> of these meetings is <u>mandatory</u>                                    |
| July 30, 2008     | Qualifications due prior to 5:00 p.m. at District Headquarters. Opening will occur at this time.* |
| August 5, 2008    | Selection Committee meeting, 9:00 a.m. at District Headquarters.*                                 |
| September 9, 2008 | Request for Governing Board Approval of Recommended Surveyor List at 3:00 p.m.                    |

\* Denotes a public meeting. All meetings will be held at District Headquarters located at the corner of U.S. 90 and C.R. 49 in Live Oak, Florida. All times denote Eastern Standard Time (EST).

**EXPRESSWAY AUTHORITIES**

NOTICE TO CONTRACTORS – SYSTEMWIDE LANDSCAPE MAINTENANCE CONTRACTOR REQUEST FOR INFORMATION – RFI-08-001

The Orlando-Orange County Expressway Authority (Authority) requires a Systemwide Landscape Maintenance Contractor to provide routine maintenance of landscape areas along the Authority system in Orange County, Florida. Consideration will be given to only those contractors who are qualified to perform the work as determined by the Authority based on an evaluation of information provided by interested parties in response to the Request for Information; RFI-08-001. Sealed Responses will be received in the office of the Orlando-Orange County Expressway Authority, 4974 ORL Tower Road, Orlando, Florida 32807 until 2:00 p.m. (Orlando local time) on August 1, 2008, for the work generally described below.

SYSTEMWIDE LANDSCAPE MAINTENANCE CONTRACTOR – REQUEST FOR INFORMATION RFI-08-001

Landscape maintenance work shall include, but is not necessarily limited to, providing all labor, materials, equipment and incidentals necessary to perform landscape, ornamentals and turf maintenance, mowing, fertilizer application, insect/disease/nematode control, aquatic weed control, growth regulator application, grassy and broadleaf weed control, tree pruning, tree removal, watering, edging, mulching, irrigation system maintenance and site clean-up including litter removal at toll facilities and other median and right of way locations along S.R. 408, S.R. 417, S.R. 528, S.R. 429 and the Authority Headquarters Building, in Orange County, Florida.

For additional information regarding prequalification requirements, mandatory scope of services meeting, Qualifications Questionnaire, Price Proposal submittal requirements and deadline, Equal Opportunity Statement and M/WBE Participation, refer to the Authority's web site at [www.expresswayauthority.com](http://www.expresswayauthority.com), or visit the Authority's office at 4974 ORL Tower Road, Orlando Florida.

**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 XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Guidelines and Applications Available  
for Community Libraries in Caring Grant Program

Grant applications and guidelines are available for the Community Libraries in Caring grant program administered by the Florida Department of State, State Library and Archives of Florida. Applications must be either postmarked or on file by August 15, 2008.

Guidelines and forms are available on the State Library and Archives of Florida's Web page at <http://dliis.dos.state.fl.us/bld/grants/CLIC/CLIC.html>. Grant guidelines and forms may also be requested by mail from: Grants Office, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, by e-mail to [mdenney@dos.state.fl.us](mailto:mdenney@dos.state.fl.us), by phone at (850)245-6620 or by fax at (850)245-6643. Mail completed applications to the address indicated above.

**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 subsection 380.06(4)(a), Florida Statutes.

FILE NO.:BLIM-05-2007-018

DATE RECEIVED: June 8, 2008  
DEVELOPMENT NAME: MARION OAKS UNITS  
10 and 11  
DEVELOPER/AGENT: Deltona Corporation/  
LOCAL GOVERNMENT: Marion County

NOTICE OF INTENT TO FIND  
PUBLIC SCHOOLS INTERLOCAL AGREEMENT  
CONSISTENT WITH SECTION 163.31777(2), FLORIDA  
STATUTES – DCA DOCKET NO. 29-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Hillsborough County School Board and each of the following local governments: Hillsborough County, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours at Hillsborough County, 601 East Kennedy, 18th Floor, Tampa, Florida 33601.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Hillsborough County School Board, Hillsborough County. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

—s-Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**DEPARTMENT OF TRANSPORTATION**

Airport Site Approval Order

The Florida Department of Transportation intends to issue an “Airport Site Approval Order,” in accordance with Chapter 330, Florida Statutes, “Regulation of Aircraft, Pilots, and Airports” and Chapter 14-60, Florida Administrative Code, “Airport Licensing, Registration, and Airspace Protection” for the following site:

Heli-Partners I-Drive, a private airport, in Orange County, at Latitude 28° 23' 59" and Longitude 081° 29' 59", to be owned and operated by Mr. Richard Violette, 5519 W. Hwy. 192, Kissimmee, FL 34746.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### Notice of Publication for a New Point

#### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of 2 Wheel Toystore, LLC, as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 1041 Silver Beach Road, Bay 17-21, Riviera Beach (Palm Beach County), Florida 33404, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of 2 Wheel Toystore, LLC are dealer operator(s): Ottmar M. Schmidt, 1041 Silver Beach Road, Bay 17-21, Riviera Beach, Florida 33404; principal investor(s): Ottmar M. Schmidt, 1041 Silver Beach Road, Bay 17-21, Riviera Beach, Florida 33404.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

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.

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### Notice of Publication for a New Point

#### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Flyscooters, LLC, intends to allow the establishment of AA Accurate Truck and Auto Sales, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1644 North Highway U.S. 1, Ormond Beach (Volusia County), Florida 32174, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of AA Accurate Truck and Auto Sales are dealer operator(s): James Pascarelli, 1644 North Highway U.S. 1, Ormond Beach, Florida 32174; principal investor(s): James Pascarelli, 1644 North Highway US 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Daniel Pak, Flyscooters, LLC, 6050 Lowell Street, #111, Emeryville, California 94608.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by Taizhou Chuanl

Motorcycle Manufacturing Co. Ltd. (CHUA) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Andrew J. Biggar d/b/a Orange City Cycle, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 2305 South Volusia Avenue, Orange City (Volusia County), Florida 32763, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of Action Auto, Inc., as a dealership for the sale of KTMEX motorcycles (KTMM) at 5320 14th Street West, #101, Bradenton (Manatee County), Florida 34207, on or after June 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Action Auto, Inc. are dealer operator(s): Edward Levin, 5320 14th Street West, #101, Bradenton, Florida 34207; principal investor(s): Edward Levin, 5320 14th Street West, #101, Bradenton, Florida 34207.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of Anytime Auto Sales, Inc., as a dealership for the sale of KTMEX motorcycles (KTMM) at 1861 Palm Beach Boulevard, Fort Myers (Lee County), Florida 33916, on or after June 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Anytime Auto Sales, Inc. are dealer operator(s): Robert Hartman, 1861 Palm Beach Boulevard, Fort Myers, Florida 33916; principal investor(s): Robert Hartman, 1861 Palm Beach Boulevard, Fort Myers, Florida 33916.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that STR Motorsports, Inc., intends to allow the establishment of Billy's Concession Consulting, Inc. d/b/a Billy's Bike Shop, as a dealership for the sale of KYMCO motorcycles (KYOO) at 1509 Periwinkle Way, Sanibel (Lee County), Florida 33957, on or after May 13, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Billy's Concession Consulting, Inc. d/b/a Billy's Bike Shop are dealer operator(s): Billy Kirkland, 2090 Sunset Circle, Sanibel, Florida 33957; principal investor(s): Billy Kirkland, 2090 Sunset Circle, Sanibel, Florida 33957.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Bruce S. Ramsey, STR Motorsports, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Billy's Concession Consulting, Inc. d/b/a Billy's Bike Shop, as a new point for KYMCO (KYOO) motorcycle franchise dealership in Lee County by STR Motorsports, Inc., published in Vol. 34, No. 24, pps 3163-3164 of the Florida Administrative Weekly on June 13, 2008, has been withdrawn.

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 Flyscooters, LLC, intends to allow the establishment of Brothers Cycle Shop, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 317 East Washington Street, Unit G, Minneola (Lake County), Florida 34715, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Brothers Cycle Shop, Inc. are dealer operator(s): Denise Bonko, 317 East Washington Street, Unit G, Minneola, Florida 34715; principal investor(s): Denise Bonko, 317 East Washington Street, Unit G, Minneola, Florida 34715.

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, 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: Daniel Pak, Flyscooters, LLC, 6050 Lowell Street, #111, Emeryville, California 94608.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.



Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Flyscooters, LLC, intends to allow the establishment of Charlie Dyches Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2314 East Edgewood Drive, Lakeland (Polk County), Florida 33803, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Charlie Dyches Powersports, LLC are dealer operator(s): Charlie Dyches, 2314 East Edgewood Drive, Lakeland, Florida 33803; principal investor(s): Charlie Dyches, 2314 East Edgewood Drive, Lakeland, Florida 33803.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Daniel Pak, Flyscooters, LLC, 6050 Lowell Street, #111, Emeryville, California 94608.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that STR Motorsports, Inc., intends to allow the establishment of Classic Cycles International d/b/a Suzuki of Sarasota, as a dealership for the sale of KYMCO motorcycles (KYOO) at 4583 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after June 12, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Classic Cycles International d/b/a Suzuki Sarasota are dealer operator(s): William R. Gillum,

7322 Starfish Drive, Sarasota, Florida 34231; principal investor(s): William R. Gillum, 7322 Starfish Drive, Sarasota, Florida 34231.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Bruce S. Ramsey, STR Motorsports, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Classic Scooter Rental, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 8307 Thomas Drive, Panama City Beach, (Bay County), Florida 32408, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Classic Scooter Rental, Inc. are dealer operator(s): Perry Hand, 8307 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Perry Hand, 8307 Thomas Drive, Panama City Beach, Florida 32408.

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, 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: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Classic Scooter Rental, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 8307 Thomas Drive, Panama City Beach (Bay County), Florida 32408, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Classic Scooter Rental, Inc. are dealer operator(s): Perry Hand, 8307 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Perry Hand, 8307 Thomas Drive, Panama City Beach, Florida 32408.

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, 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: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Coach Motors, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 6903 Northwest 43 Street, Miami (Dade County), Florida 33166, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Coach Motors, Inc. are dealer operator(s): Arlene Rodriguz, 6903 Northwest 43 Street, Miami, Florida 33166; principal investor(s): Arlene Rodriguz, 6903 Northwest 43 Street, Miami, Florida 33166 and Juan Diaz, 6903 Northwest 43 Street, Miami, Florida 33166.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Coach Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 6903 Northwest 43 Street, Miami (Dade County), Florida 33166, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Coach Motors, Inc. are dealer operator(s): Arlene Rodriguz, 6903 Northwest 43 Street,

Miami, Florida 33166; principal investor(s): Arlene Rodriguez, 6903 Northwest 43 Street, Miami, Florida 33166 and Juan Diaz, 6903 Northwest 43 Street, Miami, Florida 33166.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 2309 South State Road 7, Hollywood (Broward County), Florida 33023, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc. are dealer operator(s): Igal Aslan, 2309 South State Road 7, Hollywood, Florida 33023; principal investor(s): Igal Aslan, 2309 South State Road 7, Hollywood, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 9093 Philips Highway, #302, Jacksonville (Duval County), Florida 32256, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc. are dealer operator(s): Igal Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256, Kim Boly Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256 and Alan Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256; principal investor(s): Igal Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256, Kim Boly Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256 and Alan Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 4901 North U.S. Highway 1, Unit J, Vero Beach (Indian River County), Florida 32962, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc. are dealer operator(s): Igal Aslan, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32962 and Heidi S. Long, 4901 North US Highway 1, Unit J, Vero Beach, Florida 32962; principal investor(s): Igal Aslan, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32962 and Heidi S. Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32962.

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, 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXVY) at 9093 Philips Highway, #302, Jacksonville (Duval County), Florida 32256, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc. are dealer operator(s): Igal Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256, Kim Boly Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256 and Alan Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256; principal investor(s): Igal Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256, Kim Boly Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256 and Alan Aslan, 9093 Philips Highway, #302, Jacksonville, Florida 32256.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Honling

Motorcycle Corp. (HONL) at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33603, on or after June 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator(s): Brooke S. Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603; principal investor(s): Brooke S. Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Extreme Motor Sales are dealer operator(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703 and Heidi Derome, 1918 South Orange Blossom Trail, Apopka, Florida 32703.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after June 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Extreme Motor Sales are dealer operator(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Electric Vehicle Sales, intends to allow the establishment of Florida Motorsports of Tallahassee, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 2463 Greer Road, Tallahassee (Leon County), Florida 32308, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Florida Motorsports of Tallahassee, Inc. are dealer operator(s): Kent E. Johnson, 205 Rosehill Drive West, Tallahassee, Florida 32312 and Deana B. Johnson, 205 Rosehill Drive West, Tallahassee, Florida 32312; principal investor(s): Kent E. Johnson, 205 Rosehill Drive West, Tallahassee, Florida 32312 and Deana B. Johnson, 205 Rosehill Drive West, Tallahassee, Florida 32312.

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, 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: Abigail Sayer, Vectrix Corporation, 76 Hammarlund Way, Suite 250, Tech III, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Gator Moto, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 2106 Northwest 67th Place, Suite 15, Gainesville (Alachua County), Florida 32653, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Gator Moto, LLC are dealer operator(s): Justin Jackrel, 4337 Northwest 35th Terrace, Gainesville, Florida 32653; principal investor(s): Justin Jackrel, 4337 Northwest 35th Terrace, Gainesville, Florida 32653.

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, 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Electric Car Distributors, Inc., intends to allow the establishment of Hull All Star Golf Car, Inc., as a dealership for the sale of low speed vehicles manufactured by American Custom Golf Cars, Inc. (ACGC) at 104 Southeast 5th Court, Deerfield Beach (Broward County), Florida 33441, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Hull All Star Golf Cars, Inc. are dealer operator(s): David Hull, 104 Southeast 5th Court, Deerfield Beach, Florida 33441; principal investor(s): David Hull, 104 Southeast 5th Court, Deerfield Beach, Florida 33441.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Warren Sistare, President, Electric Car Distributors, Inc., 2306 North Dixie Highway, Fort Lauderdale, Florida 33305.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of Hunt for Cars, Inc., as a dealership for the sale of motorcycles manufactured by Xiamen Xiashing Motorcycle Co. Ltd. (XIXI) at 5796 South Ridgewood Avenue, Port Orange (Volusia County), Florida 32127, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Hunt for Cars, Inc. are dealer operator(s): Lonnie Hunt, 1168 South State Road 415, New Smyrna Beach, Florida 32168 and Carol Hunt, 1168 South State Road 415, New Smyrna Beach, Florida 32168; principal investor(s): Lonnie Hunt, 1168 South State Road 415, New Smyrna Beach, Florida 32168 and Carol Hunt, 1168 South State Road 415, New Smyrna Beach, Florida 32168.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Douglas V. Joseph, Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Flyscooters, LLC, intends to allow the establishment of Lifesteam International, Inc. d/b/a Sunset Scooters, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1923 South Federal Highway, Fort Lauderdale (Broward County), Florida 33316, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Lifesteam International, Inc. d/b/a Sunset Scooters are dealer operator(s): Robert Wells, 1923 South Federal Highway, Fort Lauderdale, Florida 33316; principal investor(s): Robert Wells, 1923 South Federal Highway, Fort Lauderdale, Florida 33316.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Leon Li, Flyscooters, LLC, 6050 Lowell Street, #111, Emeryville, California 94608.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Mopeds & More, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after June 26, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds & More, Inc. are dealer operator(s): Brian Martin, 1802 North Woodland Boulevard, Deland, Florida 32720; principal investor(s): Brian Martin, 1802 North Woodland Boulevard, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for

the sale of motorcycles manufactured by Deceleste, S.A. (DECE) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Deceleste, S.A. (DECE) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.



Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for

the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. (ZHEJ) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Pam Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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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 Moto Dealer Import, LLC, intends to allow the establishment of Moto Import Distributors, as a dealership for

the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 12202 Hutchison Boulevard, Unit 72, Panama City Beach (Bay County), Florida 32407, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Moto Import Distributors are dealer operator(s): Wayne Wooten, 12202 Hutchison Boulevard, Unit 72, Panama City Beach, Florida 32407; principal investor(s): Wayne Wooten, 12202 Hutchison Boulevard, Unit 72, Panama City Beach, Florida 32407.

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, 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: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

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.

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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 Moto Dealer Import, LLC, intends to allow the establishment of Moto Import Distributors, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 12202 Hutchison Boulevard, Unit 72, Panama City Beach (Bay County), Florida 32407, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Moto Import Distributors are dealer operator(s): Wayne Wooten, 12202 Hutchison Boulevard, Unit 72, Panama City Beach, Florida 32407; principal investor(s): Wayne Wooten, 12202 Hutchison Boulevard, Unit 72, Panama City Beach, Florida 32407.

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, 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: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Nice Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 815 North State Road 7, Hollywood (Broward County), Florida 33021, on or after June 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Nice Scooters, Inc. are dealer operator(s): Camilo Meneses, 815 North State Road 7, Hollywood, Florida 33021; principal investor(s): Camilo Meneses, 815 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Palm Beach Used Cars, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 3340 Palm Beach Boulevard, Fort Myers (Lee County), Florida 33916, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm Beach Used Cars, Inc. are dealer operator(s): Marla Nunez, 3340 Palm Beach Boulevard, Fort Myers, Florida 33916; principal investor(s): Marla Nunez, 3340 Palm Beach Boulevard, Fort Myers, Florida 33916.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Saturn Corporation, intends to allow the establishment of Saturn of Gulf Coast, LLC d/b/a Saturn of Panama City, as a dealership for the sale of Saturn vehicles (STRN) at 2619 15th Street East, Panama City (Bay County), Florida 32405, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Saturn of Gulf Coast, LLC d/b/a Saturn of Panama City are dealer operator(s): Alan C. Starling, 1592 West Ivanhoe Boulevard, Orlando, Florida 32804; principal investor(s): Alan C. Starling, 1592 West Ivanhoe Boulevard, Orlando, Florida 32804.

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, 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: Michael L. Flory, Saturn Corporation, 100 GM Renaissance Center, Post Office Box 100, Mail Code 482-A06-066, Detroit, Michigan 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Scooter Nation, Inc., as a dealership for the sale of motorcycles manufactured by Deceleste, S.A. (DECE) at 3399 Northwest 72nd Avenue, Suite 126, Miami (Dade County), Florida 33122, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Nation, Inc. are dealer operator(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122; principal investor(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Scooter Nation, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING) at 3399 Northwest 72nd Avenue, Suite 126, Miami (Dade County), Florida 33122, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Nation, Inc. are dealer operator(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122; principal investor(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Scooter Nation, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 3399 Northwest 72nd Avenue, Suite 126, Miami (Dade County), Florida 33122, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Nation, Inc. are dealer operator(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122; principal investor(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Scooter Nation, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 3399 Northwest 72nd Avenue, Suite 126, Miami (Dade County), Florida 33122, on or after June 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Nation, Inc. are dealer operator(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122; principal investor(s): Nestor Triana, 3399 Northwest 72nd Avenue, Suite 126, Miami, Florida 33122.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: 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: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Seven Bridges Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Hensim USA (HNSM) at 8841 Atlantic Boulevard, Jacksonville (Duval County), Florida 32211, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Seven Bridges Cycle, Inc. are dealer operator(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257; principal investor(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that China Off-Road Products, Inc., intends to allow the establishment of Seven Bridges Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 8841 Atlantic Boulevard, Jacksonville (Duval County), Florida 32211, on or after June 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Seven Bridges Cycle, Inc. are dealer operator(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257; principal investor(s): Jeff Wiggins, 10963 Lippizan Drive, Jacksonville, Florida 32257.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Jessica Selsor, China Off-Road Products, Inc., 3122 Enterprise Avenue, Joplin, Missouri 64801.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Tire Empire Auto Center Co., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 12915 Northwest 7th Avenue, North Miami (Dade County), Florida 33168, on or after June 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Tire Empire Auto Center Co. are dealer operator(s): Maria V.S. Andersen, 12915 Northwest 7th Avenue, North Miami, Florida 33168 and Alejandro J. Andersen, 12915 Northwest 7th Avenue, North Miami, Florida 33168; principal investor(s): Maria V.S. Andersen, 12915 Northwest 7th Avenue, North Miami, Florida 33168 and Alejandro J. Andersen, 12915 Northwest 7th Avenue, North Miami, Florida 33168.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of WMW Group, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 7584 Brokerage Drive, Orlando (Orange County), Florida 32809, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of WMW Group, Inc. are dealer operator(s): Jie Liu, 7584 Brokerage Drive, Orlando, Florida 32809; principal investor(s): Jie Liu, 7584 Brokerage Drive, Orlando, Florida 32809.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of World Ventures Corp., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 13031 Southwest 123rd Avenue, Unit #1, Miami (Dade County), Florida 33186, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corp. are dealer operator(s): Gabriel Azcunce, 13031 Southwest 123rd Avenue, Unit #1, Miami, Florida 33186; principal investor(s): Gabriel Azcunce, 13031 Southwest 123rd Avenue, Unit #1, Miami, Florida 33186.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Point of Care Model Electronic Health Record Grants Program  
The Agency for Health Care Administration (Agency) announces the Point of Care Model Electronic Health Record Grants Program Requirements, 2008-2009. The Agency will accept applications for grants from eligible interested parties beginning July 3, 2008. Awards are contingent upon authorization of the Legislature, subject to the availability of funds. Grant funding for fiscal year 2008-2009 is \$100,000.

**PURPOSE:** The program provides assistance to eligible organizations to implement outpatient clinic information technology emphasizing case management. Grant projects must demonstrate a model health information technology solution that provides access to patient medical records for case management, demonstrate and evaluate the cost-effectiveness of the software deployed in supporting case management of patients, encourage appropriate utilization of outpatient clinic services resulting in a reduction of emergency department visits, and demonstrate a reduction of health care costs.

**ELIGIBILITY:** Florida-based public and private institutions, health plans, information technology providers, public health departments, and units of local government.

**TO APPLY:** Program requirements, the application format, and instructions will be posted at: [www.fhin.net/POCGrant](http://www.fhin.net/POCGrant). Letters of intent are due by July 18, 2008. Inquiries regarding program requirements must be submitted by July 18, 2008. Applications are due August 4, 2008.

**INQUIRIES AND CONTACTS:** All inquiries must be submitted by e-mail to [FLHII@ahca.myflorida.com](mailto:FLHII@ahca.myflorida.com). Answers to inquiries received by July 18, 2008 will be made available on the grants program website as indicated in the Program Requirements. Applicants are responsible for checking the

website regularly throughout the application, evaluation, and award process for any announcements. Applicants may not contact Agency personnel regarding advice in responding in this solicitation. Any violation of this requirement may result in applicant disqualification. All general correspondence relating to the grant program should be directed to: Point of Care Model Electronic Health Record Grants Program, Florida Center for Health Information and Policy Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #16, Tallahassee, FL 32308.

**NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on May 30, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
0500011	Approval, provide percutaneous Coronary Interventions for patients presenting with emergency myocardial infarctions without an approved adult open heart surgery program, Charlotte County, Fawcett Memorial Hospital (PRH) Punta Gorda HMA, Inc. d/b/a Charlotte Regional Medical Center

**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 RECEIPT OF APPLICATIONS FOR PERMIT COVERAGE UNDER THE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

The Department announces the receipt of the applications listed below for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, (850)523-1449. Any comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received June 10th – 16th, 2008

1. Okaloosa County – FLR04E073
2. Florida International University – FLR04E092

Comments may be mailed to the following address:

Steven Kelly  
 NPDES Stormwater Section  
 2600 Blair Stone Road, MS #2500  
 Tallahassee, Florida 32399-2400

**NOTICE OF RECEIPT OF LAND USE DETERMINATION**

On June 23, 2008 the Department of Environmental Protection received a determination from Osceola County that the Florida Municipal Power Agency and Kissimmee Utility Authority (FMPA/KUA) Cane Island Unit 4 project, Power Plant Siting Application No. 98-38A2, OGC Case No. 08-0563, DOAH Case No. 08-1629-EPP, is consistent with existing local land use plans and zoning ordinances in Osceola County pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, F.S. A copy of the determination of compliance is

available for review in the office of: Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.50665(4), F.S., if any substantially affected person wishes to dispute Osceola County's determination that the proposed FMPA/KUA Cane Island Unit 4 Project is consistent with Osceola County's existing land use plans and zoning ordinances, he or she must file a petition with the Department within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of Section 403.508(1), F.S., shall apply. Should a land use hearing be held, the notice of land use hearing will be published as per the provisions of Section 403.5115, F.S. Pursuant to Section 403.508(1), F.S., the sole issue for determination at a land use hearing shall be whether or not the proposed site is consistent and in compliance with existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order, any changes to or approvals or variances under the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances. A person whose substantial interests are affected by the proposed determination of consistency may petition for an administrative hearing in accordance with Section 403.5066(4), F.S. The petition must be filed with the: Department's Agency Clerk, Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, (850)245-2241, Fax (850)245-2303. The petition should contain: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination; (c) A statement of how and when each

petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact; If there are none, the petitioner shall so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the proposed action; and (g) A statement of the relief sought by the petitioner. A petition that does not dispute the material facts shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

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#### 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://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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#### DEPARTMENT OF HEALTH

On June 20, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Xavier C. Smith, C.N.A., license number CNA 86966. 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.

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#### BROWARD COUNTY MEDICAL EXAMINER AND TRAUMA SERVICES

Notice of Destruction of Autopsy Specimens  
The Toxicology Laboratory of the Broward County Medical Examiner's Office announces the destruction of laboratory specimens collected prior to 2006 from autopsies as part of

death investigation cases and specimens obtained prior to 2003 from law enforcement agencies as part of driving under the influence (DUI) cases and drug facilitated sexual assault cases. The destruction of these specimens shall begin on or about August 29, 2008.

If you require any specimens be retained for retesting or possible evidentiary purposes, please send a written request for preservation citing:

1. Name of the individual or agency responsible for initiating the request;
2. Date the request is initiated;
3. Name of the decedent, defendant or victim;
4. Approximate date of specimen collection;
5. Medical examiner laboratory case number (if known);
6. Reason for extending the retention period; and,

7. Terms of the specimen preservation, including the length of additional time the requested specimen is to be held.

All written requests must be received by August 15, 2008. If necessary, hearings will be arranged to explore these matters. Send written requests to:

Toxicology Laboratory  
District 17 Medical Examiner and Trauma Services  
5301 S. W. 31st Avenue  
Ft. Lauderdale, FL 33312

Or fax written requests to: (954)327-6582

If you have any questions, please call Toxicology at (954)327-6525.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN June 16, 2008  
 and June 20, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

1T-1.001	6/18/08	7/8/08		34/16
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-9.028	6/19/08	7/9/08		34/17
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**Division of Marketing and Development**

5H-19.002	6/17/08	7/7/08		34/14
5H-19.003	6/17/08	7/7/08		34/14
5H-19.004	6/17/08	7/7/08		34/14
5H-19.006	6/17/08	7/7/08		34/14
5H-19.010	6/17/08	7/7/08		34/14

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

19B-4.005	6/19/08	7/9/08		34/13
19B-16.005	6/19/08	7/9/08		34/13

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

40B-1.901	6/17/08	7/7/08	34/3	34/16
40B-4.3020	6/16/08	7/6/08	34/13	34/21

**DEPARTMENT OF HEALTH**

**Board of Nursing**

64B9-4.015	6/17/08	7/7/08	34/12	
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**Division of Environmental Health**

64E-2.018	6/18/08	7/8/08	34/20	
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**Division of Health Access and Tobacco**

64I-6.001	6/17/08	7/7/08	34/10	34/19
64I-6.002	6/17/08	7/7/08	34/10	34/19

**FISH AND WILDLIFE CONSERVATION COMMISSION**

68-1.003	6/16/08	7/6/08	34/8	34/19
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**Vessel Registration and Boating Safety**

68D-16.029	6/16/08	7/6/08	34/8	34/15
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**Section XIV  
List of Rules Affected**

	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
	5C-28.001	34/20		
	5C-29.001	34/25		
	5C-29.002	34/25		
	5C-29.003	34/25		
	5C-29.004	34/25		
	5C-29.005	34/25		
	5C-29.006	34/25		
	5C-29.007	34/25		
	5C-29.008	34/25		
	5E-1.016	34/10		34/22
	5E-9.028	34/17		34/27
	5E-14.102	34/14		
	5E-14.105	34/14		
	5E-14.106	33/7		
	5E-14.110	34/14		
	5E-14.111	34/14		
	5E-14.112	34/14		
	5E-14.117	33/7		
		34/14		
	5E-14.123	34/23		
	5E-14.142	34/6	34/13	
		34/6		34/20w
		34/14		
		34/14		
		34/26		
		34/26		
	5E-14.1421	34/14		
	5E-14.149	34/23		
	5F-11.001	34/27	34/27	
	5F-11.002	34/11		34/21
	5F-11.022	34/6	34/27	
	5F-11.026	34/6	34/27	
	5F-11.029	34/27	34/27	
	5F-11.047	34/6	34/27	
	5F-11.080	34/6	34/27	
	5F-11.081	34/6	34/27	
	5F-11.082	34/6	34/27	
	5F-11.083	34/6	34/27	
	5F-11.084	34/6	34/27	
	5F-11.085	34/6	34/27	
	5F-11.086	34/6	34/27	
	5F-11.087	34/6	34/27	
	5F-11.088	34/6		
	5H-19.002	34/14		34/27
	5H-19.003	34/14		34/27
	5H-19.004	34/14		34/27
	5H-19.006	34/14		34/27
	5H-19.010	34/14		34/27
	5H-26.001	34/4	34/19	34/26
	5H-26.002	34/4	34/19	34/26
	5H-26.003	34/4	34/19	34/26
	5H-26.004	34/4	34/19	34/26
	5I-4.002	32/49		
	5I-4.006	32/49		
	5L-1.003	34/21		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
STATE			
1-2.0031	34/27		
1B-26.003	34/6	34/12	34/20
1B-31.001	34/12		34/20
1B-31.002	34/12		34/20
1SER08-2			34/26
1SER08-3			34/26
1S-2.027	34/24		
1S-2.034	34/24		
IT-1.001	34/16		34/27
	34/20		
LEGAL AFFAIRS			
2A-8.005	34/22		
BANKING AND FINANCE			
3E-48.005	28/42		
INSURANCE			
4-138.047	28/41		
4-154.525	29/16	29/25	
4-211.031	27/44		
4-228.055	26/35		
4A-62.001	29/44	29/46	
4A-62.002	29/44	29/46	
AGRICULTURE AND CONSUMER SERVICES			
5B-3.0038	34/9		
5B-57.011	34/12		
5B-58.001	27/29		
5C-24.001	34/20		
5C-24.002	34/20		
5C-24.003	34/20		







Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
14-51.061	34/17		34/25	<b>PUBLIC SERVICE COMMISSION</b>			
14-51.062	34/17		34/25				
14-51.063	34/17		34/25	25-6.0436	34/14		34/21
14-51.064	34/17		34/25	25-7.045	34/14		34/21
14-51.065	34/17		34/25	25-24.470	34/14		34/21
14-86.001	34/18			25-24.511	34/14		34/21
14-86.002	34/18			25-24.512	34/14		34/21
14-86.003	34/18			25-24.567	34/14		34/21
14-86.004	34/18			25-24.569	34/14		34/21
14-86.005	34/18			25-24.720	34/14		34/21
14-86.006	34/18			25-24.730	34/14		34/21
14-86.007	34/10			25-24.810	34/14		34/21
14-86.008	34/18			25-24.815	34/14		34/21
14-90.004	34/17		34/25	25-30.032	34/14		34/21
14-90.0041	34/17		34/25	25-30.140	34/14		34/21
14-90.006	34/17		34/25	25-30.4325	33/23	34/17	34/23
14-90.007	34/17		34/25	25-30.565	34/14		34/21
14-91.007	33/42			25-56.034	32/32c		
<b>HIGHWAY SAFETY AND MOTOR VEHICLES</b>				25-56.0341	32/32c		
15C-7.005	33/8c			25-56.0342	32/32c		
15C-16.001	34/18			25-56.0343	32/32c		
15C-16.002	34/18			25-56.064	32/32c		
15C-16.003	34/18			25-56.078	32/32c		
15C-16.004	34/18			25-56.115	32/32c		
				<b>EXECUTIVE OFFICE OF THE GOVERNOR</b>			
<b>BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND</b>				27M-3.001	34/9	34/26	
				27M-3.002	34/9	34/26	
				27M-3.003	34/9	34/18	
18-2.017	33/22					34/26	
	33/29	33/49	34/21				
18-2.018	33/22			<b>REGIONAL PLANNING COUNCILS</b>			
	33/29	33/49	34/21	29E-1.004	34/10		
18-2.020	33/29	33/49	34/21	29E-1.005	34/10		
<b>STATE BOARD OF ADMINISTRATION</b>				29E-1.006	34/10	34/23	
19-8.010	34/7	34/17	34/23	29E-1.007	34/10		
	34/27			29E-1.008	34/10		
19-8.012	34/7	34/17	34/23	29E-1.009	34/10		
19-8.013	34/7	34/17	34/23	29E-1.010	34/10		
19-8.028	34/17		34/24	29E-1.011	34/10		
19-8.029	34/7	34/17	34/23	29E-1.0121	34/10		
19-8.030	34/7		34/23	29E-1.013	34/10		
19B-4.005	34/13		34/27	29E-1.014	34/10		
19B-16.003	34/13		34/21	29E-1.016	34/10		
19B-16.005	34/13		34/27	<b>CORRECTIONS</b>			
<b>CITRUS</b>				33-102.201	34/20		
20ER08-2			34/27	33-104.201	34/22		
20ER08-3			34/27	33-104.202	34/22		
20ER08-4			34/27	33-104.203	34/22		
20ER08-5			34/27	33-108.101	34/12	34/23	
20ER08-6			34/27	33-203.201	34/27		
20-3.002	34/14		34/25	33-401.401	34/10		34/24
				33-402.101	34/7	34/13	34/23

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
		34/15	34/23	40D-40.112	34/21		
33-501.302	34/13			40E-2.091	34/27		
33-601.314	34/11		34/20	40E-8.421	34/27		
33-601.502(1)(d)	34/23c		34/25d	40E-20.091	34/27		
33-601.502(2)	34/23c		34/25d				
33-601.733	34/27			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
33-602.001	34/9						
33-602.210	34/17			42AA-1.002	34/11		34/24
33-602.220	34/17		34/25				
33-602.222	34/17		34/25	REGIONAL UTILITY AUTHORITIES			
33-602.701	34/15		34/24				
WATER MANAGEMENT DISTRICTS				49E-1.001	34/16		
				49E-1.002	34/16		
40B-1.901	34/3	34/16	34/27	49E-1.003	34/16		
		34/18	34/27	49E-1.004	34/16		
40B-3.3020	33/16			49E-1.005	34/16		
40B-3.3030	33/16			49E-1.006	34/16		
40B-3.3040	33/16			49E-1.007	34/16		
40B-4.2030	34/12		34/23	49E-1.008	34/16		
40B-4.3020	34/13	34/21	34/27	49E-1.009	34/16		
40C-1.003	34/22			49E-1.010	34/16		
40C-1.010	34/22			LOTTERY			
40C-2.091	33/23						
40C-2.101	34/22			53ER07-75			34/1
40C-2.231	33/23			53ER07-76			34/1
40C-3.035	34/13		34/20	53ER08-12			34/11
40D-1.1010	34/21			53ER08-13			34/11
40D-1.1024	34/21			53ER08-14			34/11
40D-1.603	34/21			53ER08-15			34/11
40D-1.659	34/4	34/11	34/20	53ER08-16			34/11
	34/25			53ER08-17			34/11
40D-2.091	22/48			53ER08-18			34/13
	34/21			53ER08-19			34/13
	34/21			53ER08-20			34/15
40D-2.101	34/21			53ER08-21			34/15
40D-2.301	22/48			53ER08-22			34/15
40D-2.381	34/21			53ER08-23			34/15
40D-2.401	34/21			53ER08-24			34/15
40D-3.021	34/25			53ER08-25			34/15
40D-3.037	34/25			53ER08-26			34/20
40D-3.038	34/25			53ER08-27			34/20
40D-3.101	34/25			53ER08-28			34/20
40D-3.301	34/25			53ER08-29			34/21
40D-3.411	34/25			53ER08-30			34/22
40D-3.531	34/25			53ER08-31			34/22
40D-4.021	34/6			53ER08-32			34/22
40D-4.041	34/6			53ER08-33			34/22
	34/21			53ER08-34			34/22
40D-4.051	34/6			53ER08-35			34/24
40D-4.091	22/48			53ER08-36			34/24
	34/4	34/18	34/20	53ER08-37			34/24
	34/9		34/25	53ER08-38			34/26
40D-4.101	34/21			53ER08-39			34/26
40D-8.624	34/9		34/20				
40D-40.040	34/21						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
VETERANS' AFFAIRS				55A-5.012	34/11		
55-1.001	34/11		34/23	55A-7.002	34/11		34/23
55-1.0015	34/11		34/23	55A-7.003	34/11		34/23
55-1.003	34/11		34/23	55A-7.004	34/11		34/23
55-1.005	34/11		34/23	55A-7.005	34/11		34/23
55-1.021	34/11		34/23	55A-7.008	34/11		34/23
55-1.023	34/11		34/23	55A-7.009	34/11		34/23
55-1.032	34/11		34/23	55A-7.010	34/11		34/23
55-1.033	34/11		34/23	55A-7.011	34/11		34/23
55-1.034	34/11		34/23	55A-7.0111	34/11		34/23
55-2.002	34/11		34/23	55A-7.012	34/11		34/23
55-2.003	34/11		34/23	55A-7.013	34/11		34/23
55-2.004	34/11		34/23	55A-7.014	34/11		34/23
55-2.005	34/11		34/23	55A-7.015	34/11		34/23
55-2.006	34/11		34/23	55A-7.016	34/11		34/23
55-2.007	34/11		34/23	ELDER AFFAIRS			
55-2.008	34/11		34/23	58A-1.001	34/21		
55-2.009	34/11		34/23	58A-1.002	34/21		
55-2.010	34/11		34/23	58A-1.003	34/21		
55-2.011	34/11		34/23	58A-1.004	34/21		
55-2.012	34/11		34/23	58A-1.005	34/21		
55-2.013	34/11		34/23	58A-1.0051	34/21		
55-4.001	34/11		34/23	58A-1.006	34/21		
55-4.002	34/11		34/23	58A-1.007	34/21		
55-4.003	34/11		34/23	58A-1.008	34/21		
55-5.001	34/11		34/23	58A-1.009	34/21		
55-5.002	34/11		34/23	58A-1.010	34/21		
55-5.003	34/11		34/23	58A-2.002	33/48		
55-6.001	34/11		34/23	58A-2.003	33/48	34/9	
55-6.002	34/11		34/23	58A-2.005	33/48	34/9	
55-6.003	34/11		34/23			34/25	
55-6.004	34/11		34/23	58A-2.010	33/48		34/9
55-6.005	34/11		34/23	58A-2.012	33/48		34/9
55-6.006	34/11		34/23				34/25
55-6.007	34/11		34/23	58A-2.014	33/48		
55-6.008	34/11		34/23	58A-2.0232	33/48	34/9	
55-6.009	34/11		34/23			34/25	
55-11.002	34/11			58A-3.2085	33/50c		
55-11.003	34/11			58A-5.0191	34/13	34/19	34/26
55-11.005	34/11			58A-5.035	34/13	34/19	34/26
55-11.008	34/11			58A-6.003	34/17		34/24
55-11.010	34/11			58C-1.001	34/21		
55-11.011	34/11			58C-1.002	34/21		
55-11.012	34/11			58C-1.003	34/21		
55-12.002	34/11		34/23	58C-1.004	34/21		
55-12.003	34/11		34/23	58C-1.005	34/21		
55-12.004	34/11		34/23	58C-1.007	34/21		
55-12.006	34/11		34/23	58C-1.008	34/21		
55-12.007	34/11		34/23	58C-1.009	34/21		
55-12.008	34/11		34/23	58D-1.001	34/21		
55A-1.003	34/11		34/23	58D-1.002	34/21		
55A-1.004	34/11		34/23	58D-1.003	34/21		
55A-3.005	34/11		34/23	58D-1.004	34/21		
55A-5.004	34/11		34/23	58D-1.005	34/21		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
58D-1.006	34/21			59B-15.007	34/14		34/23
58D-1.007	34/21			59C-1.002	33/23		
58D-1.009	34/21				33/36c		
58G-4.070	33/50c				33/36c		
	33/50c			59C-1.0355	33/30c		34/23x
58H-1.001	34/21			59C-1.0355(4)(d)3.	33/30c		34/23x
58H-1.002	34/21			59GER08-1			34/15
58H-1.003	34/21			59G-4.002	34/24		
58H-1.004	34/21			59G-4.016	32/19		
58H-1.005	34/21			59G-4.055	34/24		
58H-1.006	34/21			59G-4.070	33/31	33/52	34/21w
58H-1.007	34/21				34/23c		34/23x
58H-1.008	34/21				34/25		
58H-1.009	34/21			59G-4.100	34/24		
58H-1.010	34/21			59G-4.320	34/25		
				59G-6.010	34/11		
AGENCY FOR HEALTH CARE ADMINISTRATION					34/23c		
59-1	29/35c			59G-6.020	34/12		34/23
59A-1.004	34/10		34/24		34/23c		
59A-1.009	34/10		34/24	59G-6.030	34/12		34/23
59A-3.2085	33/11			59G-13.080	34/6	34/13	
	33/39	33/46		59G-13.081	34/6		
		34/14			34/15c		
		34/19			34/26		
	34/4c		34/23d	59G-13.082	34/6		
59A-4.103	34/20			59G-13.083	34/6	34/13	
59A-4.106	34/20				34/15c		34/23d
59A-4.107	34/20				34/15c		
59A-4.1075	34/20				34/23c		
59A-4.108	34/20			59G-13.084	34/6		
59A-4.109	34/20				34/15c		
59A-4.110	34/20				34/26		
59A-4.112	34/20			59G-13.091	34/15		
59A-4.118	34/20			59G-20.381	33/36		
59A-4.122	34/20			MANAGEMENT SERVICES			
59A-4.123	34/20			60BB-3.011	32/50	33/23	
59A-4.1235	34/20					33/33	
59A-4.126	34/20			60BB-3.012	32/50	33/23	
59A-4.128	34/20					33/33	
59A-4.1285	34/20			60BB-3.013	32/50	33/23	
59A-4.1288	34/20					33/33	
59A-4.1295	34/20					33/44	
59A-4.130	34/20					34/25	
59A-4.133	34/20			60BB-3.015	32/50	33/23	
59A-4.134	34/20					33/33	
59A-4.150	34/20					33/44	
59A-4.165	34/20			60BB-3.016	32/50	33/23	
59A-4.166	34/20					33/33	
59A-9.034	34/14	34/20				34/25	
59B-15.001	34/14		34/23	60BB-3.017	32/50	33/23	
59B-15.002	34/14		34/23			33/33	
59B-15.003	34/14		34/23			34/25	
59B-15.004	34/14		34/23	60BB-3.018	32/50	33/23	
59B-15.005	34/14		34/23			33/33	
59B-15.006	34/14		34/23				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
60BB-3.019	32/50	33/23		60L-35.003	33/27	33/37	34/24
		33/33				33/41	34/24
60BB-3.020	32/50	33/23				34/2	34/24
		33/33				34/19	34/24
60BB-3.021	32/50	33/23		60L-35.004	33/27	34/2	34/24
		33/33				34/19	34/24
60BB-3.022	32/50	33/23		60L-35.005	33/27	34/2	34/24
		33/33				34/19	34/24
60BB-3.024	32/50	33/23		60L-35.006	33/27	34/2	34/24
		33/33				34/19	34/24
		33/44		60L-35.007	34/2	34/2	34/24
60BB-3.028	32/50	33/23				34/19	
		33/33		60S-1.0004(5)(d),(3)	34/25c		
60BB-3.029	32/50	33/23		60S-9.001	34/9		34/20
		33/33		60U-1.006	34/9		34/20
		33/44		60V-1.007	34/9		34/20
		34/25		60Y-1	32/2c		
60BB-9.121	34/24				32/2c		
60FF-1.001	33/52	34/19	34/25	BUSINESS AND PROFESSIONAL REGULATION			
60FF-1.002	33/52	34/19	34/25	61A-1.010	34/3		
60FF-1.003	33/52	34/19	34/25		34/12c		
60FF-1.004	33/52	34/19	34/25		34/12c		
60FF-1.005	33/52	34/19	34/25	61A-1.010(1)	33/2c		
60FF-1.006	33/52	34/19	34/25	61A-1.0101	34/3		
60FF-1.007	33/52	34/19	34/25		34/12c		
60FF-1.008	33/52	34/19	34/25	61A-1.01010	34/3		
60FF-1.009	33/52	34/19	34/25	61A-1.01011	34/3		
60FF-1.010	33/52	34/19	34/25	61A-1.01012	34/3		
60FF-1.011	33/52	34/19	34/25	61A-1.01013	34/3		
60FF-1.012	33/52	34/19	34/25		34/12c		
60FF-1.013	33/52	34/19	34/25	61A-1.01014	34/3		
60FF-1.014	33/52	34/19	34/25		34/12c		
60FF-2.001	33/52	34/19	34/25	61A-1.01015	34/3		
60FF-2.002	33/52	34/19	34/25		34/12c		
60FF-2.003	33/52	34/19	34/25	61A-1.01018	34/3		
60FF-2.004	33/52	34/19	34/25		34/12c		
60FF-2.005	33/52	34/19	34/25	61A-1.0102	34/4		
60FF-2.006	33/52	34/19	34/25		34/12c		
60FF-2.007	33/52	34/19	34/25	61A-1.01022	34/3		
60FF-3.001	33/52	34/19	34/25	61A-1.01024	34/3		
60FF-3.002	33/52	34/19	34/25		34/12c		
60FF-3.003	33/52	34/19	34/25	61A-1.0103	34/3		
60FF-3.004	33/52	34/19	34/25		34/12c		
60FF-3.005	33/52	34/19	34/25	61A-1.0104	34/3		
60FF-3.006	33/52	34/19	34/25		34/12c		
60FF-3.007	33/52	34/19	34/25	61A-1.0105	34/3		
60FF-3.008	33/52	34/19	34/25	61A-1.0106	34/3		
60FF-3.009	33/52	34/19	34/25		34/12c		
60FF-3.010	33/52	34/19	34/25	61A-1.0107	34/3		
60FF-3.011	33/52	34/19	34/25		34/12c		
60L-32.005	34/12		34/20	61A-1.0108	34/3		
60L-35.001	33/27	34/2	34/24		34/12c		
		34/19	34/24	61A-1.0109	34/3		
60L-35.002	33/27	34/2	34/24		34/12c		
		34/19	34/24		34/12c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
	34/12c			61D-11.0025	34/11	34/27	
61A-5.0105	33/29	33/46		61D-11.003	34/11		
61A-5.747	33/29	33/46		61D-11.004	34/11	34/27	
61A-10.001	32/3	33/29		61D-11.005	34/11		
61A-10.002	32/3	33/29		61D-11.006	34/11	34/27	
61A-10.0021	32/3	33/29		61D-11.007	34/11	34/27	
		34/24		61D-11.008	34/11		
61A-10.0022	32/3	33/29		61D-11.009	34/11	34/27	
61A-10.005	32/3	33/29		61D-11.011	34/11		
61A-10.006	32/3	33/29		61D-11.012		22/48	
61A-10.007	32/3	33/29				34/27	
61A-10.008	32/3	33/29		61D-11.012(5)(d)	34/15c		34/25x
61A-10.009	32/3	33/29		61D-11.013	34/11	34/27	
61A-10.0091	32/3	33/29		61D-11.014	34/11	34/27	
61A-10.010	32/3	33/29		61D-11.0145	34/11	34/27	
61A-10.011	32/3	33/29		61D-11.0149	34/11		
61A-10.0111	32/3	33/29		61D-11.015	34/11		
61A-10.0112	32/3	33/29		61D-11.016	34/11	34/27	
61A-10.012	32/3	33/29		61D-11.017	34/11		34/26
61A-10.013	32/3	33/29		61D-11.0175	34/11	34/27	
61A-10.014	32/3	33/29		61D-11.018	34/11	34/27	
61A-10.015	32/3	33/29		61D-11.019	34/11	34/27	
61A-10.016	32/3	33/29		61D-11.020	34/11		
61A-10.017	32/3	33/29		61D-11.021	34/11		
61A-10.018	32/3	33/29		61D-11.022	34/11		
61A-10.0181	33/29	33/29		61D-11.023	34/11		34/26
61A-10.020	32/3	33/29		61D-11.024	34/11		
61A-10.021	32/3	33/29		61D-11.025	34/11	34/27	
61A-10.026	32/3	33/29		61D-11.0251	34/11		
61A-10.027	32/3	33/29		61D-11.0275	34/11		
61A-10.031	32/3	33/29		61D-11.0279	34/11	34/27	
61A-10.050	32/3	33/29		61D-12.001	34/11	34/17	34/26
61A-10.051	32/3	33/29				34/20	34/26
61A-10.052	32/3	33/29		61G1-21.003	33/27	33/43	
61A-10.053	32/3	33/29		61G1-24.002	33/27	33/43	
61A-10.054	32/3	33/29		61G2-2.006	33/47		
61A-10.055	32/3	33/29		61G4-12.011	33/27		
61A-10.080	32/3	33/29		61G4-15.001	34/10		
61A-10.081	32/3	33/29		61G4-15.028	34/10		
		34/24		61G4-15.029	34/10		
61A-10.082	32/3	33/29		61G4-15.032	34/14	34/19	
		34/24		61G4-16.001	34/12		34/25
61A-10.083	32/3	33/29		61G4-16.0021	34/22		
61A-10.084	32/3	33/29		61G4-18.002	34/7		34/21
61A-10.085	32/3	33/29		61G4-21.005	34/7	34/19	
61B-24.006	34/15					34/27	
61B-76.003	34/20			61G6-5.0061	33/35	34/18	
61B-76.005	34/20			61G6-5.008	34/18		
61C-1.001	34/20			61G6-8.001	34/15		34/22
61C-1.004	34/20			61G6-10.0015	34/18		
61C-3.001	34/20			61G6-10.0065	33/35	34/18	
61C-4.010	34/20			61G7-5.005	34/10		34/23
61C-4.0161	34/20			61G7-10.0014	34/18		
61C-4.023	34/20			61G7-33.0065	30/16		
61D-11.001	34/11	34/27		61G9-9.001	31/6		
61D-11.002	34/11			61G14-19.001	34/16		34/24

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61G15-18.011	34/15		34/22	61M-1.002	34/20		
61G15-30.001	34/11			61M-1.003	34/20		
61G15-30.002	34/11			61M-1.004	34/20		
61G15-30.003	34/11			61M-1.005	34/20		
61G15-30.007	34/11			61M-1.006	34/20		
61G15-30.009	34/11			61M-1.007	34/20		
61G15-30.010	34/11			61M-1.008	34/20		
61G15-32.001	34/11			ENVIRONMENTAL PROTECTION			
61G15-32.002	34/11						
61G15-32.003	34/11			62-160.110	34/26		
61G15-32.008	34/11			62-160.120	34/26		
61G15-33.001	34/11			62-160.210	34/26		
61G15-33.002	34/11			62-160.220	34/26		
61G15-33.003	34/11			62-160.240	34/26		
61G15-33.004	34/11			62-160.300	34/26		
61G15-33.005	34/11			62-160.320	34/26		
61G15-33.006	34/11			62-160.330	34/26		
61G15-33.007	34/11			62-160.340	34/26		
61G15-33.008	34/11			62-160.400	34/26		
61G15-33.010	34/11			62-160.405	34/26		
61G15-34.001	34/11			62-160.650	34/26		
61G15-34.002	34/11			62-160.670	34/26		
61G15-34.003	34/11			62-160.700	34/26		
61G15-34.007	34/11			62-160.800	34/26		
61G16-5.004	33/11	33/24		62-204.200	34/25		
61G17-6.003	34/23			62-204.400	34/25		
61G17-6.004	34/23			62-204.800	34/22		
61G17-10.001	34/6c		34/23d		34/25		
61G18-14.003	34/5		34/20	62-210.200	34/25		
61G19-7.0015	34/19			62-210.300	34/25		
61G19-7.002	34/19			62-210.310	34/25		
61G19-9.001	34/11	34/19	34/26	62-210.350	34/25		
61H1-22.006	33/46			62-210.370	34/19		34/26
61H1-22.007	33/46			62-210.900	34/19		34/26
61H1-22.008	33/46				34/25		
61J1-3.001	28/41	28/43		62-212.300	34/25		
		28/46		62-212.400	34/25		
61J1-3.002	28/41	28/43		62-212.720	34/25		
		28/46		62-213.900	34/25		
61J1-4.005	28/41	28/43		62-256.300	34/25		
61J1-7.004	28/41	28/43		62-256.700	34/25		
61J1-7.005	28/41	28/43		62-257.301	34/25		
		28/46		62-257.900	34/25		
61J1-11.009	32/37			62-285.420	34/21		
61J2-1.011	34/25			62-296.100	34/25		
61J2-1.014	34/25			62-296.320	34/25		
61J2-2.027	34/25			62-296.470	32/45c		
61J2-2.029	34/25				34/25		
61J2-3.010	34/25			62-296.508	34/25		
61J2-5.014	32/14	33/2		62-304.330	34/13		34/22
		33/12		62-304.335	34/13		34/22
		33/36		62-304.415	34/12		34/22
		34/3		62-304.435	34/13		34/22
61J2-17.012	28/3	28/17		62-304.505	34/16	34/23	
61M-1.001	34/20			62-304.506	34/16	34/23	34/23



Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62-304.510	29/25			JUVENILE JUSTICE			
62-304.520	34/13		34/22	63E-7.001	34/22		
62-304.645	34/13		34/22	63E-7.002	34/22		
62-304.725	34/13	34/22	34/22	63E-7.004	34/22		
62-304.726	34/13	34/22	34/22	63E-7.008	34/22		
62-520.200	34/26			63E-7.009	34/22		
62-520.300	34/26			63E-7.012	34/22		
62-520.310	34/26			63E-7.013	34/22		
62-520.410	34/26			63E-7.016	34/22		
62-520.420	34/26			63G-1.001	34/25		
62-520.470	34/26			63G-1.002	34/25		
62-520.500	34/26			63G-1.003	34/25		
62-520.510	34/26			63G-1.004	34/25		
62-520.520	34/26			63G-1.005	34/25		
62-520.600	34/26			63G-1.006	34/25		
62-520.700	34/26			63G-1.007	34/25		
62-520.900	34/26			63G-1.008	34/25		
62-522.200	34/26			63G-1.009	34/25		
62-522.300	34/26			HEALTH			
62-522.400	34/26						
62-528.200	34/26						
62-600.120	33/50c		34/25d	64-1	30/29c		
62-730.170	34/6			64A-1.205	33/22c		
62-761.300(1)(a)	34/6c			64A-3.012	33/51		
62-814.100	33/52	34/6	34/22	64A-58.004	33/51		
		34/16	34/22	64A-58.0081	33/51		
62-814.300	33/52		34/22	64A-58.0082	33/51		
62-814.450	33/52	34/16	34/22	64A-60.002	33/51		
62B-33.002	34/17			64B-1.005	34/4		
62B-33.002	33/50c			64B-1.009	25/39	26/1	
(18)(43)(60)					34/4	34/16	34/24
62B-33.005	33/50c			64B-1.013	34/4	34/16	34/24
(1)(a),(1),(2)				64B-3.005	34/17		34/25
62B-33.0051	34/17			64B-9.001	34/21		
62B-33.0051	33/50c			64B1-7.0015	33/44		
(1)(a),(2)(c)				64B4-5.006	34/22		
62B-33.0051	33/50c			64B4-6.002	34/22		
(1)(a),(2)(d)				64B4-6.0025	34/22		
62B-56	34/23c			64B4-6.004	34/22		
62B-56.010	34/17			64B4-7.008	34/15		
62B-56.020	34/17			64B4-10.003	34/22		
62B-56.030	34/17			64B5-15.010	27/30		
62B-56.040	34/17			64B7-25.001	33/48	34/19	
62B-56.050	34/17				34/25c		
62B-56.060	34/17			64B7-26.002	33/50		
62B-56.070	34/17			64B8-1.007	34/11		34/25
62B-56.080	34/17			64B8-9.008	34/23c		
62B-56.090	34/17			64B8-30.005	34/14		34/22
62B-56.100	34/17			64B9-2.002	32/19		
62B-56.110	34/17			64B9-4.002	34/12		
62B-56.120	34/17			64B9-4.015	34/12		34/27
62B-56.130	34/17			64B9-7.001	34/14		
62B-56.140	34/17			64B9-9.015	32/24	32/51	
62B-56.150	34/17			64B9-15.005	34/24		
62B-56.160	34/17			64B9-15.009	34/18		
62B-56.900	34/17						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B9-17.001	33/8c			64E-2.018	34/20		34/27
64B9-17.002	33/8c			64E-2.030	34/24		
64B10-11.001	34/12			64E-2.0321	34/24		
64B10-11.011	34/18			64E-14.002	33/29	34/23	
64B10-14.004	34/21			64E-14.003	33/29	34/23	
64B10-16.001	33/34	34/12		64E-14.004	33/29	34/23	
64B10-16.002	34/12			64E-14.005	33/29		
64B11-5.001	34/20			64E-14.006	33/29	34/23	
64B11-5.0065	34/16		34/25	64E-14.007	33/29		
64B12-8.020	34/15		34/25	64E-14.009	33/29	34/23	
64B12-8.021	34/15		34/25	64E-14.0095	33/29		
64B12-15.001	34/20			64E-14.010	33/29		
64B12-15.003	34/20			64E-14.013	33/29		
64B13-4.001	34/20			64E-14.015	33/29		
64B13-15.009	34/20			64E-14.016	33/29	33/38	
64B13-18.002	34/18		34/25			34/23	
64B14-4.001	34/18			64E-14.017	33/29		
64B14-4.100	34/18			64E-14.018	33/29		
64B14-4.110	34/18			64E-14.020	33/29		
64B15-6.0035	34/14		34/22	64E-14.021	33/29		
64B15-12.003	33/39			64E-14.023	33/29		
64B15-19.008	34/22			64E-14.024	33/29		
64B16-26.600	33/21			64F-12.012	33/31		
64B16-26.601	33/21			64H-2.002	34/17		
64B16-27.700	30/50	33/45		64I-4.001	34/7		34/21
64B16-27.797	33/15	34/18	34/24	64I-4.002	34/7		34/21
64B16-28.850	34/18		34/25	64I-6.001	34/10	34/19	34/27
64B17-5.001	34/26			64I-6.002	34/10	34/19	34/27
64B17-8.002	34/26						
64B18-14.010	34/16		34/23	CHILDREN AND FAMILY SERVICES			
64B18-24.001	34/8						
64B19-11.006	34/21			65-1	30/6c		
64B19-12.0075	34/16				30/9c		
64B19-12.0085	34/16		34/23		30/15c		
64B19-13.003	34/14		34/21		32/2c		
64B20-2.003	34/15				32/2c		
64B24-3.018	34/16		34/25	65A-1.205	34/20		
64B32-4.002	34/18			65A-1.301	33/33	34/17	34/25
64B33-2.001	34/25			65A-1.400	31/27c		
64B33-2.003	34/25			65A-1.601	28/11	28/23	
64B33-3.001	34/25					28/31	
64D-3.028	34/26					28/41	
64D-3.029	34/26			65A-1.704	33/33	34/17	34/25
64D-3.030	34/26			65A-1.705	33/33	34/17	34/25
64D-3.031	34/26				34/19		
64D-3.040	34/26			65A-1.711	34/19		
64D-3.041	34/26			65A-1.900	34/10	34/23	
64D-3.046	34/18	34/20		65A-1.900(2)(a)	34/23c		
	34/26			65A-4.208	34/19		
64D-4.002	34/27			65A-4.213	25/32		
64D-4.003	34/27			65A-4.216	25/32		
64D-4.005	34/27			65A-15.005	32/9		
64E-2.001	34/24			65A-15.0095	26/4		
64E-2.002	34/24			65A-15.062	32/9		
64E-2.003	34/24			65B-27.017	32/9		
				65C-5.001	32/29	32/37	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65C-5.002	32/29	32/37		65C-16.011	34/23		
65C-5.003	32/29	32/37		65C-16.012	34/23		
65C-5.004	32/29	32/37		65C-16.013	34/23		
65C-5.005	32/29	32/37		65C-16.014	34/23		
65C-5.006	32/29	32/37		65C-16.015	34/23		
65C-5.007	32/29	32/37		65C-16.016	34/23		
65C-5.008	32/29	32/37		65C-16.017	34/23		
65C-5.009	32/29	32/37		65C-16.018	34/23		
65C-5.010	32/29	32/37		65C-21.001	23/20		
65C-5.011	32/29	32/37		65C-22.007	29/9		
65C-15.001	32/48	33/20	34/27w	65E-2.003	26/20	26/28	
65C-15.002	32/48	33/20	34/27w	65E-9.001	34/16	34/20	
65C-15.003	32/48	33/20	34/27w			34/22	
65C-15.0035	32/48	33/20	34/27w	65E-9.002	34/16	34/20	
65C-15.004	32/48	33/20	34/27w			34/22	
65C-15.005	32/48	33/20	34/27w			34/25	
65C-15.006	32/48		34/27w	65E-9.003	34/16	34/20	
65C-15.010	32/48	33/20	34/27w			34/22	
65C-15.011	32/48	33/20	34/27w			34/25	
65C-15.012	32/48	33/20	34/27w	65E-9.005	34/16	34/20	
65C-15.013	32/48	33/20	34/27w			34/22	
65C-15.014	32/48	33/20	34/27w			34/25	
65C-15.015	32/48	33/20	34/27w	65E-9.006	34/16	34/20	
65C-15.016	32/48	33/20	34/27w			34/22	
65C-15.017	32/48	33/20	34/27w			34/25	
65C-15.018	32/48	33/20	34/27w	65E-9.007	34/16	34/20	
65C-15.019	32/48	33/20	34/27w			34/22	
65C-15.020	32/48	33/20	34/27w	65E-9.008	34/16	34/20	
65C-15.021	32/48	33/20	34/27w			34/22	
65C-15.022	32/48		34/27w	65E-9.009	34/16	34/20	
65C-15.023	32/48		34/27w	65E-9.011	34/16	34/22	
65C-15.024	32/48		34/27w			34/25	
65C-15.025	32/48		34/27w	65E-9.012	34/16	34/22	
65C-15.026	32/48		34/27w	65E-9.013	34/16	34/22	
65C-15.027	32/48	33/20	34/27w	65G-4.0021	34/13		
65C-15.028	32/48		34/27w		34/23c		
65C-15.029	32/48	33/20	34/27w	65G-4.0022	34/13		
65C-15.030	32/48		34/27w		34/23c		
65C-15.031	32/48	33/20	34/27w	65G-4.0023	34/13		
65C-15.032	32/48	33/20	34/27w		34/23c		
65C-15.033	32/48	33/20	34/27w	65G-4.0024	34/13		
65C-15.034	32/48	33/20	34/27w		34/23c		
65C-15.035	32/48		34/27w	65G-4.0025	34/13		
65C-15.036	32/48	33/20	34/27w		34/23c		
65C-15.037	32/48	33/20	34/27w	65G-8.001	34/8	34/24	
65C-15.038	32/48	33/20	34/27w	65G-8.002	34/8	34/24	
65C-16.001	34/23			65G-8.003	34/8	34/24	
65C-16.002	34/23			65G-8.004	34/8	34/24	
65C-16.003	34/23			65G-8.005	34/8	34/24	
65C-16.004	34/23			65G-8.006	34/8	34/24	
65C-16.005	34/23			65G-8.007	34/8	34/24	
65C-16.007	34/23			65G-8.008	34/8	34/24	
65C-16.008	32/4			65G-8.009	34/8	34/24	
	34/23			65G-8.010	34/8	34/24	
65C-16.009	34/23			65G-8.011	34/8	34/24	
65C-16.010	34/23			65G-8.012	34/8	34/24	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
<b>NAVIGATION DISTRICTS</b>				69A-46.017	33/47	34/11	34/20
66B-1.001	31/50			69A-46.040	33/47		34/20
<b>FLORIDA HOUSING FINANCE CORPORATION</b>				69A-46.041	33/47	34/11	34/20
				69A-58.004	34/4		34/20
67-4.032	29/9	29/45		69A-58.0081	34/4	34/11	34/20
67-18.005	28/42			69A-58.0082	34/4		34/20
67-21.014	24/5			69A-60.002	33/51	34/12	34/20
67-21.019	24/46	24/46				34/14	34/20
67-32.009	24/28			69A-60.003	33/51		34/20
67-48.002	30/39			69A-60.004	33/51		34/20
67-57.005	34/15		34/24	69A-60.005	33/51	34/12	34/20
67-57.010	34/15		34/24	69A-62.001	29/44	29/46	
67-57.030	34/15		34/24	69A-62.002	29/44	29/46	
67-57.040	34/15		34/24	69B-33.005(3)(a)	32/32c		
67-57.050	34/15		34/24		32/32c		
67-57.060	34/15		34/24	69B-41.002(19)	32/32c		
67-57.070	34/15		34/24		32/32c		
<b>FISH AND WILDLIFE CONSERVATION COMMISSION</b>				69B-240.001	33/39	34/19	34/20
68-1.003	34/8	34/19	34/27	69I-20.0011	34/27		
68A-1.004	34/25c			69I-20.0027	34/27		
68A-6.0022	33/1	33/11		69I-20.0028	34/27		
68A-15.063	34/25c			69I-20.0029	34/27		
68A-17.005	34/25c			69I-20.031	34/27		
68A-24.003	28/17			69I-20.050	34/27		
68A-24.004	28/17			69J-2.003	34/15		
68A-24.0055	30/1			69J-7.004	34/8		
68A-24.006	28/17			69J-7.005	34/8		
	30/1			69J-7.006	34/25		
68A-24.009	30/1			69J-7.007	34/25		
68B-13.008	27/31	26/13		69J-123.002	34/25		
	34/19			69K-1.002	34/9	34/15	34/22
68B-23.101	32/18			69L-5.105	34/12c		34/23d
68B-23.103	32/18			69L-5.106	34/12c		34/23d
68B-23.104	32/18			69L-7.602	31/23		
68B-23.106	32/18			69L-7.602(5)(q)	32/45c		
68B-23.107	32/18			69L-56.530	31/3		
68B-23.108	32/18			69M-1	29/52c		
68B-23.109	32/18			69N-121.066	34/22		
68B-23.110	32/18			69O-1	31/37c		
68B-23.112	32/18				31/37c		
68B-39.005	34/19			69O-125.005	31/6		
68D-16.029	34/8	34/15	34/27		31/26	32/7	
		34/19	34/27		33/26		
<b>FINANCIAL SERVICES</b>				69O-125.006	33/26		
					33/36c		
69-1	30/42c			69O-139.019	33/10		
69A-3.012	33/51	34/12	34/20	69O-144.007	34/14	34/26	
		34/14	34/20	69O-149.0025	34/22		
69A-46.010	33/47	34/11	34/20	69O-149.003	34/22		
69A-46.015	33/47		34/20		34/22		
69A-46.016	33/47		34/20	69O-149.005	34/22		
69A-46.0165	33/47	34/11	34/20	69O-149.006	34/22		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69O-149.007	34/22			69O-186.013	32/40		
69O-149.041	34/25				33/8c		
69O-149.205	34/25			69O-203.070	34/16		
69O-149.206	34/25			69O-203.210	34/24		
69O-149.207	34/25			69O-204.010	33/50	34/10	34/24w
69O-157.004	34/16					34/15	34/24w
69O-157.104	34/16			69O-204.020	33/50	34/10	
69O-157.114	34/16					34/15	
69O-157.117	34/16			69O-204.030	33/50	34/10	
69O-157.301	34/22					34/15	
69O-157.302	34/22			69O-204.040	33/50	34/10	
69O-157.303	34/22					34/15	
69O-157.304	34/22			69O-204.050	33/50		
69O-167.004	34/6	34/16		69O-204.060	33/50		
		34/22		69O-204.070	33/50	34/10	
69O-170.006	31/32c					34/15	
69O-170.020	32/5	32/12		69O-204.101	33/48	34/7	
69O-171.003	32/8	33/10				34/8	
		33/14			34/23c		
		33/35		69O-220.001	34/22		
	32/23c			69O-220.051	34/22		
69O-171.009	32/8	32/32		69O-220.201	34/22		
		33/20		69P-2.002	34/22		
	32/23c			69V-40.003	34/24		
69O-175.001	31/2c			69V-40.025	34/24		
69O-175.003	31/26			69V-560.102	34/7		34/24
69O-186.003	33/25						
69O-186.003(1)(c)	33/50c						
69O-186.005	33/25						