

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.0014                   Comprehensive Management  
  Information System

PURPOSE AND EFFECT: The purpose of this rule development workshop is to provide an opportunity for the public to provide input on the amendment of Data Base Manuals to reflect the collection and calculation of class size data, and address the need, if any, to promulgate a new rule to address class size.

SUBJECT AREA TO BE ADDRESSED: Class size data.

SPECIFIC AUTHORITY: 1001.02(1), 1002.33(24) FS.

LAW IMPLEMENTED: 1002.33(16), 1003.03, 1008.385 FS.

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

DATE AND TIME: June 30, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Department of Education, 325 West Gaines Street, 1706 Turlington Building, Tallahassee, FL 32399

For participation by telephone contact: Arlene Roberts at (850)245-9072.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lavan Dukes, Educational Policy Development Director, 325 West Gaines Street, Room 852, Tallahassee, FL 32399, (850)245-9917

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.094221               Alternative Standardized Reading  
  Assessment and Use of Student  
  Portfolio for Good Cause  
  Promotion

PURPOSE AND EFFECT: The purpose of this rule revision is to provide guidance relating to the statewide public school student progression law eliminating social promotion by removing the FCAT Norm Referenced Test (NRT) as an alternative assessment good cause exemption for students scoring at Level 1 on the grade three Florida Comprehensive Assessment Test (FCAT) in Reading. Since the original rule adoption, the FCAT Norm Referenced Test (NRT) has been eliminated from the FCAT assessment program. The effect of this rule revision will be that students who score at Level 1 on the grade three FCAT Reading may be promoted to grade four

if an acceptable level of performance is demonstrated on the alternative assessment (SAT-9 or SAT-10) or using a student portfolio.

SUBJECT AREA TO BE ADDRESSED: Reading.

SPECIFIC AUTHORITY: 1008.25(8)(b) FS.

LAW IMPLEMENTED: 1008.25(6)(b)3. 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 at (850)245-9661

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

**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 CORRECTIONS**

RULE NO.:                   RULE TITLE:  
33-208.002                   Rules of Conduct

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to require employees to make a full written report of the following: if a relative of the employee is placed in the custody or under the supervision of the Department or any status change in an arrest, Notice to Appear, or criminal charge filed against the employee.

SUBJECT AREA TO BE ADDRESSED: Rules of conduct.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 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: Jamie Leigh Jordan, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties, and that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions," however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) No change.

(2)(a) Each employee shall make a full written report of any of the following within 24 hours or upon reporting to work for his next assigned shift, whichever is sooner:

1. through 2. No change.

3. Any 'status change' in the case described in subparagraphs 1. and 2. above, to include any pleadings filed, appearances made, dates set, sanctions ordered, and decisions rendered.

~~4.3.~~ No change.

5. Placement of a relative in the custody or under the supervision of the Department.

(b) No change.

(3) through (26) No change.

Specific Authority 944.09 FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended 7-17-02, 4-5-04, 4-17-06, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-501.301  
 RULE TITLE: Law Libraries

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: revise the institutional law library collections to include the same publications at each facility where a law library is maintained; add a definition to clarify the meaning for interlibrary loan; and require the law library supervisor to immediately assign an inmate law clerk to provide legal assistance upon receipt of an interlibrary loan request.

SUBJECT AREA TO BE ADDRESSED: Law libraries.

SPECIFIC AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 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: Jamie Leigh Jordan, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-501.301 Law Libraries.

(1) No change.

(2) Definitions.

(a) through (h) No change.

(i) Law library collection: refers to print and digital/non-print publications that include the following information: the Florida Constitution and Florida Statutes; the U.S. Constitution and U.S. Code; Florida court decisions; U.S. Supreme Court, federal circuit court, and federal district court decisions; case citation-checking that permits users to trace the status of a court decision over time or to identify related court decisions; Florida and federal practice digests; forms manuals; and secondary source materials providing research guidance in the areas of federal habeas corpus, Florida post-conviction and post-sentence remedies, and prisoner's rights. Law library collection shall also include current copies of departmental rules and regulations as provided in paragraph (5)(b).

(i) through (k) renumbered (j) through (l) No change.

~~(l) Major collection: refers to a law library that includes the following legal publications: an annotated edition of the Florida Statutes; an annotated edition of the U.S. Constitution and federal statutes governing habeas corpus and prisoner's rights; Florida and federal case reporters; a case citation checking Florida and federal Shepard's citation indexes; Florida and federal practice digests; forms manuals; and secondary source materials providing research guidance in the areas of federal habeas corpus, Florida post-conviction and post sentence remedies, and prisoner's rights. Major collection law libraries also maintain current copies of departmental rules and regulations as provided in paragraph (5)(b).~~

~~(m) Minor collection: refers to a law library that includes the following legal publications: an annotated edition of the Florida Statutes; Florida case reporters; Shepards Florida Citations; Florida and federal practice digests; an annotated edition of the U.S. Constitution and federal statutes governing habeas corpus and prisoner's rights; forms manuals; and secondary source materials providing research guidance in the areas of federal habeas corpus, Florida post-conviction and post sentence remedies, and prisoner's rights. Minor collection law libraries also maintain current copies of departmental rules and regulations as provided in paragraph (5)(b).~~

~~(m)(n)~~ No change.

~~(n)(e)~~ Open population inmates: refers to inmates housed in general population at a institution or unit with a ~~major or minor collection~~ law library and any inmates housed at satellite correctional facilities if ~~major or minor collection~~ law libraries are not located there.

~~(o)(f)~~ No change.

~~(p)~~ Primary source material: refers to ~~refers to legal research materials that constitute the law or have the force of law. These include constitutions, statutes, treaties, administrative rules, court rules, and court decisions.~~

(q) through (t) No change.

(3) Law Library Access – General.

(a) Hours of Operation. ~~Major and minor collection~~ Law libraries shall be open for inmate use a minimum of 25 hours per week, except weeks which include official state holidays. Only times that inmates have access to the law library collection and inmate law clerks, or when inmate law clerks are providing research assistance to close management, death row, other special status populations, shall be counted. The law library's operating schedule shall be designed to permit inmates access to legal materials consistent with:

1. through 4. No change.

(b) through (h) No change.

(4) No change.

~~(5) Major and Minor Collection Law Libraries Collections.~~

~~(a) Major or minor collection~~ Law libraries shall be established at all institutions and satellite correctional facilities housing more than 500 inmates. ~~In determining whether a major collection shall be established at an institution, consideration shall be given to the following factors:~~

~~1. Population level;~~

~~2. Age of the inmate population;~~

~~3. The transitory nature of the institution's inmate population;~~

~~4. The institution's proximity to other facilities with major collections;~~

~~5. Whether the institution has one or more of the following housing categories:~~

~~a. Protective management;~~

~~b. Close management; or~~

~~c. Death row.~~

~~(b) Major and minor collection~~ Law libraries shall maintain current copies of the following departmental rules and regulations:

1. through 2. No change.

~~(c)~~ Law libraries ~~Major and minor collections~~ shall be maintained in a current condition by annual subscription service. The library services administrator shall be responsible for ensuring that all legal collections are current and complete.

~~(d)~~ Law collections shall not be established at work release centers or other community-based facilities. Inmates at those facilities shall secure legal assistance by means of

correspondence with a ~~law library major or minor law collection~~, by visits with attorneys, or by transportation or temporary transfer to an institution with a ~~law library major or minor law collection~~.

(e) The contents of legal collections shall be reviewed annually by the library services administrator to ensure continued compliance with applicable federal and state laws and American Correctional Association standards. When the library services administrator believes that titles need to be added or deleted from the collections, he or she shall make such recommendation to the chief of the bureau of institutional programs. If the recommendation is approved, the material shall be ordered and placed in ~~the appropriate~~ law library collections.

(f) Requests for the addition or deletion of titles in ~~major and minor~~ law library collections shall be submitted in writing to the library services administrator in the central office. The library services administrator shall review all requests and make a recommendation to the chief of the bureau of institutional programs. Requests shall be reviewed according to the material's primary research value and whether it substantively provides additional information, or merely duplicates what is in the current collection. If the recommendation is approved, the materials shall be ordered and placed in ~~the appropriate~~ law library collections.

(g) Each ~~minor and major collection~~ law library shall maintain a list of all titles in the collection at the law library's circulation counter and shall make it available to inmates upon request.

~~(6) Interlibrary Loan Services for Law Libraries.~~

~~(a) Major collection law libraries shall provide research assistance to minor collection libraries and to inmates housed at satellite correctional facilities without law libraries. On receipt of Form DC5-152, Law Library Interlibrary Loan Request, the law library supervisor shall immediately assign an inmate law clerk to provide legal assistance. Form DC5-152 is incorporated by reference in subsection (11) of this rule. All assistance that can be provided through use of that institution's major collection shall be completed within 3 working days of receipt, not including the day of receipt, except where the request requires the researching of complex or multiple legal issues or is so broad in scope that work cannot be initiated without further information from the requesting inmate.~~

~~(b) Inmates at facilities with minor collection law libraries who need access to legal research materials only available in major collection law libraries, shall submit Form DC5-152, Law Library Interlibrary Loan Request, for the material or assistance to the law library supervisor. Within two working days of receipt of Form DC5-152, not including the day of receipt, the law library supervisor shall forward the request to the law library supervisor at a major collection law library for completion.~~

(a)(e) Inmates at satellite correctional facilities without law libraries, who need access to legal materials in law library collections ~~major or minor collection law libraries~~, shall submit Form DC5-152, Law Library Interlibrary Loan Request, or Form DC6-236, Inmate Request, to the law library supervisor at the main unit of the institution. Form DC5-152 is incorporated by reference in subsection (11) of this rule.

1. On receipt of Form DC5-152, Law Library Interlibrary Loan Request, the law library supervisor shall immediately assign an inmate law clerk to provide legal assistance.

~~2.1.~~ No change.

~~3.2.~~ If the law library does not have the information that the inmate has requested, then within 2 working days of receipt, not including the day of receipt, the law library supervisor shall forward the request to an institutional law library that has the requested information ~~the law library supervisor at a major collection law library for completion. If no institutional law library has the requested information, the law library supervisor shall process the request as provided in paragraph (6)(b).~~

(b)(d) Inmate requests to secure law materials not in the department's law ~~major collection~~ libraries shall be submitted to the library services administrator for review and approval. Only requests for primary source materials, ~~such as statutes, rules, and court decisions~~ shall be approved.

1. through 2. No change.

(c)(e) No change.

(d)(f) No change.

(e)(g) No change.

(7) Use of Inmates as Clerks in Law Libraries.

(a) Inmate library clerks: ~~major and minor collection~~ law libraries shall be assigned inmates as library clerks to perform work of a clerical nature. Duties of library clerks include circulating legal materials, maintaining law library files, keeping the law library clean and orderly, and assisting the law library supervisor in collecting statistics, preparing reports and correspondence, and other job tasks related to program operations. Library clerks who are assigned only such work shall not be required to complete the law clerk training program. Inmates assigned as library clerks shall not assist inmates in the preparation of legal documents and legal mail, and shall not be assigned to conduct confinement visits unless accompanied by an inmate law clerk.

(b) Inmate law clerk trainees: inmates who have no formal training in legal research and who wish to work as inmate law clerks in ~~major and minor collection~~ law libraries shall be assigned as law clerk trainees, and shall be required to attend and successfully complete the law clerk training program. Inmates assigned as law clerk trainees shall not assist inmates in the preparation of legal documents and legal mail, and shall not be assigned to conduct confinement visits unless accompanied by an inmate law clerk.

(c) Inmate law clerks: ~~major and minor collection~~ law libraries shall be assigned inmates as inmate law clerks to assist inmates in the research and use of the law library collection, and in the drafting of legal documents, legal mail, administrative actions filed with the Florida Parole Commission, the Florida Bar, and other administrative bodies, and inmate grievances filed with the Department of Corrections. A minimum of 2 inmate law clerks shall be assigned to ~~major and minor collection~~ law libraries in adult institutions, and a minimum of 1 inmate law clerk shall be assigned to ~~minor collection~~ law libraries in youthful offender institutions. Institutions shall assign additional inmate law clerks to the law library as needed to ensure that illiterate and impaired inmates are provided research assistance.

(d) through (m) No change.

(n) The law library supervisor at the institution from which an inmate is transferred may authorize an inmate law clerk at that institution to continue assistance to the transferred inmate on a pending matter if the inmate's new institution or facility does not have a ~~major or minor collection~~ law library and the inmate requests continued assistance in writing.

(o) through (q) No change.

(8) No change.

(9) Grievance and Court Forms.

(a) ~~Major and minor collection~~ Law libraries shall provide inmates access to Form DC6-236, Inmate Request, and Form DC1-303, Request for Administrative Remedy or Appeal. Form DC1-303 is incorporated by reference in Rule 33-103.019, F.A.C. Inmates shall not be required to submit a Form DC6-236, Inmate Request, in order to secure grievance forms. Inmates who request more than 5 grievance forms at a time may be required to explain how the forms will be used.

(b) ~~Major and minor collection~~ Law libraries shall provide inmates access to court-approved forms needed to file Rule 3.850, Florida Rules of Criminal Procedure, post-conviction relief petitions with the Florida courts. Federal habeas corpus, affidavits of insolvency, and civil rights complaint forms shall only be supplied if copies of the forms are provided to the law library by the federal courts. In all instances, law libraries are obligated to provide only 1 copy of the form. If additional copies are required for submission to the courts, the inmate shall secure them using the procedures established in Rule 33-501.302, F.A.C.

(10) All institutions having ~~major and minor~~ law libraries shall prepare a monthly law library report detailing at a minimum the days and hours that the law library was open to inmate use, the circulation of law library materials, the volume of legal services provided to inmates, the number of inmate law clerks on staff, and legal materials added to the law library collection during the month. This report shall be submitted to the library services administrator by the tenth day of each calendar month for the previous month's activities. The library services administrator shall be responsible for developing the report and disseminating it to law libraries.

(11) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History–New 4-6-93, Amended 7-3-94, 11-2-94, 4-28-96, 9-30-96, 12-7-97, Formerly 33-3.0055, Amended 2-15-01,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-503.001  
 RULE TITLE: Chaplaincy Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to define religious publications. Religious publications are defined to include sacred texts, prayer books and devotional literature.

SUBJECT AREA TO BE ADDRESSED: Religious publications.

SPECIFIC AUTHORITY: 944.09, 944.11, 944.803 FS.

LAW IMPLEMENTED: 20.315, 90.505, 944.09, 944.11 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: Jamie Leigh Jordan, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-503.001 Chaplaincy Services.

(1) through (12) No change.

(13) Religious Publications.

(a) Inmates shall have access to religious publications through the chapel or institutional library or as provided through the Chaplain.

(b) The Chaplain shall assist inmates in obtaining personal copies of religious books and periodicals, subject to rules of the Department of Corrections and the local institution.

(c) Religious publications shall include the following:

1. Sacred texts – defined as the primary religious documents from which the standards of the faith are derived.

2. Prayer books – defined as the instructional material, prayers and liturgies for the observation of holy rituals, services and personal devotion;

3. Devotional literature – defined as religious commentary, personal instruction in the faith, and sermon type material.

Specific Authority 944.09, 944.11, 944.803 FS. Law Implemented 20.315, 90.505, 944.09, 944.11 FS. History–New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, 1-9-03, 2-25-08,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.: 40D-1.607  
 40D-1.659  
 RULE TITLES: Permit Processing Fee  
 Forms and Instructions

PURPOSE AND EFFECT: The District proposed to amend its Water Use Permit (WUP) rules to refine the permit category now informally known as “Small General” WUPs and to incorporate the term, “Small General,” into existing rules. Amendments are proposed primarily to Chapter 40D-2, F.A.C., and the District's Water Use Permit Information Manual Part B, Basis of Review. However, as part of this effort, amendments are also proposed for Rule 40D-1.607, F.A.C., to incorporate the term, “Small General WUP.” The effect will be to specify the application fees for what will now be known formally as a “Small General WUP.” Amendments are also proposed to Rule 40D-1.659, F.A.C., to move the list or irrigation water use forms currently incorporated by reference in Rule 40D-2.091, F.A.C., which rule is intended to list documents incorporated by reference, to Rule 40D-1.659, F.A.C., which lists all District forms incorporated by reference. The effect of this amendment is to incorporate the forms used for reporting irrigation water use into the correct rule and establish a new form number for each form.

SUBJECT AREA TO BE ADDRESSED: Water Use Permitting.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.109, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.421(2), 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.607 Permit Processing Fee.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. These fees are assessed in order to defray the cost of evaluating, processing, advertising, mailing, compliance monitoring and inspection, required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which

an application is filed is determined by the District to qualify for a permit with a lower fee or not require a permit. Failure to pay the application fees established herein is grounds for the denial of an application or revocation of a permit. The District’s permit application processing fees are as follows:

- (1) through (6) No change.
- (7) Water use permit application fees shall be as follows:
  - (a) through (h) No change.
  - (i) Chapter 40D-2, F.A.C., Small General Permit new (~~withdrawal less than 100,000 average gpd~~) \$50.00
  - (j) Chapter 40D-2, F.A.C., Small General Permit renewal (~~withdrawal less than 100,000 average gpd~~) \$35.00
  - (k) Chapter 40D-2, F.A.C., Small General Permit modification (~~withdrawal less than 100,000 average gpd~~) \$15.00
  - (l) No change.
  - (8) through (11) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.109, 373.421(2) FS. History-Readopted 10-5-74, Amended 12-31-74, 10-24-76, 7-21-77, Formerly 16J-0.111, Amended 10-1-88, 1-22-90, 12-27-90, 11-16-92, 1-11-93, 3-23-94, Formerly 40D-0.201, Amended 12-22-94, 10-19-95, 3-31-96, 7-23-96, 10-16-96, 10-26-00, 3-15-01, 9-26-02, 8-7-03, 6-5-05, 2-6-07, 5-12-08,\_\_\_\_\_.

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

**GROUND WATER**

- (1) through(25) No change.
- (26) IRRIGATION WATER USE FORM – ANNUAL CROPS, SOUTHERN WATER USE CAUTION AREA – FORM NO. LEG-R.017.00 (\_\_\_\_).
- (27) IRRIGATION WATER USE FORM – ANNUAL RECREATIONAL / AESTHETIC / GOLF, SOUTHERN WATER USE CAUTION AREA – FORM NO. LEG-R.018.00 (\_\_\_\_).
- (28) IRRIGATION WATER USE FORM – SUMMER/FALL SEASONAL, SOUTHERN WATER USE CAUTION AREA – FORM NO. LEG-R.019.00 (\_\_\_\_).
- (29) IRRIGATION WATER USE FORM – WINTER/SPRING SEASONAL, SOUTHERN WATER USE CAUTION AREA – FORM NO. LEG-R.020.00 (\_\_\_\_).

**SURFACE WATER**

- (1) through (15) No change.

**OTHER**

- (1) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History-New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:                    RULE TITLE:  
 40D-1.659                   Forms and Instructions

PURPOSE AND EFFECT: The District needs accurate water use data from permittees to fulfill its statutory responsibilities and to protect the state’s water resource. This information is crucial in determining permit compliance, calculating conservation credits, estimating water use and for use in water supply planning. District rules require that flow meters required by Water Use Permits be tested for accuracy every 5 years. Currently permittees have their flow meters tested and submit the information in many different formats. To ensure that the testing is properly performed so that the flow meters are accurately tested, staff has developed standardized accuracy requirements and a standardized test form. The proposed rule amendments incorporate the new flow meter accuracy test form.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments will adopt a flow meter accuracy test form to be used to demonstrate meter accuracy as required by Chapter 40D-2, F.A.C., Water Use Permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS.

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

DATE AND TIME: June 30, 2008, 10:00 a.m.

PLACE: Southwest Florida Water Management District, Tampa Service Office, Governing Board Room, 7601 Highway 301 North, Tampa, FL 33637-6759

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878. 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: Jeanette Houser, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211 or 1(800)423-1476, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (25) No change.

SURFACE WATER

(1) through (15) No change.

OTHER

(1) No change.

(2) METER ACCURACY VERIFICATION FORM, FORM NO. LEG-R.013.00 ( ).

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-2.021	Definitions
40D-2.041	Permits Required
40D-2.091	Publications Incorporated by Reference
40D-2.321	Duration of Permits
40D-2.501	Permit Use Types
40D-2.621	Water-Conserving Credits

PURPOSE AND EFFECT: The Southwest Florida Water Management District’s Water Use Permit (WUP) Rules are being revised in association with the District’s ongoing development, implementation and refinement of its comprehensive electronic permitting and information system known as the Water Management Information Systems or WMIS. As part of this overall effort, the District is seeking to streamline WUP application processes where appropriate. Amendments are being proposed to several rules in Chapter 40D-2, F.A.C., and to the District’s Water Use Permit Information Manual Part B, Basis of Review (BOR), to refine

the permit category now informally known as “Small General” WUPs and to incorporate the term “Small General,” into existing rules. Additional related amendments are also proposed for Chapter 40D-1, F.A.C. The overall purpose of this rulemaking is to re-define the Small General WUP category based upon minimal risk to the water resource for most water demands of less than 100,000 gallons per day, and to reduce where appropriate the level of information required to be submitted in support of applications for and compliance monitoring of Small General WUPs. The effect of this rulemaking package will be to limit the types of permits appropriate for the Small General permit category to those water uses that do not require significant evaluation or monitoring due to little-to-no risk of adverse impacts. Specifically, Rule 40D-2.041, F.A.C., is amended to re-define the Individual, General and Small General WUP categories, as the General WUP category will now include some water uses that previously would have been considered as Small General WUPs. Rule 40D-2.621, F.A.C., is amended to limit water-conserving credits to General and Individual WUPs. Rule 40D-2.091, F.A.C., is amended to adopt an updated version of the District’s BOR, which is revised to reduce the permit application submittal and compliance monitoring requirements for Small General WUPs. The BOR and Rule 40D-2.321, F.A.C., are also amended to delete provisions relating to the District’s one-time permit renewal redistribution process for Small General and General WUPs, as this process has been completed and is no longer needed.

Some additional amendments not necessarily limited to Small General WUPs are also proposed at this time for clarification purposes. Rule 40D-2.021, F.A.C., is revised to identify more correctly those definitions that apply only in the Southern Water Use Caution Area. Rule 40D-2.091, F.A.C., is amended to move the list of irrigation water use forms used for monitoring purposes to Rule 40D-1.659, F.A.C. Rule 40D-2.501, F.A.C., is amended to use the term “permit use types” instead of “permit classification” when referring to the types of water uses authorized in WUPs. The effect of these clarifying amendments will be to make existing WUP rules, practices and forms more consistent.

SUBJECT AREA TO BE ADDRESSED: Water Use Permitting.

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.236, 373.239, 373.243, 373.246 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.021 Definitions.

The following definitions shall apply when used in this chapter and in the District's Water Use Permit Information Manual Part B. "Basis of Review" incorporated by reference in Rule 40D-2.091, F.A.C. within the Southern Water Use Caution Area:

(1) through (2) No change.

(3) "Change in Ownership or Control" with respect to Self-Relocation within the Southern Water Use Caution Area (SWUCA) means a person other than the permittee that has been granted a real property interest or lease interest in the property subject to the permit; but does not include a person with a familial relationship to the permittee.

(4) through (5) No change.

(6) "Net Benefit" means activities or measures that will result in an improvement to a Minimum Flow or Level water body within the SWUCA that more than offsets the impact of a proposed withdrawal.

(7) "New Quantities" within the SWUCA means water that is not currently authorized to be withdrawn by the applicant or not currently authorized to be used for the intended use by the applicant. This includes applications to modify existing permits to increase quantities, and/or change the Permit Use Type (affecting only the modified portion) and applications for an initial permit. A modification to change crops or plants grown under an Agricultural Permit Use Type Classification or to change withdrawal location or Use Type that is authorized by the terms of the permit or site certification at the time of issuance, is not a change in Permit Use Type provided that the quantities do not increase. In addition, when land is mined and the land will be returned to the Use Type operation authorized under the Water Use Permit that existed prior to mining, such activity does not constitute a change in Use Type or New Quantity.

(8) through (10) No change.

(11) "SWUCA" means the Southern Water Use Caution Area as described in paragraph 40D-2.801(3)(b), F.A.C.

~~(12)(H)~~ No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 1-1-07, Amended.

40D-2.041 Permits Required.

(1) No change.

(2) Water Use Permit categories are based on the combined annual average daily water demand, defined as the total reasonable-beneficial water quantity necessary for the proposed water use, to be obtained during one year from ground water, surface water, alternative water supply, imported water or any other water source, divided by 365 days and expressed in gallons per day (gpd). The District issues the following categories of Water Use Permits:

(a) Individual. Water Use Permits for a combined annual average daily water demand of 500,000 gpd or greater are issued as Individual Water Use Permits. Individual Water Use Permits must receive approval from of the Governing Board if the annual average daily withdrawal equals or exceeds 500,000 gpd.

(b) General. Water Use Permits for the following are issued by District staff as General Water Use Permits, except as provided in Chapter 4, Section 4.3 A.1.a.ii.(4) of the Basis of Review:

1. A combined annual average daily water demand less than 500,000 gpd but greater than or equal to 100,000 gpd; and

2. A combined annual average daily water demand less than 100,000 gpd when:

a. The Drought Annual Average is 100,000 gpd or more in the Southern Water Use Caution Area;

b. Withdrawal is for mining or dewatering;

c. Withdrawal is from a surface water source;

d. The maximum daily withdrawal quantity equals or exceeds 1,000,000 gpd for crop protection or other use; or

e. The withdrawals are required by the permit to be metered and withdrawal quantities reported to the District.

(c) Small General. Water Use Permits for a combined annual average daily water demand less than 100,000 gpd are issued as Small General Water Use Permits unless any criteria listed above for General Water Use Permits apply. Small General Water Use Permits are issued by staff.

~~(3) Water Use Permits with an annual average daily withdrawal less than 500,000 gpd may be issued by District staff as general permits.~~

(3)(4) The District shall require an Individual, General or Small General Wwater Use Ppermit when evidence indicates the withdrawal is likely to cause significant adverse impacts to existing water or land uses or the water resource or the withdrawal is within an area that is experiencing or is projected to experience withdrawal-related adverse water resource or environmental impacts.



Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.219, 373.223, 373.224, 373.226 FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 9-4-77, 10-16-78, Formerly 16J-2.04(1), (2), (4), (5), Amended 9-1-84, 11-4-84, 10-1-89, 2-10-93, 4-11-94, 1-1-07,\_\_\_\_\_.

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

- (1) Water Use Permit Information Manual Part B, “Basis of Review” (\_\_\_\_) ~~(5/08)~~; and
- (2) Water Use Permit Information Manual Part D, “Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area” (1/07);~~;~~
- ~~(2) “Irrigation Water Use Form — Annual Crops” Form 46.20-010 WUP-10 (10/01);~~
- ~~(3) “Irrigation Water Use — Annual Recreational/Aesthetic/Golf” Form 46.20-009 WUP-11 (10/01);~~
- ~~(4) “Irrigation Water Use — Summer/Fall Seasonal”, 46.20-011 WUP-13 (10/01); and~~
- ~~(5) “Irrigation Water Use — Winter/Spring Seasonal”, 46.20-012 WUP-12 (10/01).~~

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08,\_\_\_\_\_.

40D-2.321 Duration of Permits.

- (1) through (5) No change.
- ~~(6) Permits with annual average daily withdrawals of less than 500,000 gpd shall be eligible for extension of the expiration date in accordance with procedures set forth in Section 1.9 of the District’s “Basis of Review for Water Use Permit Applications” as described in Rule 40D-2.091, F.A.C.~~
- ~~(6)(7) No change.~~

Specific Authority 373.044, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.236 FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 1-6-82, 3-11-82, Formerly 16J-2.13, Amended 10-1-89, 7-28-98, 1-1-03, 1-1-07, 2-13-08,\_\_\_\_\_.

40D-2.501 Permit Use Types Classification.

Each Water Use Permit shall authorize water withdrawals for as many of the following use types as are applicable, and shall be classified according to the source, use type for which the greatest withdrawal quantities are authorized. Permit use types are as follows, and method of withdrawal in one or more of the following categories:

- (1) through (3) No change.
- (4) Industrial or Commercial, and
- (5) Mining or Dewatering, and
- ~~(6) Standby Alternative Source.~~

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.219, 373.246 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-2.16, Amended 11-4-84, 10-1-89, 1-1-03,\_\_\_\_\_.

40D-2.621 Water-Conserving Credits.

(1) On January 1, 2003, permits authorizing a water withdrawal within the SWUCA Southern Water Use Caution Area as described in paragraph 40D-2.801(3)(b), F.A.C., for irrigation shall be assigned an initial Water-Conserving Credit by the District for a quantity of water as set forth in Chapter 3 of the Basis of Review incorporated by reference in Rule 40D-2.091, F.A.C.

(2) ~~Beginning on January 1, 2003, all P~~ permittees with an Individual or General Water Use Permit authorizing a water withdrawal within the SWUCA ~~as described in paragraph 40D-2.801(3)(b), F.A.C.~~, for irrigation may earn Water-Conserving Credits to withdraw additional quantities of ground water for use at the site at which they were earned and for the source for which they were earned. Water-Conserving Credits are earned if less than the allowable amount of groundwater is applied to actual, planted acreage as set forth in Chapter 3 of the Basis of Review incorporated by reference described in Rule 40D-2.091, F.A.C.

(3) Withdrawals under the Water-Conserving Credits shall meet the Conditions for Issuance set forth in subsection 40D-2.301(1), F.A.C.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216, 373.219, 373.223, 373.239 FS. History—New 1-1-03, Amended 1-1-07,\_\_\_\_\_.

WATER USE PERMIT INFORMATION MANUAL PART B,  
BASIS OF REVIEW

1.0 PERMITTING PROCEDURES

1.4 APPLICATION FORMS

Permit applicants shall submit the Individual, General or Small General Water Use Permit Application Form appropriate to the combined annual average demand for the proposed use annual average quantities requested, as incorporated by reference provided in subsections 40D-1.659(8), (9), and (10), F.A.C. Applicants for Individual and General Water Use Permits 100,000 gpd or more annual average quantities shall also submit all of the Water Use Permit Application Supplemental Form(s) applicable to their water uses type, as incorporated by reference provided in subsections 40D-1.659(11) through (15), F.A.C. Applicants for a Letter Modification to their water use permit shall submit the Modification Short Form, incorporated by reference in subsection 40D-1.659(16), F.A.C.

These forms may be obtained from any District Service Office, or from the District website at [www.watermatters.org](http://www.watermatters.org).

New 1-1-03, Amended 11-25-07,\_\_\_\_\_.

1.6 APPLICATION REVIEW PROCESS

First 4 paragraphs – No change.

General water use permits may be issued by District staff for applications which meet the following criteria:

- 1. ~~The average annual daily withdrawal is less than 500,000 gpd;~~
- 2. ~~The application meets the Conditions for Issuance set forth in Rule 40D-2.301, F.A.C.~~

Amended 1-1-07, 12-24-07,\_\_\_\_\_.

1.9 PERMIT DURATION

The District typically issues permits in accordance with the following guidelines:

- 1. through 6. No change.
- 7. ~~One-time Permit Renewal Redistribution Process for Small General and General Permits:~~

a. ~~General Provisions:~~

(1) ~~The following definitions shall apply to this subsection 6:~~

(a) ~~General Permit — A permit with an annual average daily withdrawal of greater than or equal to 100,000 gpd and less than 500,000 gpd.~~

(b) ~~Small General Permit — A permit with an annual average daily withdrawal of less than 100,000 gpd.~~

b. ~~Specific Provisions:~~

(1) ~~Random Selection of Permits for Extension:~~

~~A one-time random selection process that will be performed as follows:~~

(a) ~~For each year of the 10-year period, which years begin on October 1 and end at 11:59 p.m. September 30, beginning October 1, 1998 and ending September 30, 2008, the District will randomly select permits expiring in that year for extension of the expiration date in order to reduce the variability of the projected number of permit renewal applications to be received by the District. The number of permits extended for any given year will depend on the number of permits expiring that year which are determined to be in excess of the targeted average annual number of renewal applications.~~

(b) ~~The random selection of permits for extension will be performed individually for each year in succession, beginning with October 1, 1998 and ending with September 30, 2008. Permits will be selected for extension until the number of permits in excess of the targeted average annual number of renewal applications is reached.~~

(c) ~~Permits not selected for extension shall retain the expiration date shown on the face of the permit.~~

(2) ~~Assignment of Extension Duration:~~

(a) ~~Permits selected for extension shall be subject to a second random selection process in which the duration of extension will be assigned. Expiration dates of randomly~~

~~selected permits will be extended to the first future year, beginning with the year starting October 1, 2008, in which available capacity exists below the targeted average annual number of renewal applications. Permit durations will be extended to that year until the targeted average annual number of renewal applications is reached. Any remaining permits representing additional excess over the targeted average annual number of renewal applications will be assigned to the next successive year in which available capacity exists below the targeted average annual number of renewal applications.~~

(b) ~~In assigning the extension, the District shall not extend the expiration date of any permit beyond September 30, 2018.~~

(3) ~~Permit Renewal Allocation/Expiration Date Assignment:~~

(a) ~~Permits extended shall be subject to a third random selection process in which the actual day and month of the selected year between October 1, 2008 and September 30, 2018 is assigned to each specific permit. This process shall be performed individually for each year in succession and will facilitate an even distribution of permit expiration dates within each year.~~

(b) ~~Permittees whose permits are extended and whose permits which, prior to extension, would have expired on or between October 1, 1998 and September 30, 2007, shall be notified by the District of the revised expiration date by August 1, 1998.~~

(c) ~~Permittees whose permits are extended and whose permits which, prior to extension, would have expired on or between October 1, 2007 and September 30, 2008, shall be notified by the District of the revised expiration date by January 1, 1999.~~

e. ~~Permits for which the expiration date is extended pursuant to this subsection 6. shall continue to meet all conditions for issuance set forth in Rule 40D-2.301, F.A.C., including compliance with minimum flows and levels and associated prevention and recovery strategies, and are subject to modification and revocation pursuant to Rules 40D-2.331 and 40D-2.341, F.A.C.~~

Revised 8-23-07, 2-13-08,\_\_\_\_\_.

1.11 RENEWAL OF PERMITS

1. No change.

2. ~~Subsection 1. above shall be applicable to those permits which are not extended pursuant to subsection 40D-2.321(6), F.A.C., and Section 1.9 above, based on the expiration date on the face of the permit.~~

3. ~~Subsection 1. above shall be applicable to those permits which are extended pursuant to subsection 40D-2.321(6), F.A.C., and Section 1.9 above, based on the revised expiration date assigned to the permit.~~

1-1-07, Revised 8-23-07, 4-7-08,\_\_\_\_\_.

3.0 REASONABLE WATER NEEDS

3.1 DETERMINING REASONABLE QUANTITIES

ALTERNATIVE WATER SUPPLIES WITHIN THE SWUCA  
 Reuse Feasibility Investigation Within The SWUCA – Investigation of the feasibility of the use of reclaimed water (reuse) shall be required within the SWUCA for all Individual and General Water Use Permit applicants and permittees uses, and reuse shall be required where economically, environmentally and technically feasible. For those water use permittees also required to investigate reuse pursuant to Section 403.064, F.S., the investigation shall be in accordance with Section 403.064, F.S., and any rules promulgated thereunder. Reclaimed water suppliers whose reclaimed water is 100% reused, reclaimed water users whose water use is 100% reclaimed water, and permittees with a reuse plan already accepted by the District, shall not be required to conduct a reuse feasibility study. Reuse of reclaimed water as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all appropriate Individual and General Water Use Permit applicants or permittees. Applicants for Individual and General Water Use Permits these water uses shall provide an analysis of reclaimed sources for the area, including the relative location of these sources to the applicant's or pPermittee's property, the quantity and timing of reclaimed water availability, costs associated with obtaining the reclaimed water, the suitability of reclaimed water for the intended use, and an implementation schedule for reuse. Infeasibility shall be supported with a detailed explanation.

Small General Water Use Permit applicants who have not incorporated Alternative Water Supplies will be required to confirm that there are no Alternative Water Supply sources that are technically, economically and environmentally feasible to use as a water source for the applicant's intended use. Small General Water Use Permits will be conditioned to require that the permittee notify the District of any future connection to an Alternative Water Supply source, and the permit will be modified to require the permittee to use the Alternative Water Supply to the greatest extent practicable.

1-1-03, Amended \_\_\_\_\_.

REPORTING ALTERNATIVE WATER SUPPLY QUANTITIES WITHIN THE SWUCA

Alternative Water Supply Receivers Within The SWUCA –All Individual and General Water Use permittees permitted uses within the SWUCA that which receive reclaimed water, or stormwater or other Alternative Water Supply for all or a part of their combined annual average daily water demands (e.g. golf courses, industrial/commercial uses, agricultural uses, etc.) shall be required to meter, record and report Alternative Water Supply quantities and sources on a monthly basis. Permittees shall list the Alternative Water Supply supplier's

name, location, and quantities obtained in gallons per day, for each source. This requirement shall be implemented by attaching a permit condition to all applicable permits.

1-1-03, Amended 1-1-07, \_\_\_\_\_.

CONSERVATION

Alternative Water Supplies Within the SWUCA – Individual and General Water Use Permit a Applicants will be required to evaluate the use of potentially appropriate Alternative Water Supplies for technical, economic and environmental feasibility. This evaluation must determine whether alternatives are available to offset all or part of quantities obtained from any non-alternative water supply, as well as whether an offset is only available seasonally or on a time-limited basis.

New 1-1-07, Amended \_\_\_\_\_.

3.3 AGRICULTURE

REPORTING REQUIREMENTS FOR IRRIGATION WATER USE WITHIN THE SWUCA

Crop Reports – All Individual and General Water Use pPermittees whose annual average daily permitted use is equal to or exceeds 100,000 gpd shall record for each metered permitted withdrawal point the following information on the applicable Irrigation Water Use Form incorporated by reference in subsections 40D-1.659(26), (28) and (29), F.A.C., GROUNDWATER according to crop type. for all Those that irrigate seasonal crops (examples: vegetables or other row crops) shall provide items 1. through 8. and nurseries; Those that irrigate a Annual crops and plants (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture, ~~golf courses, lawn & landscape~~) may omit items 5., ~~and 6., and 7.~~

- 1. through 4. No change.
- 5. Use or non-use of plastic mulch;
- 5. through 7. renumbered 6. through 8. No change.
- 8. Number of acres of tees and greens.

1-1-03, Amended \_\_\_\_\_.

Irrigation Pumpage Compliance Within The SWUCA – Permittees who exceed the allocated quantities, which include standard and drought quantities as applicable, shall submit a report to the District which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Allocated quantities are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per crop. Reports for pPermittees not achieving the allotted quantities are subject to District approval.

Transferred from Chapters 7.1 and 7.2, 1-1-07, Amended \_\_\_\_\_.

3.4 INDUSTRIAL OR COMMERCIAL

CONSERVATION PLANS FOR INDUSTRIAL AND COMMERCIAL USES WITHIN THE SWUCA

All permit applicants for Individual or General Water Use Permits for ground water withdrawals within the SWUCA for industrial or commercial uses are required to submit to the District at time of application, a water conservation plan describing where and when water savings can be reasonably achieved and specifically addressing all components of use and loss in the water balance, including but not limited to recycling, reuse, landscaping and an implementation schedule ~~to the District at time of application~~. Existing permittees with ~~ground water withdrawals not previously within a Water Use Caution Area shall submit a conservation plan by January 1, 2003.~~

1-1-03, Amended \_\_\_\_\_.

3.6 PUBLIC SUPPLY

SWUCA REQUIREMENTS

The following water conservation requirements designated to apply within the SWUCA shall apply to all public supply utilities and suppliers with Individual and General Water Use Permits ~~that are granted for an annual average daily quantity of 100,000 gallons per day or greater~~, as well as wholesale customers supplied by another entity which obtain an annual average daily quantity of 100,000 gallons per day or greater, either indirectly or directly under water use permits within the SWUCA, regardless of the name(s) on the water use permit. Failure of a wholesale customer to comply may result in modification of the wholesale permit to add a permit condition limiting or reducing the wholesale customer's quantities, or other actions by the District.

Transferred from Chapters 7.1 and 7.2, 1-1-07, Amended \_\_\_\_\_.

CONSERVATION REQUIREMENTS WITHIN THE SWUCA

Exemptions from Water Conservation Requirements – Small General Water Use ~~p~~Permittees within the SWUCA ~~whose permitted annual average quantity is less than 100,000 gallons per day~~ are exempted from the residential water use report, water conserving rate structure, customer billing and meter reading criteria, and water audit requirements.

1-1-03, Amended \_\_\_\_\_.

3.7 RECREATION OR AESTHETIC

CONSERVATION PLANS FOR RECREATION OR AESTHETIC USES WITHIN THE SWUCA

All Individual and General Water Use ~~P~~permit applicants for ground water withdrawals within the SWUCA for recreation or aesthetic uses are required to submit a water conservation plan to the District at the time of application describing where and when water savings can be reasonably achieved and specifically addressing all components of use and loss in the water balance, including but not limited to recycling, reuse, landscaping, and an implementation schedule ~~to the District at time of application~~. Existing permittees with ~~ground water~~

~~withdrawals not previously within the Eastern Tampa Bay Water Use Caution Area or the Highlands Ridge Water Use Caution Area shall submit a conservation plan by January 1, 2003.~~

1-1-03, Amended \_\_\_\_\_.

GOLF COURSE CONSERVATION WITHIN THE SWUCA  
Conservation Plans – All Individual and General Water Use Permit ~~new and renewal~~ permit applicants for new permits, renewal permits and modifications to increase quantities for ground water withdrawals within the SWUCA for golf course irrigation are required to submit a water conservation plan to the District at the time of application specifically addressing:

1. Conversion to low volume irrigation methods for areas other than fairways;
2. through 6. No change.

1-1-03, Amended 1-1-07, \_\_\_\_\_.

~~Submittal of Plans – Applicants for new permits shall submit this plan to the District at the time of application. Existing permittees with ground water withdrawals not previously located within the Eastern Tampa Bay Water Use Caution Area or the Highlands Ridge Water Use Caution Area shall submit a conservation plan by January 1, 2003.~~ The District publishes a document titled Golf Course Conservation Guidelines which may be consulted in order to prepare the conservation plan required by this provision. The Guidelines are available from the District upon request.

1-1-03, Amended \_\_\_\_\_.

REPORTING REQUIREMENTS FOR RECREATION OR AESTHETIC IRRIGATION WATER USE WITHIN THE SWUCA

To ensure compliance with the total allocated acre-inches per acre per season per crop or plant and the assigned efficiency standards, the District requires the following data to be submitted by all Individual or General Water Use permittees.

Irrigation Water Use Report – The following information shall be reported on the Irrigation Water Use Form – Annual Recreation/Aesthetic/ Golf, Form No. LEG-R.018.00 ( ) incorporated by reference in subsection 40D-1.659(27), F.A.C., GROUNDWATER for all recreational and aesthetic irrigation (examples: golf course turf, sports field turf, lawn and landscape in parks, playgrounds, theme parks, etc.):

1. Irrigated plant type (golf course turf, lawn and landscape, sports field):
2. Total acres per plant type:
3. Acres shrubs and/or trees:
4. Number of acres of tees and greens; and
5. The dominant soil type or acres by dominant soil type.

New \_\_\_\_\_.

## 5.0 MONITORING REQUIREMENTS

## 5.1 WITHDRAWAL QUANTITY

Individual and General Water Use Generally, pPermittees will be required to monitor the quantity of water withdrawn from any source in accordance with the guidelines described in this section. Monitoring of actual pumpage provides a means to develop historical records in order to accurately project future reasonable demand, assess impacts to the resource and existing water and land uses, and ensure that quantities withdrawn do not exceed permitted pumpage. Monitoring methods must maintain plus or minus 5% accuracy, and must be approved by the District. Permittees shall use direct flow measuring devices unless the District determines direct methods are inappropriate for the particular water use system.

Permittees shall monitor withdrawal quantities from each withdrawal point when:

1. Issued an Individual Water Use Permit ~~The annual average withdrawal is greater than or equal to 500,000 gpd;~~
2. Issued a General Water Use Permit ~~The annual average withdrawal is greater than or equal to 100,000 gpd for public supply use;~~
3. Issued a General Water Use Permit ~~The annual average withdrawal is greater than or equal to 100,000 gpd and one or more of the withdrawal points is located within the SWUCA or NTBWUCA; or~~
4. No change.

## 7.0 WATER USE CAUTION AREAS

## 7.3 NORTHERN TAMPA BAY WATER USE CAUTION AREA

## 2. Agriculture

## 2.2 Monitoring Requirements for Agricultural Water Use

To ensure compliance with the total allocated inches per acre per season per crop, the District requires the following data to be submitted. ~~Although the permittee is not required to be in compliance with allocation requirements until January 1, 1993, the permittee is required to submit these data beginning with the first appropriate date in 1991, as specified in the permit conditions below.~~

1. All Individual and General Water Use pPermittees whose average daily permitted use is equal to or exceeds 100,000 gpd shall record the following information for all seasonal crops irrigated (examples: vegetables or other row crops) and nurseries; Permittees that irrigate aAnnual crops (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture) may omit items e. and f.: Requested information is to be reported on the Agricultural Water Use Form – Seasonal Report, Form WUP-14.1 (1/93) and Agricultural Water Use Form – Annual Report, Form WUP-15 (1/93), appropriate Irrigation Water Use Form incorporated by reference in subsections 40D-1.659(17) and (18), F.A.C., GROUNDWATER.

- a. through d. No change.

- e. Planting dates; and;
- f. No change.
2. and 3. No change.

Amended \_\_\_\_\_.

3. Recreational, Industrial, and Mining

## 3.1 Conservation Plan

All Individual and General Water Use pPermit applicants for recreational/aesthetic, industrial/commercial, and mining/dewatering uses, are required to submit a water conservation plan to the District at time of application specifically addressing recycling, reuse and landscaping ~~to the District at time of application~~. Existing permittees shall submit a conservation plan by July 31, 1992. ~~The following condition shall be placed on all appropriate permits, and the elements listed in the condition below shall be addressed in all new applications:~~

~~The permittee shall submit to the District a conservation plan by July 31, 1992. This plan shall include documentation and assessment of current and potential internal reuse, as well as external reuse sources. This plan shall also address reducing irrigation withdrawals through evaluation of the use of drought tolerant landscaping for landscaped areas, where present.~~

## 3.2 Golf Courses Conservation Plan

All Individual and General Water Use pPermit applicants for golf course irrigation are required to submit a water conservation plan to the District at time of application specifically addressing conversion to low volume irrigation methods, increased system management, limiting frequent irrigation to water-critical areas, and limiting irrigation of other areas, ~~to the District at time of application~~. Existing permittees shall submit a conservation plan by July 31, 1992. In addition to the conservation plan requirements ~~permit condition~~ listed in 3.1, above, the following permit condition shall be applied to all existing golf course permits, and the elements listed in the condition below shall be addressed in all new golf course permit applications:

The permittee shall submit a report to the District by July 31, 1992, detailing how and when the following items shall be implemented, and the expected reduction in withdrawals to be achieved through implementation:

1. through 5. No change.

Amended \_\_\_\_\_.

6. Alternative Sources

## 6.2 Reuse

Investigation of the feasibility of reuse may be required for all appropriate uses, and reuse shall be required where feasible. Reuse of treated wastewater as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all Individual and General Water Use Permit ~~appropriate~~

applicants or permittees. This item shall be implemented through inclusion of the following condition on all applicable permits with agricultural irrigation, recreational or aesthetic irrigation, industrial or commercial, or mining or dewatering uses:

No change.

All Individual and General Water Use Permit applicants for water uses where reclaimed water is appropriate shall provide documentation from the local wastewater entity indicating whether reclaimed water is available or is planned to be available within the next six years. Permittees generating reclaimed water shall respond to such requests by permit applicants in a timely manner. If reclaimed water is available, or is planned to be available within the next 6 years, the local wastewater entity shall provide a cost estimate for connection to the permit applicant. If reclaimed water is planned to be available within the next 6 years, the local wastewater entity shall provide an estimate of when the reclaimed water will become available. If the wastewater generator does not hold a valid water use permit and does not supply the requested information, the applicant shall be required to prepare a cost-estimate for connection.

No change.

Amended \_\_\_\_\_.

6.3 Reporting Reuse Quantities.

2. Reclaimed Water Receivers.

All Individual and General Water Use permittees that permitted uses which receive reclaimed water (e.g., golf courses, industrial/commercial uses, etc.) shall be required to record and report reuse quantities and sources on a monthly basis. This requirement shall be implemented by applying the Alternative Water Supplies metering condition cited in Chapter 6 of this Basis of Review ~~the following permit condition~~ to all applicable permits.:

~~The Permittee shall report to the District existing connections to reclaimed water by July 1, 1991. New connections to reclaimed water shall be reported to the District within 30 days of connection to the reuse source. The Permittee shall list the reuse supplier's name, location, and quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.~~

The following condition shall be applied to Individual and General Water Use Permits that currently do not receive reclaimed water ~~applicable permits for new use:~~

Amended \_\_\_\_\_.

The Permittee shall report any connection(s) to reclaimed water to the District within 30 days of connection to the reclaimed water reuse source. The Permittee shall list the reclaimed water reuse supplier's name, location, and reclaimed

quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.

6.4 Investigate Desalination

All Individual and General Water Use Permit applicants for new industrial and public supply ~~applicants for new~~ quantities shall be required to investigate the feasibility of desalination to provide all or a portion of requested quantities. This requirement shall be implemented by applying the following permit condition to all applicable permits:

No change.

Amended \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

PURPOSE AND EFFECT: The District needs accurate water use data from permittees to fulfill its statutory responsibilities and to protect the state's water resource. This information is crucial in determining permit compliance, calculating conservation credits, estimating water use and for use in water supply planning. District rules require that flow meters required by Water Use Permits be tested for accuracy every 5 years. Currently permittees have their flow meters tested and submit the information in many different formats. To ensure that the testing is properly performed so that the flow meters are accurately tested, staff has developed standardized accuracy requirements and a standardized test form. The proposed rule amendments incorporate the new flow meter accuracy test requirements. In addition, staff has moved some rule language from one section of the rules to another to consolidate related requirements and to clarify the process.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments specify how to satisfy the flow meter accuracy verification reporting requirements currently contained in Chapter 40D-2, F.A.C., Water Use Permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS.

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

DATE AND TIME: June 30, 2008, 10:00 a.m.

PLACE: Southwest Florida Water Management District Tampa Service Office, Governing Board Room, 7601 Highway 301 North, Tampa, FL 33637-6759

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878. 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: Jeanette Houser, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211 or 1(800)423-1476, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

- (1) Water Use Permit Information Manual Part B, "Basis of Review" (\_\_\_\_\_) (~~5/08~~) and Part D, "Requirements for the Estimation of Permanent and Temporal Service Area" Populations in the Southern Water Use Caution Area (1/07);
- (2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, \_\_\_\_\_.

**WATER USE PERMIT INFORMATION MANUAL  
PART B, BASIS OF REVIEW  
5.0 MONITORING REQUIREMENTS**

*The following provisions are added to the end of section 5.1. The paragraphs under the heading "Flow Meters" are transferred from Chapter 6, the section titled "PUMPAGE REPORTING, 5. Flow Meters". All other paragraphs are new:*

Flow Meters  
All required flow meters shall adhere to the following requirements and shall be installed and maintained as follows:

- 1. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring devices or other accounting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the

stipulations listed in this condition. Approval for other measuring devices or accounting methods must be obtained in writing from the Regulation Department Director.

- a. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
- b. Accuracy testing requirements:
  - i. For newly metered AWS inflow lines and re-pump withdrawal point, the flow meter installation shall be designed for inline field access for meter-accuracy testing.
  - ii. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy-test requirement for existing meters.
  - iii. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
  - iv. The test will be accepted by the District only if performed by a person knowledgeable in the test equipment used.
  - v. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

2. If the alternative accounting method involves a meter belonging to another entity or to the alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings continue to be accurate to 5% of the actual flow as installed. Such documentation is subject to approval by the District.

3. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.

4. If a metered AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

- 5. Broken or malfunctioning meter:

- a. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
- b. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
- c. If the meter is removed from the alternative water supply line or re-pump withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

6. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

7. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

#### Flow Meter Verification

The following requirements pertain to the required flow meter testing:

1. Operators of meter testing equipment shall hold a valid certificate of competency to operate the type of equipment used. Certification from the test equipment manufacturer, or other recognized training entities will suffice. A copy of this certification shall be provided to the District with the Meter Accuracy Verification Form.

2. The test equipment shall have been calibrated within the previous twelve months of the submitted test and comply with current National Institute of Standards and Technology (N.I.S.T.) standards. A valid Certificate of Calibration, showing the date of calibration and N.I.S.T. traceability shall be provided to the District with the Meter Accuracy Verification Form.

3. The Flow Meter Accuracy Verification Form shall be completed and provided to the District for each flow meter tested. This form can be obtained from the District's website ([www.watermatters.org](http://www.watermatters.org)). If the test equipment provides a

printout of inputted data this shall be submitted with the worksheet. The equipment's no probtemperature should be set at 72 degrees.

4. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the worksheet. This diagram shall include the pump, piping configuration with all valves, tees, elbows, and any other possible flow disturbing devices from the pump to the test location clearly noted with measurements. The installed meter shall also be included in the diagram.

5. A picture(s) of the test location, including the pump and installed flow meter, with the measuring devices is suggested but not required.

6. A minimum of two separate timed tests is shall be performed for each meter. Each timed test shall be for a minimum of four minutes. If two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four or eight minute tests, the duration of the test shall be lengthened as necessary to obtain consistent results. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) indicating the deviation (if any), of the meter being tested from the test meter.

7. Flow meters that fail to meet the District's accuracy requirements must be repaired or replaced within 30 days. These meters shall be retested after the repair and the results submitted to the District within 30 days of the test.

#### 6.0 PERMIT CONDITIONS

*The following change is made to the section titled "Pumpage Reporting":*

#### PUMPAGE REPORTING

##### 5. Flow Meters

Condition: The Permittee shall meter withdrawals and meter readings from each withdrawal shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Records and Data Department (using District scanning forms, unless the District has approved another arrangement for submission of this data) on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month. The following withdrawals shall be metered as applicable:

a. Permittees with permitted withdrawal facilities that are on standby status (a standby withdrawal point to be used when another withdrawal point cannot be used), or where all permitted quantities are on standby for alternative water



supplies, shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] before using the standby quantities.

b. Permittees with permitted withdrawal facilities that are not yet constructed shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] within 90 days of completion of construction of the withdrawal.

c. Permittees with existing permitted withdrawal facilities shall continue to maintain and operate existing, non-resettable, totalizing flow meter(s) or other flow measuring device(s) as approved by the Regulation Department Director on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).].

d. Permittees with previously un-metered existing withdrawal facilities shall install meters on District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).] upon permit issuance.

1-1-03, Amended 1-1-07.

*Transfer to Chapter 5, section 5.1, Basis of Review:*

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

~~(1) The meter(s) shall be non-resettable, totalizing flow meter(s) which have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. Approval shall be obtained in writing from the Regulation Department Director. If other measuring device(s) are proposed, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the stipulations listed in this condition, prior to installation. Approval for other measuring devices or accounting methods shall be obtained in writing from the Regulation Department Director.~~

~~(2) The flow meter(s) or other approved device(s) shall have and maintain an accuracy within 5% of the actual flow as installed.~~

~~(3) The flow meter water piping system shall be designed for inline field access for meter accuracy testing. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters unless the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted. The test shall be performed by a person certified in the test equipment used. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.~~

~~(4) The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the line.~~

~~(5) If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage and replace it with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery. If the meter is removed from the withdrawal for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.~~

~~(6) While the meter is off the withdrawal, the Permittee shall estimate their use by multiplying the number of hours the withdrawal point was used during that month times the flow capacity of the pump or mainline, whichever is appropriate, or the Permittee may request instructions on how to estimate use from the Permit Data Section. The estimate of the number of gallons used each month during that period shall be noted as an estimate when it is submitted to the District.~~

~~(7) In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.~~

1-1-03, Amended 1-1-07, \_\_\_\_\_.

**REGIONAL UTILITY AUTHORITIES**

**Withlacoochee Regional Water Supply Authority**

RULE NO.: 49C-1.013  
 RULE TITLE: Budget and Finance

PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish by codification a more economical method for a delinquent member government to reinstate its voting privileges on the Board of Directors.

SUBJECT AREA TO BE ADDRESSED: The amendment of Rule 49C-1.013, F.A.C., revises the requirement of payment of delinquent dues by a member government not in good standing to allow non-paying large city or county to be reinstated as a voting member by paying costs of bringing its portion of Authority's Master Plan up to date.

SPECIFIC AUTHORITY: 163.01, 373.1962 FS.

LAW IMPLEMENTED: 163.01, 373.1962 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: Jack E. Sullivan, Executive Director, Withlacoochee Regional Water Supply Authority, 1107 Shalimar Dr., Tallahassee, FL 32312, (850)385-0200

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

49C-1.013 Budget and Finance.

(1) through (6) No change.

(7) Should the delinquent member government(s) desire to reinstate voting privileges on the Board of Directors, all delinquent dues and all dues levied by the Authority and duly approved by the member governments during the period of non-participation by the large city or county, shall be paid in full before the delinquent member government is allowed to be reinstated as a voting member of the Board of Directors and all other privileges are reinstated. In lieu of paying the delinquent dues as set forth above, the Board of Directors may waive the payment of delinquent dues, but require instead that the delinquent member government pay the costs of bringing its portion of the Authority's Master Plan up to date as it relates to the delinquent member's geographic area and such other expenses necessary for said member to be a functional member of the Authority; provided, however, such expenses shall not exceed what the delinquent member would have otherwise paid in dues should the member have never become delinquent.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 160-1.13, Amended 7-21-92, 6-7-93, Formerly 160-1.013, Amended \_\_\_\_\_.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53-26.001 RULE TITLE: Forms

PURPOSE AND EFFECT: To prepare a chapter for permanent miscellaneous rules.

SUBJECT AREA TO BE ADDRESSED: Miscellaneous Lottery rules.

SPECIFIC AUTHORITY: 24.105(9)(j) FS.

LAW IMPLEMENTED: 24.105(9)(j), 120.55(1)(a)4. 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: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-9.070 RULE TITLE: Administrative Sanctions on Providers, Entities, and Persons

PURPOSE AND EFFECT: The purpose of this amendment is to address issues regarding Rule 59G-9.070, F.A.C., the sanction rule, as raised by the Joint Administrative Procedures Committee (JAPC) in its review and oversight of Florida's rules and rulemaking process. The proposed changes clarify the rule and incorporate JAPC's recommendations.

SUBJECT AREA TO BE ADDRESSED: Administrative Sanctions on Providers, Entities, and Persons.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.907, 409.913, 409.9131, 409.920, 812.035 FS.

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

DATE AND TIME: July 9, 2008, 1:30 p.m.

PLACE: Agency for Healthcare Administration, 2727 Mahan Dr., Bldg 3, Conference Rm. B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jo Landa Givens, Office of the Inspector General/Bureau of Medicaid Program Integrity, 2727 Mahan Drive, Mail Stop 6, Tallahassee, Florida 32308; (850)921-1802

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE UPON REQUEST.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.: 60BB-9.116 RULE TITLE: Early Learning Coalition Annual Report

PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish content and format specifications for annual reports submitted by early learning coalitions to the Agency for Workforce Innovation.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address content and format specifications for annual reports submitted by early learning coalitions to the Agency for Workforce Innovation.

SPECIFIC AUTHORITY: 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(5)(g) FS.

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

DATE AND TIME: July 10, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Room B-29, Tallahassee, Florida 32399-4128

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: Audrey Gaten at (850)245-7160. 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: C. J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.:	RULE TITLE:
60BB-9.120	Early Learning Coalition Quality Funds

PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish criteria by which the Agency for Workforce Innovation may approve the expenditure of federal quality funds by early learning coalitions and establish criteria for the implementation of activities promoting quality child care by early learning coalitions in school readiness programs.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address: criteria by which the Agency for Workforce Innovation may approve the expenditure of federal quality funds on specific activities proposed by early learning coalitions in school readiness programs; categories of activities promoting quality child care on which early learning coalitions may expend federal quality funds; and criteria by which early learning coalitions may implement activities promoting quality child care in school readiness programs.

SPECIFIC AUTHORITY: 411.01(4)(b), 411.01(4)(c), 411.01(4)(d), 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(4)(b), 411.01(4)(c), 411.01(4)(d) FS.

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

DATE AND TIME: Tuesday, June 30, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Room B-29, Tallahassee, Florida 32399-4128

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: Audrey Gaten at (850)245-7160. 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: C. J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NOS.:	RULE TITLES:
60BB-9.201	Early Learning Coalition Composition
60BB-9.202	Early Learning Coalition Private Sector Business Members

PURPOSE AND EFFECT: The purpose of the proposed rule development is to promulgate Early Learning Coalition composition, membership standards, and criteria for appointing private sector business members in accordance with Section 411.01(5)(a)4. and 7., Florida Statutes. The effect of the rules, when adopted, will be to establish the membership composition of early learning coalitions including the minimum and maximum number of members, the criteria for appointing private sector business members, and standards for determining whether a member or their relative has a prohibited substantial financial interest in the design or delivery of the VPK Program.

SUBJECT AREA TO BE ADDRESSED: The procedure for establishing and maintaining early learning coalition membership, including the minimum and maximum number of member seats and variations for multicounty early learning coalitions; the criteria for appointing private sector business members; prohibited substantial financial interest.

SPECIFIC AUTHORITY: 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(5)(a)4., 7. FS.

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

DATE AND TIME: Thursday, July 10, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Room B-29, Tallahassee, Florida 32399-4128

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: Audrey Gaten at (850)245-7160. 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: C. J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128. Rule text is available at <http://www.floridajobs.org/earlylearning/index.html>.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-3.008                      RULE TITLE: Location, Vendor Licenses  
 PURPOSE AND EFFECT: This rule explains that a vendor can operate with a beverage license.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will address typographical errors in the rule and better explain how a beverage licensee can use a pleasure, excursion, sightseeing, or charter boat as a place of business.

SPECIFIC AUTHORITY: 561.11(1) FS.  
 LAW IMPLEMENTED: 565.02(2), (3)(a), 561.17 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 5 days before the workshop/meeting by contacting: Brian Stabley, (850)921-8963. 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: Brian Stabley, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NO.: 61G3-16.010                      RULE TITLE: Supervised Practice Exception  
 PURPOSE AND EFFECT: The proposed rule amendment sets forth the time limit in which an applicant must discontinue practicing once he/she has taken the examination.

SUBJECT AREA TO BE ADDRESSED: Supervised Practice Exception.

SPECIFIC AUTHORITY: 455.217, 476.064(4), 476.124, 476.144(7), 475.184(2), (10) FS.

LAW IMPLEMENTED: 455.217, 476.144(7), 475.184(2), (10) FS.

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**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.

SUBJECT AREA TO BE ADDRESSED: Definitions.  
 SPECIFIC AUTHORITY: 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 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, 1940 North Monroe Street, Tallahassee, Florida 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

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

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the type of CE credit earned by attending a Board meeting.

SUBJECT AREA TO BE ADDRESSED: Continuing education requirements for certificate holders and registrants.

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

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

IF REQUESTED 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, 1940 North Monroe Street, Tallahassee, Florida 32399  
 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.: 62-305.100, 62-305.200, 62-305.300, 62-305.400  
 RULE TITLES: Scope of the Rule, Definitions, General Program Information, Project Selection Criteria

PURPOSE AND EFFECT: Section 403.890, F.S., establishes the Water Protection and Sustainability Program, requiring the Department to develop rules for the distribution of cost-share grants to implement projects to reduce urban nonpoint sources of pollution discharging to impaired waters. This chapter establishes the TMDL Water Quality Restoration Grant Program, setting forth the procedures for applying for

cost-share grants, as well as the criteria that will be used to rank and select urban stormwater retrofitting projects for funding.

SUBJECT AREA TO BE ADDRESSED: Chapter 62-305, F.A.C., is created to implement the TMDL Water Quality Restoration Grant Program in accordance with Section 403.890(1)(b), F.S.

SPECIFIC AUTHORITY: 201.15(8), 403.890(1)(b) FS.

LAW IMPLEMENTED: 201.15(8), 403.890(1)(b) FS.

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

DATE AND TIME: Tuesday, July 2, 2008, 10:00 a.m. (EDT)

PLACE: Department of Environmental Protection, Central District Office, Conference Rooms A and B, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767

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: Wanda Harpley at (850)245-8433. If you are hearing or speech impaired, please contact the Florida Relay Service by calling (800)955-8771 (TDD) or (800)955-8770 (Voice). 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: Wanda Harpley, Florida Department of Environmental Protection, Bureau of Watershed Management, 2600 Blair Stone Road, MS 3510, Tallahassee, Florida 32399-2400; telephone (850)245-8433; e-mail: [Wanda.Harpley@dep.state.fl.us](mailto:Wanda.Harpley@dep.state.fl.us); or facsimile (850)245-8434. (OGC Tracking No. 08-0815)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: Wanda Harpley [@dep.state.fl.us](mailto:Wanda.Harpley@dep.state.fl.us); (850)245-8433 or via the Department's website at: <http://www.dep.state.fl.us/mainpage/default.html>

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-2.001  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: To collaborate with subject matter experts to do the following:

- develop and establish rules for the educational and training criteria for the certification and recertification of 911 emergency dispatchers (ED)
- develop and establish certification & recertification applications
- develop and establish by rule a procedure for biennial renewal certification

- develop and establish by rule a procedure for the initial certification of 911 ED who have documentation of at least 5 years of supervised full-time employment as a 911 ED since 1/1/2002
- develop and establish rules for renewing a certificate that has been inactive for 1 year or less
- develop and establish rules for renewing a certificate that has been on inactive status for more than 1 year

SUBJECT AREA TO BE ADDRESSED: 911 Emergency Dispatchers.

SPECIFIC AUTHORITY: 401.35, 401.465, 401.5 FS.

LAW IMPLEMENTED: 401.465, 401.5 FS.

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

DATE AND TIME: Monday, June 30, 2008, 1:00 p.m. – 4:00 p.m. EST (time may be extended if deemed necessary)

PLACE: Florida Department of Health, Division of Emergency Medical Operations, 4025 Esplanade Way, Room 301A/B, Tallahassee, FL 32311

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: Alexander Macy at (850)245-4440, ext. 2735 or Alexander\_Macy@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: April A. Thornton, Paralegal Specialist, Florida Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, Phone: (850)245-4444, x3919, Fax: (850)245-4692, April\_Thornton@doh.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.002	Basic Life Support Service License – Ground
64E-2.003	Advanced Life Support Service License – Ground
64E-2.004	Medical Direction
64E-2.005	Air Ambulances
64E-2.006	Neonatal Interfacility Transfers
64E-2.008	Emergency Medical Technician
64E-2.009	Paramedic

64E-2.0094	Voluntary Inactive Certification
64E-2.0095	Involuntary Inactive Certification
64E-2.010	Examinations
64E-2.036	Training Programs

PURPOSE AND EFFECT: The purpose is to work with the EMS community and other stakeholders to develop language for staffing requirements during neonatal interfacility transfers, define standards for EMS instructors teaching courses within a Florida certified primary EMS training center, and remove the National Registry Emergency Medical Technician (NREMT) testing vendor information.

The effect will be the development of new definitions and remove or add language in the appropriate rule sections listed above.

SUBJECT AREA TO BE ADDRESSED: Definitions, EMS instructor qualifications, EMS training programs, neonatal interfacility transfers and staffing requirements, and examinations.

SPECIFIC AUTHORITY: 381.0011, 381.0034, 381.0035, 395.401, 395.4025(13), 395.405, 401.121, 401.23, 401.25, 401.251, 401.265, 401.27, 401.2715, 401.272, 401.35, 499.05 FS.

LAW IMPLEMENTED: 381.001, 381.0011, 381.025, 395.401, 395.4001, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.24, 401.25, 401.251, 401.252, 401.26, 401.265, 401.27, 401.2715, 401.281, 401.2915, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421, 499.005 FS.

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

DATE AND TIME: Tuesday, July 8, 2008, 1:30 p.m. – 5:00 p.m. EST. In lieu of the Education and Legislative Committee Meetings.

PLACE: Rosen Centre Hotel, Salon 12 (Please see the EMS information table for any changes), 9840 International Drive, Orlando, Florida 32819, (407)996-9840, Toll Free (800)204-7234

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting: Alexander Macy at (850)245-4440, ext. 2735. 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: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical

Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa\_walker2@doh.state.fl.us; Fax (850)488-9408.

## FINANCIAL SERVICES COMMISSION

### OIR – Insurance Regulation

RULE NO.: 690-164.040  
 RULE TITLE: Determining Reserve Liabilities for Preneed Life Insurance

**PURPOSE AND EFFECT:** The purpose of this rule is to recognize the inadequacy of the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value, and to require the continued use of the 1980 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value.

**SUBJECT AREA TO BE ADDRESSED:** This rule applies to preneed life insurance policies and certificates as defined in Section Four (4) of this rule, and similar policies and certificates.

**SPECIFIC AUTHORITY:** 625.121(5)(a), (3), 627.476(9)(h), (5) FS.

**LAW IMPLEMENTED:** 625.121(5)(a), (3), 627.476(5), (9)(h) FS.

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

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

**PLACE:** 142 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: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com

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

690-164.040 Determining Reserve Liabilities for Preneed Life Insurance.

(1) Authority. This rule is adopted by the commission pursuant to Sections 625.121(5)(a), (3) and 627.476(9), Florida Statutes.

(2) Scope. This rule applies to preneed life insurance policies and certificates as defined in Section Four (4) of this rule, and similar policies and certificates.

(3) Purpose. The purpose of this rule is to recognize the inadequacy of the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value, and to require the continued use of the 1980 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value.

(4) Definitions.

(a) The term “2001 CSO Mortality Table” means the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in the Proceedings of the NAIC (2nd Quarter 2002). Unless the context indicates otherwise, the “2001 CSO Mortality Table” includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.

(b) The term “Ultimate 1980 CSO” means the Commissioners’ 1980 Standard Ordinary Life Valuation Mortality Tables (1980 CSO) without ten-year (10-year) selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law approved in December 1983.

(c) For the purposes of this rule, preneed insurance is any life insurance policy or certificate that is issued in combination with, in support of, with an assignment to, or as a guarantee for a prearrangement agreement for goods and services to be provided at the time of and immediately following the death of the insured. Goods and services may include, but are not limited to embalming, cremation, body preparation, viewing or visitation, coffin or urn, memorial stone, and transportation of the deceased. The status of the policy or contract as preneed insurance is determined at the time of issue in accordance with the policy form filing.

(5) Minimum Valuation Mortality Standards. For preneed insurance contracts, as defined in paragraph (4)(b), and similar policies and contracts, the minimum mortality standard for determining reserve liabilities and non-forfeiture values for both male and female insureds shall be the Ultimate 1980 CSO.

(6) Minimum Valuation Interest Rate Standards.

## Section II Proposed Rules

(a) The interest rates used in determining the minimum standard for valuation of preneed life insurance shall be the calendar year statutory valuation interest rates as defined in Section 625.121(6), F.S.

(b) The interest rates used in determining the minimum standard for nonforfeiture values for preneed life insurance shall be the calendar year statutory nonforfeiture interest rates as defined in Section 627.476(9)(i), F.S.

(7) Minimum Valuation Method Standards.

(a) The method used in determining the minimum standard for valuation of preneed life insurance shall be the method as defined in Section 625.121(5), F.S.

(b) The method used in determining the minimum standard for nonforfeiture values for preneed life insurance shall be the method as defined in Section 627.476(9), F.S.

(8) Transition Rules.

(a) For preneed insurance policies issued on or after the effective date of this rule and before January 1, 2012, the 2001 CSO may be used as the minimum standard for reserves and minimum standard for non-forfeiture benefits for both male and female insureds.

(b) If an insurer elects to use the 2001 CSO as a minimum standard for any policy issued on or after the effective date of this rule and before January 1, 2012, the insurer shall provide, as a part of the actuarial opinion memorandum submitted in support of the company's asset adequacy testing, an annual written notification to the domiciliary commissioner. The notification shall include:

1. A complete list of all preneed policy forms that use the 2001 CSO as a minimum standard;

2. A certification signed by the appointed actuary stating that the reserve methodology employed by the company in determining reserves for the preneed policies issued after the effective date and using the 2001 CSO as a minimum standard, develops adequate reserves (For the purposes of this certification, the preneed insurance policies using the 2001 CSO as a minimum standard cannot be aggregated with any other policies.); and

3. Supporting information regarding the adequacy of reserves for preneed insurance policies issued after the effective date of this rule and using the 2001 CSO as a minimum standard for reserves.

(c) Preneed insurance policies issued on or after January 1, 2012, must use the Ultimate 1980 CSO in the calculation of minimum nonforfeiture values and minimum reserves.

(9) Effective Date. This rule is applicable to preneed life policies and certificates as defined in subsection (2) issued on or after January 1, 2009.

Specific Authority 625.121(5)(a)(3), 627.476(9) FS. Law Implemented 625.121(5)(a), (3), 627.476(9)(h), (5) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:

RULE TITLE:

1S-2.027

Standards for Determining Voter's Choice on a Ballot

PURPOSE AND EFFECT: The purpose of the amendments to the rule is to clarify the standards for how to determine if a voter has clearly indicated his or her choice in a contest on a ballot for purposes of a manual recount or other event requiring such determination. The amendments to the rule add samples of the votes that will or will not count to facilitate the determination by the county or local canvassing board. The amendments also re-organize the rule and clarify some standards.

SUMMARY: The proposed revisions set forth standards for determining whether a voter has clearly indicated a definite choice by the way he or she marks a contest on a ballot.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.166 FS.

LAW IMPLEMENTED: 101.5614(5), 102.166(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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Monday, July 7, 2008, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, Florida Department of State, 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 7 days before the workshop/meeting by contacting: Nolah Shotwell, Office of the General Counsel, (850)245-6536. 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: Maria Matthews or Sarah Jane Bradshaw, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32301, phone: (850)245-6536 or (850)245-6200, respectively

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.027 Standards for Determining Clear Indication of Voter's Choice on a Ballot.

(1) Application. The standards in this rule apply The following are standards to determine whether the voter has clearly indicated a definite choice for purposes of counting a vote cast on a ballot in a manual recount as provided



specifically by Section 102.166, F.S., on an optical scan ballot, whether there is a clear indication on a ballot that the voter has made a definite choice.

(2) Direct recording electronic voting system.

(a) A vote cast on this voting system is valid for a particular candidate, issue choice, or judicial retention choice when the voter marks the ballot electronically as specified in the ballot instructions.

(b) A vote cast on this voting system is valid for a particular write-in candidate when the voter types on the touch screen the name of a write-in candidate in accordance with the ballot instructions.

(3) Optical scan voting system.

(a) A vote cast on this voting system is valid for a particular candidate, issue choice, or judicial retention choice when the voter marks the ballot as specified in the ballot instructions.

(b) A vote cast on this voting system is valid for a particular write-in candidate when the voter writes in the name of a candidate in the designated write-in space and fills in the oval or arrow next to the write-in candidate's name.

(4) Manual review and tabulation.

(a) The standards under this subsection apply in all instances where a contest is not marked as specified in the ballot instructions under subsection (2) or (3) and a manual review of the voter's markings on a ballot is required to determine whether there is a clear indication that the voter has made a definite choice in a contest.

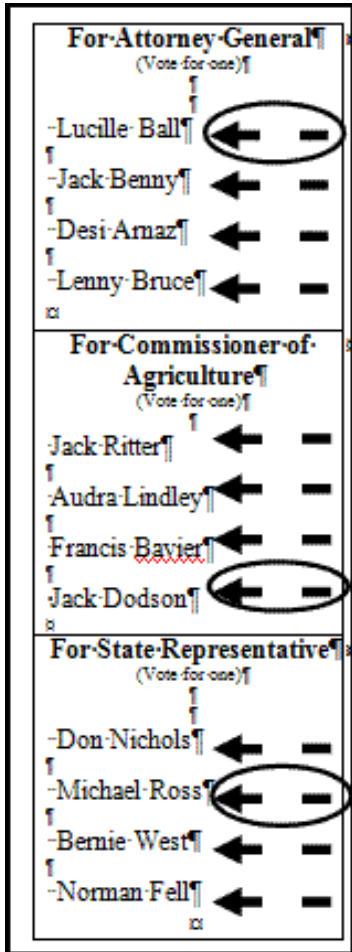
(b) The canvassing board must first look at the entire ballot for consistency. Then the provisions of paragraph (c) apply to determine whether the voter has made a definite choice in a contest, provided the voter has not marked any other contest on the ballot, or if the voter has marked other contests, he or she has marked them in the same manner, subject to the exceptions in subparagraphs 7., 10., and 15. The following are examples of valid votes after review for consistency:

BALLOT 1

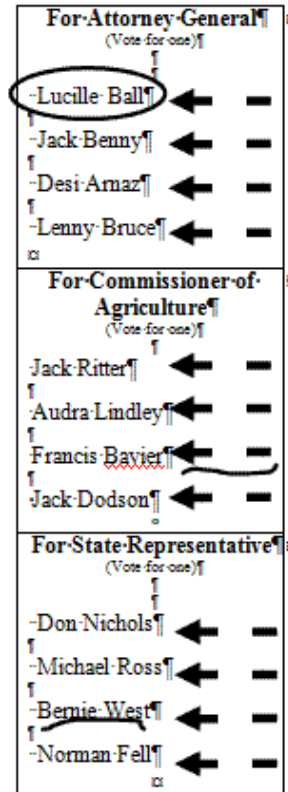
Ballot Situation 1: Recount in race of State Representative. The two ovals in the first two races are filled in properly, but the voter has circled the candidate's name in the state representative race. Since the voter did not mark the state representative race in the same manner as in the other races, it cannot be determined whether the voter has clearly indicated a definite choice for Don Nichols.

<p><b>For Attorney General</b> (Vote for one)</p> <p><input type="radio"/> Lucille Ball</p> <p><input checked="" type="radio"/> Jack Benny</p> <p><input type="radio"/> Desi Arnaz</p> <p><input type="radio"/> Lenny Bruce</p>
<p><b>For Commissioner of Agriculture</b> (Vote for one)</p> <p><input type="radio"/> Jack Ritter</p> <p><input type="radio"/> Audra Lindley</p> <p><input checked="" type="radio"/> Francis Bavier</p> <p><input type="radio"/> Jack Dodson</p>
<p><b>For State Representative</b> (Vote for one)</p> <p><input checked="" type="radio"/> Don Nichols</p> <p><input type="radio"/> Michael Ross</p> <p><input type="radio"/> Bernie West</p> <p><input type="radio"/> Norman Fell</p>

Ballot Situation 2: Recount in race of State Representative. All races on this ballot are marked in the same manner. Since the ballot is consistently marked as in paragraph (c), the vote cast for Michael Ross in the state representative race is a valid vote.



Ballot Situation 3: Recount in State Representative race. Each race is marked differently so that no consistency in marking exists. It cannot be determined which marking, if any, is clearly indicative of the voter's choice. Therefore, the vote cast for Bernie West is not valid.



(c) Subject to the provisions of paragraph (b), the following marks constitute a valid vote as indicated for a particular the candidate, issue choice, or judicial retention choice; provided no other race on the ballot is marked or the choices in all other races are marked in the same manner.

1.(a) The voter circles or underlines either the oval, or arrow next to a candidate's name, issue choice, or judicial retention choice is circled or underlined.

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

Lucille Ball ←

Jack Benny ←

Desi Arnaz ←

Lenny Bruce ←

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

Lucille Ball ←

Jack Benny ←

Desi Arnaz ←

Lenny Bruce ←

3.(e) The voter circles or underlines (The party abbreviation associated with a candidate's name is ~~circled or underlined~~).

Valid Vote for Benny

**For Attorney General**  
(Vote for one)

Lucille Ball DEM

Jack Benny REP

Desi Arnaz GRN

Lenny Bruce LBT

Valid Vote for Benny

**For Attorney General**  
(Vote for one)

Lucille Ball DEM ←

Jack Benny REP ←

Desi Arnaz GRN ←

Lenny Bruce LIB ←

4.(d) The voter marks There is an "X," a check mark, a cross, a plus sign, an asterisk or a star, any portion of which is contained in a single oval or within the blank space between the head and tail of a single arrow and which does not enter into another oval or the space between the head and tail of another arrow.

2.(b) The voter circles or underlines (The name of a candidate, issue choice, or judicial retention choice is ~~circled or underlined~~).

Valid Vote for Arnaz

**For Attorney General**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Arnaz

**For Attorney General**  
(Vote for one)

Lucille Ball ←

Jack Benny ←

Desi Arnaz ←

Lenny Bruce ←

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Ball

**For Attorney General**  
(Vote for one)

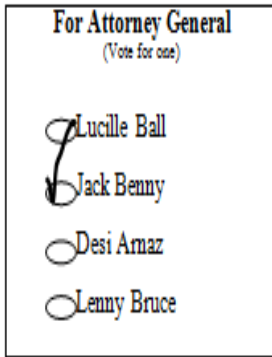
Lucille Ball ←

Jack Benny ←

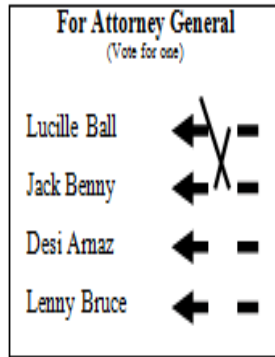
Desi Arnaz ←

Lenny Bruce ←

Invalid Vote

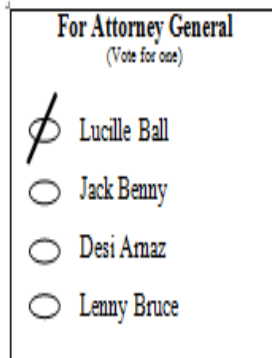


Invalid Vote

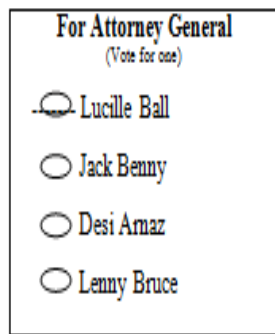


5.(e) The voter draws There is a diagonal, horizontal, or vertical line, any portion of which intersects two points on the oval and which does not intersect another oval at any two points. If it is a horizontal line, the line must not strike through the name of the candidate.

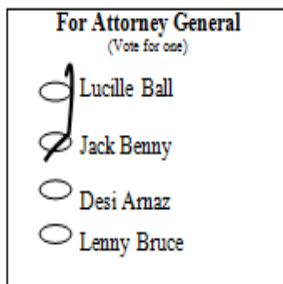
Valid Vote for Ball



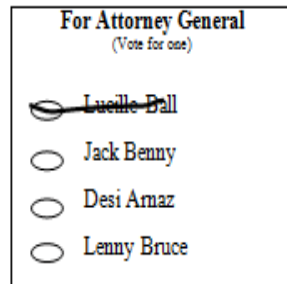
Valid Vote for Ball



Invalid Vote

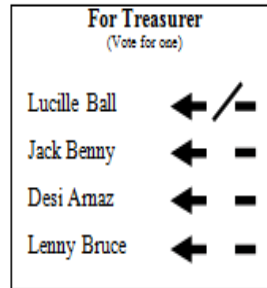


Invalid Vote

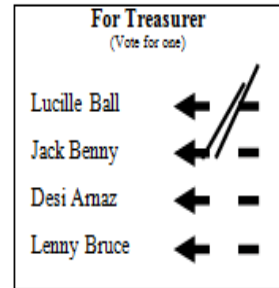


6.(f) The voter draws There is a diagonal or vertical line that intersects an imaginary line extending from the center of the head of a single arrow to the center of the tail of the same arrow, provided the diagonal or vertical line does not intersect the imaginary line joining the head and tail of another arrow.

Valid Vote for Ball

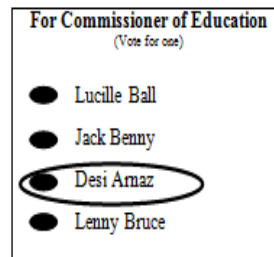


Invalid Vote

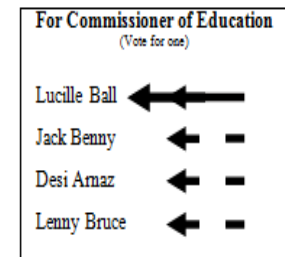


7. The voter marks all the choices for a race but further clarifies a choice for a particular candidate, issue choice or judicial retention choice by placing an additional mark or marks showing support solely for that particular candidate, issue or judicial retention choice.

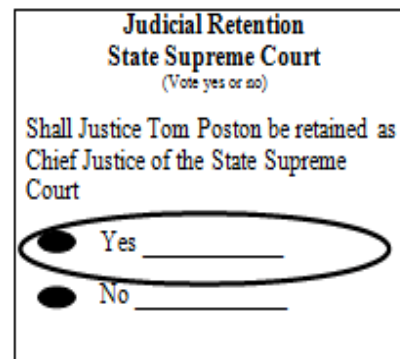
Valid Vote for Arnaz



Valid Vote for Ball

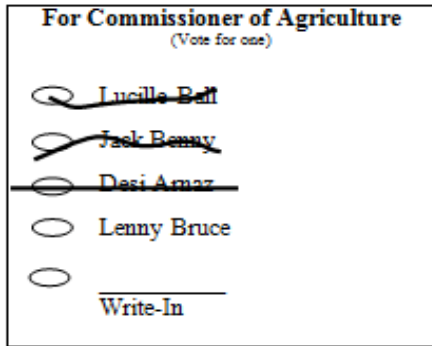


Valid Vote to Keep Justice in Office

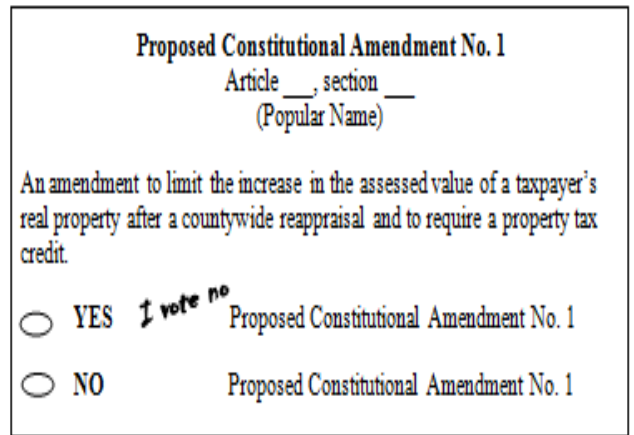


8. The voter strikes through all the choices for candidates, issue, or judicial retention except for one and also leaves the write-in candidate space blank.

Valid Vote for Bruce



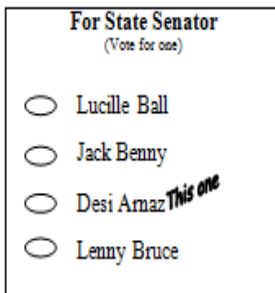
Valid "No" vote



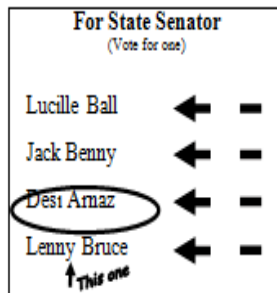
9. (g) The voter writes ~~Written~~ words such as "Vote for [candidate's name]," "Count this vote" or "Vote no on amendment or referendum," or "I want this one," naming a specific candidate, issue choice, or judicial retention choice that expressly direct the canvassing board to cast a vote for that candidate, issue choice, or judicial retention choice such as "Vote for Doc," or "Please count this vote" for Jameson," "Vote no on amendment," provided there are no other markings in the race that would constitute a valid vote for a different candidate, issue choice, or judicial retention choice pursuant to rule.

10. (2) If ~~The voter fills in~~ the majority of an oval, or the majority of the distance between the head and the tail of an arrow designating a particular candidate, issue choice, or judicial retention choice, or issue choice is filled in, that constitutes a valid vote for the candidate, judicial retention choice, or issue choice, regardless of how other races on the ballot are marked.

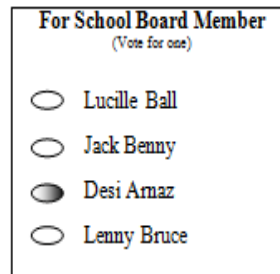
Valid Vote for Arnaz



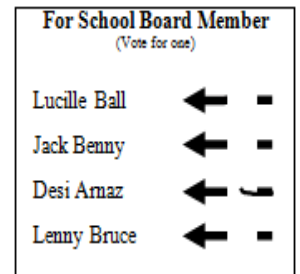
Invalid Vote



Valid Vote for Arnaz



Valid Vote for Arnaz



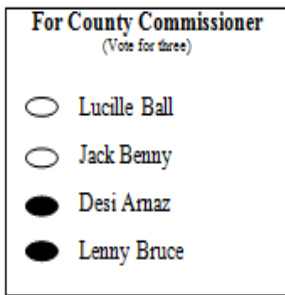
(3) Subject to the provisions of (4)(f), the written name of a qualified write-in candidate in the space or the written name of a candidate whose name is on the ballot in that race in the write-in space, whether or not the oval or arrow designating the selection of a write-in candidate has been marked, constitutes a valid vote for the candidate.

(4) Notwithstanding (1), (2) or (3), the following circumstances apply to determining whether there is a clear indication on the ballot that the voter has made a definite choice:

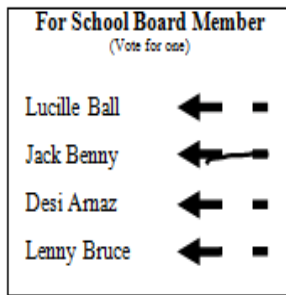
(a) ~~With the exception of (4)(f)1., if a voter marks more candidates than there are positions to be elected for that office in one or more of the manners prescribed in (1), (2), or (3), the marks do not constitute a valid vote for any candidate in that race.~~

~~11.(b)~~ If a voter marks fewer candidates than there are positions to be elected for those offices, then the votes for all of those marked candidates shall count. For example, if the voter is allowed to vote for 5 candidates in a special district election (“Vote for 5”) and the voter marks 2 candidates, the votes for those two marked candidates shall count.

Valid Votes for Arnaz and Bruce

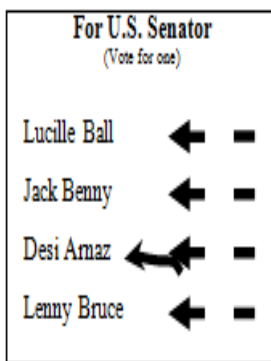


Valid Vote for Benny

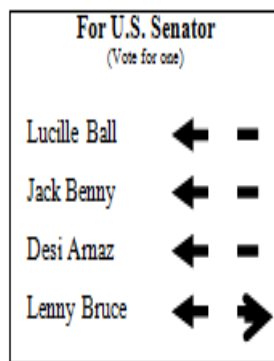


12. The voter draws an arrow from the arrow head to a particular candidate, issue choice or judicial retention choice or draws an arrow head on the tail end of the arrow in lieu of filling in the void between the arrow head and the tail for the particular candidate, issue choice or judicial retention choice.

Valid Vote for Arnaz

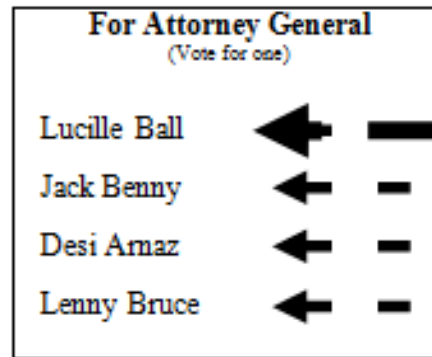


Valid Vote for Bruce



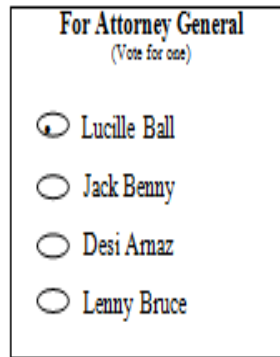
13. The voter darkens or bolds the arrow head and the arrow tail but does not fill in the void between the arrow head and the tail.

Valid Vote for Ball

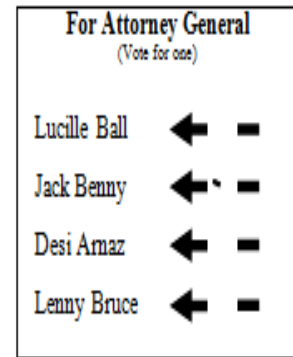


14. The voter punches the oval or the void between the arrow head and tail.

Valid Vote for Ball

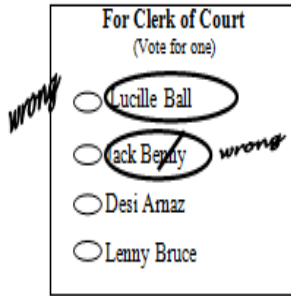


Valid Vote for Benny

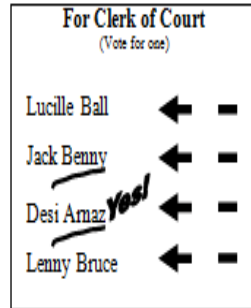


~~15.(e) Where~~ The voter marks two or more choices similarly in one of the ways indicated in paragraphs 1.- 14. and additionally writes in comments such as “not this,” “ignore this,” “don’t want,” or “wrong,” or “Vote for [candidate’s name]” such that that voter’s definite choice is clearly indicated, one oval or arrow is marked provided in (1), (2) or (3), and one or more other ovals or arrows are similarly marked and contain an “X,” a cross-out, or another mark obscuring the filled-in area, or contain words of error or affirmative choice directed to one of the ovals or arrows, such as “no,” “not this,” “ignore this,” “don’t want,” “wrong,” “vote for Smith,” or “Vote yes,” the choice, without the additional markings, or in the absence of additional markings, the choice is indicated by the written words shall constitute a valid vote.

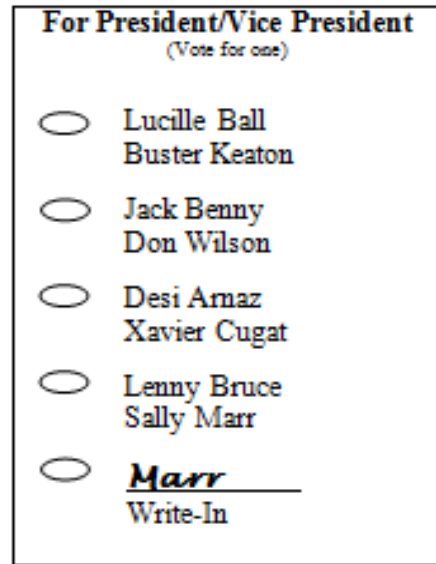
Valid Vote for Ball



Valid Vote for Arnaz



Valid Vote for joint qualified write-in candidacy of Lenny Bruce and Sally Marr for President and Vice President



(d) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate must be disregarded in determining the validity of a write-in vote.

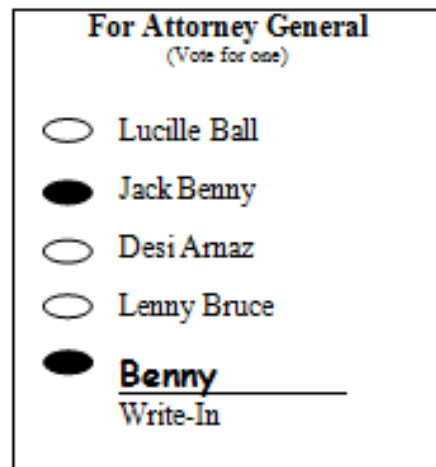
(5)(e) Write-in Voting.

(a) A voter is determined to have made a definite choice for a write-in vote for the joint office of President/Vice-President if the voter writes in either the last name of the candidate for President or the last name of the candidate for Vice-President. This standard similarly applies to constitute a valid write-in vote for the joint office of Governor/Lieutenant Governor if the voter writes in either the last name of the candidate for Governor or the last name of the candidate for Lieutenant Governor. The write-in of the last name of the candidate for Governor or the write-in of the last name of the candidate for Lieutenant Governor, shall be sufficient to cast a write-in vote for the joint office. The write-in of the last name of the candidate for President or the write-in of the last name of the candidate for Vice President shall be sufficient to cast a write-in vote for the joint office.

(b)(f) A voter is determined to have made a definite choice for a named candidate if the voter indicates a vote for a named candidate named on the ballot and also provides for a write-in candidate in the same race it shall be treated as follows:

a.1. If a voter indicates a vote for a named candidate named on the ballot and writes in the name of that same candidate in the blank space for 'write-in candidate' write-in area, the vote shall count for that candidate.

Valid Vote for Benny





(c) A voter is determined to have made a definite choice for a particular candidate if the voter either writes in the name of a qualified write-in candidate or the name of a candidate who is named on the ballot in that race. (3) Subject to the provisions of (4)(f), the written name of a qualified write-in candidate in the space or the written name of a candidate whose name is on the ballot in that race in the write-in space, whether or not the oval or arrow designating the selection of a write-in candidate has been marked, constitutes a valid vote for the candidate.

**For Public Defender**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Smith  
Write-In

**For Public Defender**  
(Vote for one)

Lucille Ball ← -

Jack Benny ← -

Desi Arnaz ← -

Lenny Bruce ← -

Bruce ← -  
Write-In

(d) If a voter abbreviates, misspells or varies the form of the name of a candidate in the write-in candidate space, it shall not affect the determination of whether the voter has made a definite choice.

(e) If a voter indicates a vote for a named candidate named on the ballot and also writes in a name of a different person in the write-in candidate space, the name of a qualified write-in candidate or the name of a different named candidate on the ballot in that race, it shall be considered an overvote and none of the votes are valid for that race with neither candidate receiving credit for the vote.

Invalid Vote

**For Sheriff**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

GOOFY  
Write-In

Invalid Vote

**For Sheriff**  
(Vote for one)

Lucille Ball ← -

Jack Benny ← -

Desi Arnaz ← -

Lenny Bruce ← -

Chester ← -  
Write-In

3. If a voter indicates a vote for a named candidate on the ballot and writes in the name of a person who is not a qualified write-in candidate and not a named candidate on the ballot in that race, it shall be considered an overvote with no candidate receiving credit for the vote.

(6) Overvotes. If the voter marks more choices than there are positions or choices for that office or issue, it shall be considered an overvote and none of the votes are valid for that race.

Invalid Vote

**For U.S. Representative**  
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Invalid Vote

**For U.S. Representative**  
(Vote for one)

Lucille Ball ← -

Jack Benny ← -

Desi Arnaz ← -

Lenny Bruce ← -

(7) Valid Vote.

(a) A vote shall not count for any particular candidate, issue choice, or judicial retention choice at issue unless determined to be a valid vote pursuant to this rule.

(b) If a voter does not mark a candidate, judicial retention choice, or issue choice in a contest, the valid votes for other candidates or issues on the same ballot shall still be counted.

(5) A mark for a candidate, issue choice, or judicial retention choice at issue in the recount shall not count unless determined to be a valid vote pursuant to this rule.



Specific Authority 20.10(3), 97.021, 102.166(4)(5)(b) FS. Law Implemented 101.5614(5), 102.166(4)(5)(b) FS. History—New 6-6-02, Amended \_\_\_\_\_.

NAME OF PERSONS ORIGINATING PROPOSED RULE: Sarah Jane Bradshaw, Assistant Director for Division of Elections and Maria Matthews, Assistant General Counsel  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Donald Palmer, Division of Elections  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 25, 2008

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.034                      RULE TITLE: Polling Place Procedures Manual  
 PURPOSE AND EFFECT: The proposed changes are made to the Polling Place Procedures Manual, DS-DE 11, which is incorporated by reference. This manual is used at the polls as a procedural reference guide for poll workers during the early voting period and Election Day. Some of the changes are necessary to effectuate the changes to the Florida Election Code with the enactment of Chapter 2007-30, Laws of Florida, that become effective July 2008, and that relate to the requirement for optical scan voting systems and voting by marksense ballot. The remaining changes are nonsubstantive and consist of rewording of existing provisions.

SUMMARY: The proposed revisions provide guidance on the optional use of touch screen voting systems by persons with disabilities, clarify procedures following the close of polls including removing ballot accounting steps that are no longer applicable with the advent of voting by marksense ballots in all counties. Additional revisions include updating provisions relating to assistance to persons with special needs. In addition, the manual removes provisions that are no longer applicable with the requirement for voting by marksense ballot.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.014(5) FS.  
 LAW IMPLEMENTED: 102.014(5) FS.

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

DATE AND TIME: Monday, July 7, 2008, 2:00 p.m.  
 PLACE: Room 307, R. A. Gray Building, Florida Department of State, 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 7 days before the workshop/meeting by contacting: Nolah Shotwell, Office of the General Counsel,

(850)245-6536. 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: Maria Matthews or Sarah Jane Bradshaw, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32301, phone: (850)245-6536 or (850)245-6200, respectively

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.034 Polling Place Procedures Manual.

The Department of State, Division of Elections, is required to establish a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (eff. ~~07/08~~ ~~01/08~~, entitled "Polling Place Procedures Manual," is hereby incorporated by reference and available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200, or by download from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us/index.html>.

Specific Authority 20.10(3), 102.014(5) FS. Law Implemented 102.014(5) FS. History—New 7-4-02, Amended 1-25-04, 3-16-06, 1-1-08, \_\_\_\_\_.

NAME OF PERSONS ORIGINATING PROPOSED RULE: Sarah Jane Bradshaw, Assistant Director for Division of Elections and Maria Matthews, Assistant General Counsel  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Donald Palmer, Division of Elections  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 25, 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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

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

PURPOSE AND EFFECT: The amendment to Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule, January 2008. The reimbursement schedule contains the procedure codes and

maximum fees that are effective January 2008 for the following provider types whose fees are based on a resource-based relative value scale: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The effect will be to incorporate the Florida Medicaid Provider Reimbursement Schedule, January 2008, in rule.

SUMMARY: The amendment to Rule 59G-4.002, F.A.C., will incorporate by reference the Florida Medicaid Provider Reimbursement Schedule, January 2008. The effect will be to incorporate the Florida Medicaid Provider Reimbursement Schedule, January 2008, in rule.

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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908 FS.

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

DATE AND TIME: Monday, July 7, 2008, 3:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donica Harrah, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-2723, harrahd@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, January ~~2007~~ 2008, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-inc.com~~. Click on Provider Support, and then on Fees Schedules. Paper copies of the reimbursement

schedule may be obtained by calling the Provider Contact Center Enrollment at (800)~~298-7799~~ 377-8216 and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donica Harrah

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.055	County Health Department Clinic Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference update April 2008 to the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook. The handbook was updated to add the range of codes for billing administration of vaccines to Medicaid recipients from birth to 18 years of age and to add immunization codes for rabies vaccine; tetanus and diphtheria vaccine, preservative free; and an "unlisted vaccine." The update also corrects the code for tetanus, diphtheria, acellular pertussis vaccine. The effect will be to incorporate by reference in the rule update April 2008 to the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference update April 2008 to the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook.

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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908 FS.

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

DATE AND TIME: Monday, July 7, 2008, 2:00 p.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Canfield, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7324, canfielm@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.055 County Health Department Clinic Services.

(1) No change.

(2) All county health department clinic services providers enrolled in the Medicaid program must comply with the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, January 2007, updated April 2008, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-ine.com~~. Click on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center Inquiry at (800)289-7799 ~~377-8216~~ and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History--New 6-27-93, Formerly 10P-4.350, Amended 4-16-95, 6-4-96, 6-24-98, 7-18-01, 11-17-03, 2-19-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathy Canfield

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 30, 2008

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.100	Federally Qualified Health Center Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference update April 2008 to the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook. The handbook was updated to add the range of codes for billing administration of vaccines to Medicaid recipients from birth to 18 years of age and to add an immunization code for an "unlisted vaccine." The update corrects the codes for tetanus and diphtheria vaccine, preservative free, and tetanus, diphtheria, acellular pertussis vaccine. The update also

replaces "Norplant Kit" with "Implanon." The effect will be to incorporate by reference in the rule update April 2008 to the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference update April 2008 to the Florida Medicaid Qualified Health Center Services Coverage and Limitations Handbook.

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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908, 409.9081 FS.

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

DATE AND TIME: Monday, July 7, 2008, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Canfield, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7324, canfielm@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.100 Federally Qualified Health Center Services.

(1) No change.

(2) All federally qualified health center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook, January 2007, updated April 2008, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-ine.com~~. Click on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center Inquiry at (800)289-7799 ~~377-8216~~ and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908, 409.9081 FS. History--New 6-27-93, Formerly 10P-4.100, Amended 4-16-95, 5-28-96, 6-24-98, 12-31-01, 11-17-03, 2-19-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kathy Canfield  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Holly Benson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 30, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: March 7, 2008

## DEPARTMENT OF MANAGEMENT SERVICES

### Agency for Workforce Innovation

RULE NO.: RULE TITLE:  
60BB-9.121 Federal Quality Funds

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rule development is to adopt a rule substantively similar to federal regulations governing recipients of federal funding through the Child Care and Development Fund. The federal regulations governing recipients of federal funding through the Child Care and Development Fund require that the Agency for Workforce Innovation, as Lead Agency, retain responsibility for administering the program and enumerate the responsibilities of the Agency. Further, the regulations require the Agency to expend no less than four percent of the aggregate funds received through the federal Child Care and Development Fund on quality activities defined by the regulations.

SPECIFIC AUTHORITY: 120.54(6), 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(4)(c) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: C. J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 60BB-9.121 Federal Quality Funds.

(1) Pursuant to 45 C.F.R. 98.11, the Agency for Workforce Innovation (the Agency) has broad authority to administer the Child Care and Development Fund program through other governmental or non-governmental entities. In addition, the Agency can use other public or private local agencies to implement the program; however:

(a) The Agency shall retain overall responsibility for the administration of the program, as defined in subsection (2) of this section;

(b) The Agency shall serve as the single point of contact for issues involving the administration of the grantee's Child Care and Development Fund program; and

(c) Administrative and implementation responsibilities undertaken by agencies other than the Agency shall be governed by written agreements that specify the mutual roles and responsibilities of the Agency and the other agencies in meeting the requirements of this part.

(2) In retaining overall responsibility for the administration of the program, the Agency shall:

(a) Determine the basic usage and priorities for the expenditure of Child Care and Development Fund funds;

(b) Promulgate all rules and regulations governing overall administration of the state Child Care and Development Fund Plan;

(c) Submit all reports required by the Secretary;

(d) Ensure that the program complies with the state's approved Child Care and Development Fund Plan and all applicable Federal requirements;

(e) Oversee the expenditure of funds by subgrantees and contractors;

(f) Monitor programs and services;

(g) Fulfill the responsibilities of any subgrantee in any: disallowance under 45 C.F.R. 98.60, et. seq; complaint or compliance action under 45 C.F.R. 98.90, et. seq; or hearing or appeal action under title 45 C.F.R. part 99; and

(h) Ensure that all State and local or non-governmental agencies through which the State administers the program, including agencies and contractors that determine individual eligibility, operate according to the rules established for the program.

(3) Pursuant to 45 C.F.R. 98.51, no less than four percent of the aggregate Child Care and Development Fund funds expended by the Agency for a fiscal year, and including the amounts expended in the State pursuant to 45 C.F.R. 98.53(b), shall be expended for quality activities.

(a) Quality activities may include but are not limited to:

1. Activities designed to provide comprehensive consumer education to parents and the public;

2. Activities that increase parental choice; and

3. Activities designed to improve the quality and availability of child care, including, but not limited to those described in paragraph (b) of this section.

(b) Activities to improve the quality of child care services may include, but are not limited to:

1. Operating directly or providing financial assistance to organizations (including private non-profit organizations, public organizations, and units of general purpose local

government) for the development, establishment, expansion, operation, and coordination of resource and referral programs specifically related to child care;

2. Making grants or providing loans to child care providers to assist such providers in meeting applicable state, local, and tribal child care standards, including applicable health and safety requirements, pursuant to 45 C.F.R. 98.40 and 98.41;

3. Improving the monitoring of compliance with, and enforcement of, applicable state, local, and tribal requirements pursuant to 45 C.F.R. 98.40 and 98.41;

4. Providing training and technical assistance in areas appropriate to the provision of child care services, such as training in health and safety, nutrition, first aid, the recognition of communicable diseases, child abuse detection and prevention, and care of children with special needs;

5. Improving salaries and other compensation (such as fringe benefits) for full-and part-time staff who provide child care services for which assistance is provided under this part; and

6. Any other activities that are consistent with the intent of this section.

(c) Pursuant to 45 C.F.R. 98.16(h), the Agency shall describe in the state’s Child Care and Development Fund Plan the activities it will fund under this subsection.

(4) Non-Federal expenditures required by 45 C.F.R. 98.53(c) are not subject to the requirement of subsection (3) of this section.

Specific Authority 120.54(6), 411.01(4)(e) FS. Law Implemented 411.01(4)(c) FS. History–New \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-15.005  
RULE TITLE: Standards for Certified Nursing Assistant Training Programs

PURPOSE AND EFFECT: The purpose and effect is to set forth the method by which the Board shall evaluate certified nursing assistant training program’s compliance with required examination passing rates.

SUMMARY: The method by which the Board shall evaluate certified nursing assistant training program’s compliance with required examination passing rates is set forth.

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

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

SPECIFIC AUTHORITY: 464.202, 464.203 FS.

LAW IMPLEMENTED: 464.203, 464.2085 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-15.005 Standards for Certified Nursing Assistant Training Programs.

(1) through (4) No change.

(5) If the Board, through an investigation by the department, finds that an approved program no longer meets the required standards, it shall place the program on probationary status until such time as the standards are restored. If a program fails to correct these conditions within 90 days, the Board shall rescind the approval.

(a) The Board shall review a fraction of the training programs’ passing rates. The fraction shall be at the rate of 1/12th every other month.

(b) Each program’s passing rate will be reviewed every other year unless placed on probation.

(6) through (11) No change.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History–New 5-25-03, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: 64E-2.001, 64E-2.002, 64E-2.003, 64E-2.030  
RULE TITLES: Definitions, Basic Life Support Service License – Ground, Advanced Life Support Service License – Ground, Emergency Medical Services Grants Procedures

**PURPOSE AND EFFECT:** The Joint Administrative Procedures Committee (JAPC) is required to review administrative rules and advise agencies concerned of its findings. This charge applies to existing as well as proposed rules. JAPC notified the Bureau of Emergency Medical Services that the law implemented for Rule 64E-2.032, F.A.C., appeared to contravene the law implemented, Section 401.27, F.S., in certain parts. This rule was repealed and replaced with the definition of "operate". This definition did not satisfy JAPC's objections. The purpose of this rule revision is to provide clarification for the EMS community regarding the Certificate of Public Convenience and Necessity (COPCN) requirement for licensure and satisfy JAPC's objections. In addition, to delete language to accommodate the distribution of grant information on the EMS website, U.S. Mail, and on the Bureau of EMS listserv. A majority of the affected EMS services have requested that grant notifications be provided either on the EMS website, U.S. mail, or the EMS listserv because they do not routinely review notices in the Florida Administrative Weekly. Notification of grant availability using the above mechanisms will reach more potential applicants than the means currently listed.

**SUMMARY:** The purpose of this rule revision is to delete and add language to accommodate the distribution of grant information; strike the definition of "operate", add new definitions, renumber definitions and have them listed in alphabetical order; revise forms incorporated by rule, and add a new Rule 64E-2.0321, F.A.C., that outlines the COPCN requirement for purposes of Section 401.25(2)(d), F.S. to ensure consistency with the law implemented.

**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:** 381.0011, 395.405, 401.121, 401.265, 401.35 FS.

**LAW IMPLEMENTED:** 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS.

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

**DATE AND TIME:** July 14, 2008, 2:00 p.m. – 4:00 p.m. EST  
**PLACE:** Florida Department of Health, Division of Emergency Medical Operations, 4025 Esplanade Way, Room 301A/B, Tallahassee, FL 32311-1747

**REQUEST FOR HEARING MUST BE MADE IN WRITING, NO LATER THAN JULY 11, 2008.**

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: Alexander Macy at (850)245-4440, ext. 2735. 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:** Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa\_walker2@doh.state.fl.us; Fax (850)488-9408

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

64E-2.001 Definitions.

(1) through (3) No change.

(4) "Certificate of Public Convenience and Necessity" means a written statement or document issued by the governing body of a county, granting legal permission for an applicant or licensee to operate in that county as a condition of their licensure pursuant to Section 401.25(2)(d), F.S.

(4) through (10) renumbered (5) through (11) No change.

(9) "Each county in which the applicant will operate" means each specified county that is part of the geographic area or areas to be served by the licensee, for purposes of Section 401.25(2)(d), F.S.

(10) "Geographic area or areas to be served" means each specified county, or geopolitical subdivision within a specified county or counties, to be served by the licensee. A statement of each specified county or counties that is part of the geographic area or areas to be served by the licensee shall be reflected on the application for licensure.

(12) through (15) No change.

~~(16) "Operate" For purposes of Section 401.25(2)(d), F.S., means performing services requiring licensure under Section 401.25(1), F.S., but does not include:~~

~~(a) Advertising the availability of services requiring licensure under Section 401.25(1), F.S., for a county in which the advertiser is a licensee;~~

~~(b) Proposing to engage in services requiring licensure under Section 401.25(1), F.S.;~~

~~(c) Interfacility transfer between two counties by a licensee possessing a Certificate of Public Convenience and Necessity from only one of the counties if the other county does not prohibit such transfer or transport;~~

~~(d) Transfer or transport by a licensee through, but not to or from, one or more counties;~~

~~(e) Transfer or transport by a licensee as part of a coordinated response to a disaster or a mass casualty incident;~~

~~(f) Transfer or transport by a licensee, after pickup of the patient not otherwise prohibited under Section 401.25(2)(d), F.S. and this rule, to an appropriate facility; or~~

~~(g) Transfer or transport by a licensee under an agreement sanctioned by the governing bodies of the affected counties.~~

(17) through (26) renumbered (16) through (25) No change.

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4001, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, 4-22-07,\_\_\_\_\_.

#### 64E-2.002 Basic Life Support Service License – Ground.

(1) To obtain a license or renewal each applicant shall submit an application to the department on DH Form 631, July 2008 ~~October 05~~, Ground Ambulance Service Provider License Application. This form is incorporated by reference and is available from the department, as defined by subsection 64E-2.001(8), F.A.C.

(2) The department shall issue a license to any applicant who:

(a) No change.

(b) Provides a statement describing the geographic area or areas to be served, specifies each county that is part of the geographic area or areas to be served, and obtains ~~Obtains~~ a Certificate of Public Convenience and Necessity (COPCN) from each specified county that is part of the geographic area or areas to be served by the applicant consistent with the requirements of Rule 64E-2.032, F.A.C.

Specific Authority 381.0011, 395.405, 401.121, 401.25, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 401.23, 401.24, 401.25, 401.252, 401.26, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.49, Amended 4-12-88, 8-3-88, 12-10-92, 10-2-94, 1-26-97, Formerly 10D-66.049, Amended 8-4-98, 1-3-99, 11-19-01, 12-18-06,\_\_\_\_\_.

#### 64E-2.003 Advanced Life Support Service License – Ground.

(1) To obtain a license or renewal each applicant shall submit an application to the department on DH Form 631, July 2008 ~~October 05~~, Ground Ambulance Service Provider License Application. This form is incorporated by reference and is available from the department, as defined by subsection 64E-2001(8), F.A.C.

(2) The department shall issue a license to any applicant who:

(a) Meets the ambulance service requirements of Chapter 401, Part III, F.S., and this rule chapter, and

(b) Provides a statement describing the geographic area or areas to be served, specifies each county that is part of the geographic area or areas to be served, and obtains a Certificate

of Public Convenience and Necessity (COPCN) from each specified county that is part of the geographic area or areas to be served by the applicant.

(2) through (7) renumbered (3) through (8) No change.

Specific Authority 381.0011, 395.405, 401.121, 401.265, 401.35 FS. Law Implemented 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.50, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-30-93, 1-26-97, Formerly 10D-66.050, Amended 8-4-98, 1-3-99, 7-14-99, 2-20-00, 9-3-00, 4-15-01, 11-19-01, 6-3-02, 12-18-06,\_\_\_\_\_.

#### 64E-2.030 Emergency Medical Services Grants Procedures.

(1) No change.

(2) The department shall advertise grant availability, at a minimum, on the Bureau of Emergency Medical Services website at <http://www.fl-ems.com/grants/grants.html> the Florida Administrative Weekly (FAW). The FAW notice shall establish the deadline for submission of applications. Following the review by the grant review team and approval by the State Surgeon General, the department shall publish in the FAW the date, time, and location of the posting of the grant awards.

(3) All grant award decisions shall be posted on a date and time certain at a specific location in Tallahassee, Florida. All grant award notices shall be published on the Bureau of Emergency Medical Services website at <http://www.fl-ems.com/grants/grants.html> ~~www.doh.state.fl.us/ems~~, at the date and time established in the FAW notice as outlined in subsection (2) above.

Specific Authority 401.121 FS. Law Implemented 401.111, 401.113, 401.121 FS. History—New 6-6-90, Amended 12-10-92, 1-26-97, Formerly 10D-66.205, Amended 8-4-98, 11-3-02, 6-9-03,\_\_\_\_\_.

#### 64E-2.0321 Certificate of Public Convenience and Necessity (COPCN).

(1) Any licensee is authorized to provide prehospital advanced life support services, prehospital basic life support transportation services, or basic life support or advanced life support interfacility transfer services, if such licensee has a COPCN from each specified county that is part of the geographic area or areas to be served by the licensee. However, an air ambulance service may operate in any county under the terms of a mutual aid agreement without complying with subsection (3), below, when using its rotary winged aircraft in conjunction with another licensee.

(2) If a licensee has a COPCN in a specified county, the licensee shall be authorized to provide intracounty prehospital services within that county, interfacility transfer services within that county intercounty prehospital services that either

originate or terminate within that county and interfacility transfer services that either originate or terminate within that county.

(3) If the licensee has a mutual aid agreement and a COPCN enabling the provision of aid by the licensee under the conditions specified in the agreement, the licensee is authorized to provide aid under the conditions specified in the agreement.

Specific Authority 401.35 FS. Law Implemented 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief John Bixler  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Jennifer Bencie  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 1, 2008 and February 15, 2008

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-203.210  
RULE TITLE: Forms Incorporated by Reference

PURPOSE AND EFFECT: The purpose of the proposed amendments is to adopt the form for the Annual Report of the Discount Medical Plan Organization which includes the DMPO Annual Report Instructions.

SUMMARY: Pursuant to Section 636.218, Florida Statutes, each discount medical plan organization (“DMPO”) must file with the Office, within 3 months after the end of each fiscal year, an annual report. Such reports must be on forms prescribed by the Financial Services Commission.

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: 624.424(1), 636.232 FS.  
LAW IMPLEMENTED: 636.204, 636.220, 636.226, 636.228, 636.234, 636.236 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: July 15, 2008, 9:30 a.m.  
PLACE: 142 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: Annie Wang, Office of Insurance Regulation, E-mail [annie.wang@fldfs.com](mailto:annie.wang@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 IS: Annie Wang, Office of Insurance Regulation, E-mail [annie.wang@fldfs.com](mailto:annie.wang@fldfs.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

690-203.210 Forms Incorporated by Reference.

(1) The following forms are incorporated herein by reference to implement the provisions of Chapter 636, Part II, F.S.:

- (a) through (b) No change.
- (c) OIR-A1-1671. Annual Report – Discount Medical Plan Organizations (06/08)
- (2) No change.

Specific Authority 624.424(1)(c), 636.232 FS. Law Implemented 636.204, 636.218, 636.220, 636.226, 636.228, 636.234, 636.236 FS. History--New 5-22-05, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Annie Wang, Office of Insurance Regulation, E-mail [annie.wang@fldfs.com](mailto:annie.wang@fldfs.com)

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Al Willis, Director, Life & Health Financial Oversight, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2006

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NOS.: 69V-40.003, 69V-40.025  
RULE TITLES: Electronic Filing of Forms and Fees, Mortgage Broker Examination

PURPOSE AND EFFECT: The proposed rules require the electronic filing of forms, fees, and reports through the Office of Financial Regulation’s Regulatory Enforcement And Licensing (REAL) System. The proposed rules apply to forms and fees required to be filed by mortgage brokers, mortgage lenders, mortgage brokerage businesses, and mortgage business schools under Chapter 494, F.S. The rules also require applicants for a mortgage broker license to schedule their appointment to take the mortgage broker examination through the REAL System. A waiver from these requirements is provided for persons demonstrating a technological or financial hardship.



SUMMARY: The proposed rules require the electronic filing of forms, fees, and reports through the Office of Financial Regulation's Regulatory Enforcement And Licensing (REAL) System. The proposed rules apply to forms and fees required to be filed by mortgage brokers, mortgage lenders, mortgage brokerage businesses, and mortgage business schools under Chapter 494, F.S. The rules also require applicants for a mortgage broker license to schedule their appointment to take the mortgage broker examination through the REAL System. A waiver from these requirements is provided for persons demonstrating a technological or financial hardship.

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: 494.0011 FS.

LAW IMPLEMENTED: 494.0011, 494.0033 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.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 RULES IS: Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, Phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69V-40.003 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement And Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under paragraphs 69V-40.002(1)(a) through (d) and (f) through (h), F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Chapter 69V-40, F.A.C., must be filed through the REAL System.

(4) Any person may petition for a waiver of the requirement of electronic filing of any form or fee under Chapter 69V-40, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office of Financial Regulation will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.

Specific Authority 494.0011 FS. Law Implemented 494.0011 FS. History–New \_\_\_\_\_.

69V-40.025 Mortgage Broker Examination.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) Upon filing an application through the REAL System, each test candidate will be responsible for scheduling his or her mortgage broker examination through the REAL system. (4) The Office of Financial Regulation or its designee shall be responsible for the administration and grade notification of the Mortgage Broker Examination. ~~The Office of Financial Regulation or its designee shall notify each applicant of the time, place and date of the examination(s).~~

(3)(2) All examinations shall be administered and supervised by proctors who are Office of Financial Regulation employees or its designees. During the examination the examinees shall abide by the instructions of the proctors. Specific instructions for completion of the examination shall be communicated prior to the examination and the examinees shall be permitted to ask reasonable questions relating to the instructions. The Office of Financial Regulation or its designee shall be responsible for determining that the student taking the examination is the actual person authorized to take the examination. Examinees shall not give or receive help from other examinees. There shall be no talking or communication between the examinees while the exam is in progress. Reference materials shall not be permitted in the examination room unless specifically authorized in the instructions.

(4)(3) Cheating on an examination or violating test center or examination procedures published orally, in writing, or electronically at the test site by Office of Financial Regulation employees or its designees shall be grounds for denial of licensure by the Office of Financial Regulation. Admission after examination has commenced. Candidates arriving at the assigned examination location after the designated starting time shall be permitted to sit for the examination only after signing a statement clearly specifying the late arrival time and agreeing that they shall have only the time remaining in the examination period to complete the examination. Any candidate that refuses to sign such statement shall be disqualified from the examination and will be rescheduled for the next available examination date if that date is within the

candidate's ninety (90) day application period. However, no candidate shall be admitted to the examination if any other candidate has completed the examination and left the examination room.

~~(5)~~(4) Conduct which is grounds for exclusion. The following behavior(s) by any candidate is grounds for exclusion, anyone of which shall result in immediate removal from the examination room:

- (a) Unnecessary noise or other disturbance that interferes with the examination process.
- (b) Cheating or attempting to cheat.
- (c) Observing the examination questions or answers of those candidates being tested.
- (d) Removal of any examination materials from the examination room.

Conduct from candidates resulting in the exclusion from an examination shall be grounds for denial of licensure by the Office of Financial Regulation.

~~(6)~~(5) Candidates failing the examination will be notified of the review procedures and will be responsible for rescheduling another mortgage broker examination through the REAL System. Candidates will not be permitted to schedule an examination that will be conducted on a date beyond the candidate's will automatically be rescheduled for the next examination date provided that date is within their ninety (90) day application period. Candidates who fail the examination may review their examination one time, for a \$30 fee, and must do so at the time and place designated. Requests for a review of an examination and the examination review fee must be filed with the Office of Financial Regulation through the REAL System. Candidates reviewing shall have the right to have access to the examination questions, their examination responses, and the correct answers. Rules of examinee conduct during the review are the same as those for the examination.

~~(7)~~(6) Examinations will be written and composed of 100 multiple choice questions. Examinations will be written according to the weight content area as provided in the candidate Study Guide. The following conditions shall apply:

- (a) Candidates must use a number 2 lead pencil to mark their choices on the answer sheet provided.
- (b) The examination will be scored on the basis of 100 points.
- (c) An applicant who receives a grade of 75 points or higher shall be passed. A passing score will be valid for a period of 2 years from the date of passing the examination.
- (d) Candidates will be allowed 3 hours to complete the examination, provided the candidate was not admitted to the examination late in which case the candidate will be limited to the time remaining in the original 3 hour period.
- (e) Candidates may use a non-programmable hand held or battery type calculator.
- (f) Test scores will be derived from the number of correct responses.

(g) Candidates will not be permitted to refer to any notes, books or memoranda.

~~(8)~~(7) Candidates will be allowed 3 hours to complete the examination, provided the candidate was not admitted to the examination late in which case the candidate will be limited to the time remaining in the original 3 hour period. Candidates will be permitted to use a non-programmable hand held or battery type calculator.

~~(9)~~(8) Notification of results. The applicant will be notified of the results of the examination by the Office of Financial Regulation or its designee.

Specific Authority 494.0011(2) FS. Law Implemented 494.0033(2)(b) FS. History--New 10-1-91, Amended 6-8-92, Formerly 3D-40.025, Amended 3-23-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Gregory C. Oaks, Chief, Bureau of Regulatory Review – Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, Phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.: 6A-22.001 6A-22.002  6A-22.003 6A-22.004 6A-22.006 6A-22.008  6A-22.009 6A-22.010  6A-22.011 6A-22.012	RULE TITLES: Definitions Rehabilitation Provider Qualifications Reemployment Status Review Notice Requirements Screening Process Reemployment Services and Programs Employee Responsibilities Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities List of Forms Expenditures from the Workers' Compensation Administrative Trust Fund
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**NOTICE OF CONTINUATION**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 20, May 16, 2008 Florida Administrative Weekly has been continued from June 17, 2008 to August 19, 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 ELDER AFFAIRS**

**Home Care for the Elderly**

RULE NOS.:	RULE TITLES:
58H-1.001	Purpose
58H-1.002	Definitions
58H-1.003	Administration
58H-1.004	Access to the Program
58H-1.005	Client Functional and Financial Eligibility
58H-1.006	Caregiver Requirements
58H-1.007	Dwelling Requirements
58H-1.008	Appeal Proceedings
58H-1.009	Program Forms
58H-1.010	Confidentiality and Disclosure Information

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly. The section entitled "DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:" is corrected to read June 24, 2005 instead of June 25, 2005.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.:	RULE TITLE:
61A-10.0021	Stamping Agent – Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 32, No. 3, January 20, 2006 issue of the Florida Administrative Weekly.

61A-10.0021 Stamping Agent – Requirements.

The Division shall authorize a wholesale dealer as a stamping agent to affix stamps to packages of cigarettes provided the dealer furnishes the Division with:

- (1) An irrevocable letter of credit, certificate of deposit, unconditional guaranty contract, or a surety bond, issued by a solvent surety company registered to do business in this state,

equal to 110% of the estimated monthly tax liability, but not less than \$2,000, as required in Sections 210.05 and 210.08, F.S. The Division shall determine the estimated monthly tax liability based on the packs of unstamped cigarettes purchased for resale within the state of Florida.

(a) Surety amounts will be reviewed with every audit to verify compliance with this Rule. The surety amount will be based on the highest month's total liability.

(b) Liability for stamp purchases shall not exceed the surety amount.

(c) Stamping agents will provide the Division with a continuation certificate of the surety when the stamping agents pay their surety premium.

(d) If a surety instrument is cancelled, the stamping agent must cease operation.

(e) Applicants shall properly execute and submit form DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_\_). Instructions for filling out form DBPR ABT-6032 are provided in form DBPR ABT-6032i, Instructions for Completing DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_\_).

(2) through (4) No change.

Specific Authority 210.10 FS. Law Implemented 210.01, 210.05, 210.08, 210.15, 210.40 History–New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.:	RULE TITLE:
61A-10.081	Application for Cigarette Permit, Wholesale Dealer, Exporter, or Cigarette Distributing Agent

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 32, No. 3, January 20, 2006 issue of the Florida Administrative Weekly.

61A-10.081 Application for Cigarette Permit, Wholesale Dealer, Exporter, or Cigarette Distributing Agent.

(1) In order to be permitted as a wholesale dealer, exporter, or cigarette distributing agent, or to make changes to an existing wholesale dealer permit, exporter permit, or cigarette distributing agent permit, a completed application must be submitted to and approved by the Division. A completed application shall consist of the following:

(a) Properly executed application on form DBPR ABT-6024 Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_). Instructions for filling out form DBPR ABT-6024 are provided in form DBPR ABT-6024i, Instructions for Completing Application for Wholesale Cigarette Permit, which may be obtained as specified in Rule 61A-5.001 and is incorporated herein by reference and effective (\_\_\_\_).

(b) A set of fingerprints for each applicant and for any person or persons interested directly or indirectly with the applicant in the business for which the permit is being sought. Applicants shall properly execute and submit form DBPR ABT-6021 Division of Alcoholic Beverages and Tobacco Fingerprint Affidavit, which may be obtained as specified in Rule 61A-5.001 and is incorporated herein by reference and effective (\_\_\_\_), along with the official fingerprint card. When making changes to an existing permit, fingerprints will only be required for new applicants and for any new person or new persons interested directly or indirectly with the business for which the permit is changed.

(c) Payment of the permit fee of \$100.

(d) If the location for any permit is in the state, the applicant must submit to the Division a sketch of the premises along with a right of occupancy for the location. The sketch of the premises shall display all areas to be covered by the permit being applied for as well as all adjacent areas that currently have or will have another permit issued by the Division.

(e) Applicants shall properly execute and submit form DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_). Instructions for filling out form DBPR ABT-6032 are provided in form DBPR ABT-6032i, Instructions for Completing DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_).

(2) through (8) No change.

Specific Authority 210.10, 210.15 FS. Law Implemented 210.01, 210.15, 210.151, 210.1605 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-10.082  
 RULE TITLE: Application for a Tobacco Products Wholesale Dealer Permit

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 32, No. 3, January 20, 2006 issue of the Florida Administrative Weekly.

61A-10.082 Application for a Tobacco Products Wholesale Dealer Permit.

(1) No change.

(2) In order to be permitted as a tobacco products wholesale dealer, or to make changes to an existing permit, a completed application must be submitted to and approved by the Division. A completed application shall consist of the following:

(a) Properly executed application on form DBPR ABT-6005 Application for Tobacco Products Wholesale Dealer's Permit, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_). Instructions for filling out form DBPR ABT-6005 are provided in form DBPR ABT-6005i, Instructions for Completing Application for Tobacco Products Wholesale Dealer, which may be obtained as specified in Rule 61A-5.001 and is incorporated herein by reference and effective (\_\_\_\_).

(b) Payment of the permit fee of \$25.

(c) If the location for any permit is in the state, the applicant must submit to the Division a sketch of the premises along with a right of occupancy for the location. The sketch of the premises shall display all areas to be covered by the permit being applied for as well as all adjacent areas that currently have or will have another permit issued by the Division.

(d) Submission of a surety bond issued by a surety company authorized to do business in Florida in the amount of no less than \$1,000. The Division shall have discretion in requiring a larger bond amount if the minimum is insufficient to fully protect the state.

(e) Applicants shall properly execute and submit form DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_). Instructions for filling out form DBPR ABT-6032 are provided in form DBPR ABT-6032i, Instructions for Completing DBPR ABT-6032, Division of Alcoholic Beverages and Tobacco Surety Bond Form, which may be obtained as specified in Rule 61A-5.001, F.A.C., and is incorporated herein by reference and effective (\_\_\_\_).

(3) through (7) No change.

Specific Authority 210.75 FS. Law Implemented 210.25, 210.35, 210.40, 210.405, 210.45, 210.51 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

RULE NOS.:	RULE TITLES:
65G-8.001	Definitions
65G-8.002	Approved Emergency Procedure Curriculum
65G-8.003	Reactive Strategy Policy and Procedures
65G-8.004	Initial Assessments
65G-8.005	Authorizations for Specific Reactive Strategies
65G-8.006	Limitations on Use and Duration of Reactive Strategies
65G-8.007	Seclusion and Restraint
65G-8.008	Chemical Restraint
65G-8.009	Prohibited Procedures
65G-8.010	Documentation and Notification
65G-8.011	Access to Rules
65G-8.012	Enforcement

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 34, No. 8, February 22, 2008 issue of the Florida Administrative Weekly.

65G-8.001 Definitions.

[alphabetized and renumbered].

(1) "Approved emergency procedure curriculum" means a course of instruction in procedures and techniques for intervening in behavioral emergency situations, approved by the Agency for Persons with Disabilities ("Agency"), and incorporated into a facility's or program's policy for utilizing reactive strategies.

(2)(3) "Authorized staff person" means an employee of a facility or program that has completed training in the approved emergency procedure curriculum and is approved by the authorizing agent to use restraint and seclusion procedures.

(3)(2) "Authorizing agent" means an individual authorized by the facility or program manager to approve use of a reactive strategy.

(4)(5) "Behavioral protective device" means a device used as a means of interfering with or preventing specific results of a targeted behavior as part of a behavior program approved by the Local Review Committee.

(5)(4) "Chemical restraint" means the use of medication to effect immediate control of an individual's behavior. It does not include the medication administered as treatment for a medical or psychiatric condition.

(6)(4) "Client" means any person with a developmental disability receiving services in the State of Florida.

(7)(4) "Containment" means immobilizing an individual with any technique for the purpose of behavioral control.

(8)(6) "Facility" means a residential operation serving Agency clients funded or licensed under Chapter 393, F.S., and includes separate and secure facilities serving forensics clients pursuant to Chapter 916, Part III, F.S.

(9)(7) "Implementation plan" means an individualized plan utilizing services to assist a client with developmental disabilities in acquiring skills that enable the client to improve his or her physical, mental, and social functioning.

(10)(4) "Licensed medical professional" means a physician licensed under Chapter 458 or 459, F.S.; or registered nurse, licensed practical nurse, or Advanced Registered Nurse Practitioner licensed under Chapter 464, F.S.

(11)(4) "Local Review Committee" means the committee required by subsection 65G-4.008(3), F.A.C., to oversee and review all behavior analysis services provided to clients to ensure that the services are designed and approved in accordance with Florida Statutes and agency rules.

(12) "Manual restraint" means the use of hands or body to immobilize a person's freedom of movement or normal access to his or her body for more than fifteen continuous seconds. It does not include physically guiding or transporting a client during transport or skill training for up to two minutes. Repeated applications and releases of manual restraint in order to circumvent the fifteen-second and two-minute criteria are prohibited.

(13)(4) "Mechanical restraint" means a physical device used to restrict an individual's movement or restrict the normal function of the individual's body. The definition does not include the following:

(a) through (b) No change.

(c) Devices used ~~Restraints~~ necessary to support functional body position or proper balance, or to prevent a person from falling out of bed, falling out of a wheelchair; or

(d) Equipment ~~Restraints~~ used for safety during transportation, such as seatbelts or wheelchair tie-downs.

(14)(8) "Medical protective equipment" means health-related protective devices prescribed by a physician or dentist for use during specific medical or surgical procedures, or for use as client protection in response to an existing medical condition.

(15)(9) “Reactive strategies” means the procedures or physical crisis management techniques of seclusion or manual, mechanical, or chemical restraint utilized for control of behaviors that create an emergency or crisis situation.

(16)(13) “Seclusion” means enforced isolation or confinement of an individual in a room or area. It does not mean “time out” or “time out from positive reinforcement” procedures as defined by this rule, or isolation resulting from medical conditions or symptoms of illness.

(17)(14) “Time out” or “time out from positive reinforcement” means a procedure designed to interrupt a specific behavior of an individual by temporarily removing that individual to a separate area or room, or by screening him or her from others, or by signaling that the individual is in “time out.” “Time out” is not a reactive strategy regulated by these rules. “Time out” procedures differ from the reactive strategy of seclusion through the following characteristics:

(a) through (c) No change.

(d) The program is implemented either by a Certified Behavior Analyst certified by the Behavior Analyst Certification Board®, Inc.; a behavior analyst certified by the Agency pursuant to Section 393.17, F.S. and Rule 65G-4.003, F.A.C.; a psychologist licensed under Chapter 490, F.S.; or a clinical social worker, mental health counselor, or therapist licensed under Chapter 491, F.S.; ~~or a behavior analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified under Chapter 65G-4, F.A.C.;~~

(e) through (h) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.002 Approved Emergency Procedure Curriculum.

(1) All providers and facilities, ~~and programs~~ that use reactive strategies must utilize an emergency procedure training curriculum approved by the Agency, and require all staff utilizing reactive strategies to be trained in that curriculum.

(2) The training curriculum must meet the following minimum requirements for approval:

(a) through (e) No change.

(f) It requires at least ~~twelve sixteen~~ direct training hours;

(g) through (l) No change.

(m) The curriculum includes instruction in reactive strategy precautions and potential hazards; It incorporates transportation procedures that require the cooperation of the person being transported;

(n) No change.

(3) through (5) No change.

(6) The Agency’s Senior Behavior Analyst will refer the proposed curriculum to a multidisciplinary committee or a Peer Review Committee as defined in Rule 65G-4.008, F.A.C., for additional review and comment.

(7) ~~The Senior Behavior Analyst’s r~~Review of a proposed emergency procedure curriculum must include:

(a) through (b) No change.

(c) Review of available data related to implementation of the curriculum; and

(d) No change.

(8) through (10) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.003 Reactive Strategy Policy and Procedures.

(1) All facilities or ~~providers programs~~ subject to this rule shall develop and implement policies and procedures consistent with the provisions of this rule chapter, including adoption of an approved emergency procedure curriculum, appropriate staff training, record maintenance, reporting and recording the use of any reactive strategy, training in the provisions of this rule chapter, data collection, and maintenance of reactive strategy consent information in client patient records, and any other requirements established in this rule chapter.

(2) Facility or ~~provider program~~ policies and procedures may ~~not~~ include only the reactive strategies ~~not~~ provided in the Agency-approved curriculum ~~or vary from the requirements of these rules.~~ No change to the approved curriculum or variation of a specific reactive strategy may be employed without an Agency-approved variance or waiver obtained in advance through Section 120.542, F.S. A proposed variance to a reactive strategy must demonstrate that it is designed for a specific client and the variance request must include documented evidence of need and benefit. Variance requests will be evaluated by the Local Review Committee and the Agency’s Senior Behavior Analyst.

(3) Providers, and facilities ~~and programs~~ that employ reactive strategies are required to implement procedures to ensure the safety of staff and clients during the use of reactive strategies and to ensure that Agency clients are not placed at risk because of existing medical conditions.

(4) All staff implementing reactive strategies must be certified in advance for all reactive strategy techniques used or approved for use by the facility, ~~program,~~ or provider.

(5) A variation of a specific reactive strategy may be employed only if it is designed for a specific client with documented evidence of need and benefit, and only if evaluated and approved in advance of implementation by the Local Review Committee and the Agency’s Senior Behavior Analyst.

(5)(6) The ~~provider program~~ or facility must conduct an internal review of its emergency procedures at least annually with a written evaluation that addresses the following issues:

(a) through (c) No change.

The facility, ~~program~~, or provider must maintain this written evaluation for a minimum of five years and make it available to the Agency upon request.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

#### 65G-8.004 Initial Assessments.

(1) Upon an individual's admission to a facility or program and at least annually thereafter, the facility or ~~program~~ provider must obtain information and documents relevant to the use of reactive strategies from a variety of sources for the individual's records. Appropriate sources include the individual, his or her family members, treating medical professionals, and other informants familiar with the individual. The individual's records must include the following documentation:

(a) A ~~physician's report of medical release stating that the individual has no~~ medical conditions or physical limitations that would place him or her at risk of physical injury during restraint or seclusion, ~~as permitted by this rule chapter~~; or otherwise

~~(b) A physician's report of any physical limitations that would preclude the use of one or more reactive strategies; and~~

~~(b)(e)~~ Documentation of any history of trauma, such as a history of sexual or physical abuse, that the informants, individual, facility, or providers believe to be relevant to the use of reactive strategies; and

(2) through (3) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

#### 65G-8.005 Authorizations for Specific Reactive Strategies.

(1) through (2) No change.

(3) The following reactive strategies can be approved only by the following authorizing agents:

(a) No change.

(b) The authorizing agent for behavioral protective devices must be either a Certified Behavior Analyst certified by the Behavior Analyst Certification Board®, Inc.; a behavior analyst certified by the Agency pursuant to Section 393.17, F.S. and by Rule 65G-4.003, F.A.C.; a psychologist licensed under Chapter 490, F.S.; or a clinical social worker, marriage and family therapist, or mental health counselor licensed under Chapter 491, F.S.; ~~or a Certified Behavior Analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified by the rule Chapter 65G-4, F.A.C.;~~

(c) The authorizing agent for mechanical restraint must be a Certified Behavior Analyst certified by the Behavior Analyst Certification Board®, Inc.; a behavior analyst certified by the Agency pursuant to Section 393.17, F.S. and by Rule 65G-4.003, F.A.C.; a physician licensed under Chapter 458 or 459, F.S.; a psychologist licensed under Chapter 490, F.S.; or a clinical social worker, marriage and family therapist, or mental

health counselor licensed under Chapter 491, F.S.; ~~or a Certified Behavior Analyst certified by the Behavior Analyst Certification Board; or a behavior analyst certified by the Rule Chapter 65G-4, F.A.C.;~~

(d) through (e) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

#### 65G-8.006 Limitations on Use and Duration of Reactive Strategies.

(1) through (9) No change.

(10) The facility or provider program must provide written behavioral criteria for termination of a reactive strategy, conforming to the Agency-approved emergency procedure curriculum, to all staff trained in those techniques.

(11) through (12) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

#### 65G-8.007 Seclusion and Restraint.

(1) No change.

(2) Seclusion and restraint as a reactive strategy may be utilized only if certified adequate staff persons are ~~is~~ available in sufficient number to ensure its ~~for~~ safe implementation.

(3) through (5) No change.

(6) Staff must obtain additional authorization for use of seclusion and restraint for a behavioral episode occurring more than fifteen minutes after termination of a prior ~~restraint~~ procedure, and document the additional use ~~of restraint~~ in the individual's record.

(7) Before initiating a seclusion or restraint procedure, staff must inspect the environment and the individual ~~to be restrained~~ in order to ensure that any foreign objects that might present a hazard to the individual's safety are removed.

(8) Any room in which the individual is held must ~~be~~ have sufficient lighting and ventilation to permit the individual to see and breathe normally, and must have enough space to permit him or her to lie down comfortably.

(9) The door to any room in which an individual is secluded without an attending staff person ~~a caregiver~~ must not be locked; however, the door can be held shut by a staff person ~~caregiver~~ using a spring bolt, magnetic hold, or other mechanism that permits the individual in seclusion to leave the room if the caregiver leaves the vicinity. Forensic facilities may seek a waiver or variance from this requirement through Section 120.542, F.S.

(10) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

#### 65G-8.008 Chemical Restraint.

(1) through (5) No change.

(6) A licensed medical professional must conduct a face-to-face evaluation of the individual within one hour of administration of a chemical restraint, if the restraint was ~~ordered~~ ~~authorized~~ by telephone. The medical professional must record the results of this evaluation in the individual's records and document whether the administration of medication achieved the expected results.

(7) Staff must monitor an individual who has been chemically restrained at least once every half-hour and record the effects of the restraint in the individual's records.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.009 Prohibited Procedures.

The following reactive strategies are prohibited:

(1) through (9) No change.

(10) Use of any ~~containment immobilizing~~ technique ~~medically contraindicated for an individual prior to obtaining a medical release that rules out increased risk to the individual by use of this position;~~

(11) through (12) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.010 Documentation and Notification.

(1) Staff must document the following information in the individual's records as soon as possible, but no later than the end of the work shift ~~immediately~~ following the use of a reactive strategy:

(a) through (d) No change.

(2) through (4) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.011 Access to Rules.

(1) The ~~provider program~~ or facility employing reactive strategies must maintain on-site a copy of Rule Chapter 65G-8, F.A.C., accessible by these rules and provide access to staff, clients, parents, guardians, and guardian advocates.

(2) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.012 Enforcement.

(1) through (2) No change.

Specific Authority 393.501, 393.13(4)(h)2., 916.1093(2) FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-204.010	Purpose and Scope
69O-204.020	Definitions
69O-204.030	Forms Incorporated By Reference
69O-204.040	Prohibited Practices
69O-204.050	Verification of Coverage
69O-204.060	Required Supplemental Annual Transaction Detail
69O-204.070	Anti-Fraud

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 50, December 14, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

**DEPARTMENT OF REVENUE**

**Property Tax Administration Program**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12DER08-13	Repeal of Forms from 2007 Millage Levy Compliance

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Chapter 2007-321, Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. This act further provided that all conditions imposed by Chapter 120, Florida Statutes are deemed to be met.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-321, Laws of Florida. The law provided that these emergency rules could remain in effect for a period of 18 months and that they could be renewed. The Department of Revenue has taken several actions to inform interested parties about the need to repeal forms that are no longer applicable, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and counties, municipalities, and independent districts and their associations. The actions that the Department has taken include: e-mailing the Property Appraisers, and posting on the Department's website an announcement, "Repeal of Forms from 2007 Millage Levy Compliance." The forms now being repealed were effective only for 2007 and are not applicable to 2008. This Emergency Rule avoids having two versions of the same form available, and prevents the inadvertent use of outdated forms by the public.



SUMMARY: Emergency Rule 12DER08-13 (Repeal of forms from 2007, Millage Levy Compliance). The provisions of HB 1B required that the Department promulgate forms that were effective for 2007 only. In preparation for completing the implementation process, the Department will promulgate forms that will be effective for 2008 and beyond. The Department will repeal some emergency rules and forms from 2007. The following rules and their accompanying forms are being repealed: (1) 12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents. (2) Rule 12DER07-09 Disclosure and Certification of Compliance; Option to Prefile Documents. The following forms that were adopted in Rule 12DER07-09 are also being repealed: (a) Form DR-420C, (County Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (b) Form DR-420I, (Independent Special District Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (c) Form DR-420M, (Municipality Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (d) Form DR-487P (Pre-Filing Certification of Compliance; N. 09/07); (e) Form DR-487 (Certification of Compliance; N. 09/07); (f) Form DR-487V (Vote Record for Final Adoption of 2007-2008 Millage Levy; N. 09/07); (3) Rule 12DER07-07 Forms for Use in the Maximum Millage Calculations Required by Chapter 2007-321, Laws of Florida. The following forms that were adopted in Rule 12DER07-07 are also repealed: (a) Form DR-420C-P (County Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (b) Form DR-420I-P (Independent Special District Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (c) Form DR-420M-P (Municipality Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (d) Form DR-428 (Maximum Millage Calculation-General Information; N. 07/07); (4) Rule 12DER07-05 Forms for Use in Administering House Bill 1B. The following forms that were adopted in Rule 12DER07-05 are also repealed: (a) Three Truth in Millage forms: 1. Form DR-420 (Certification of Taxable Value; R. 06/07). 2. Form DR-420TIF (Tax Increment Adjustment Worksheet; N. 06/07). 3. Form DR-420S (Certification of School Taxable Value; R. 06/07). (b) Two forms: 1. Form DR-426 (For Use by Property Appraisers; Report on the Correctness of Total Tax Levies; N. 06/07). 2. Form DR-427 (For Use by Chair of Local Governing Body; Report on the Correctness of Total Tax Levies; N. 06/07). (c) Informational material – Form DR-425 (Steps for Reviewing Taxes Levied Used in Determining Fiscal Year 2007-08 Maximum Millage Levies Under HB 1B; N. 06/07.)

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Claudia Kemp, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)488-4436; Fax (850)921-4063; email address [kempc@dor.state.fl.us](mailto:kempc@dor.state.fl.us)

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER08-13 Repeal of Forms from 2007 Millage Levy Compliance.

The following rules are hereby repealed:

(1) 12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents. EFFECTIVE OCTOBER 23, 2007.

(2) Rule 12DER07-09 Disclosure and Certification of Compliance; Option to Prefile Documents. EFFECTIVE SEPTEMBER 14, 2007. The following forms that were adopted in Rule 12DER07-09 are also repealed:

(a) Form DR-420C (County Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(b) Form DR-420I (Independent Special District Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(c) Form DR-420M (Municipality Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(d) Form DR-487P (Pre-Filing Certification of Compliance; N. 09/07).

(e) Form DR-487 (Certification of Compliance; N. 09/07).

(f) Form DR-487V (Vote Record for Final Adoption of 2007-2008 Millage Levy; N. 09/07).

(3) Rule 12DER07-07 Forms for Use in the Maximum Millage Calculations Required by Chapter 2007-321, Laws of Florida. EFFECTIVE JULY 12, 2007. The following forms that were adopted in Rule 12DER07-07 are also repealed:

(a) Form DR-420C-P (County Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(b) Form DR-420I-P (Independent Special District Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(c) Form DR-420M-P (Municipality Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(d) Form DR-428 (Maximum Millage Calculation-General Information; N. 07/07).

(4) Rule 12DER07-05 Forms for Use in Administering House Bill 1B. EFFECTIVE JUNE 27, 2007. The following six forms that were adopted in Rule 12DER07-05 are also repealed:

(a) Three Truth in Millage forms:

1. Form DR-420 (Certification of Taxable Value; R. 06/07).

2. Form DR-420TIF (Tax Increment Adjustment Worksheet; N. 06/07).

3. Form DR-420S (Certification of School Taxable Value; R. 06/07).

(b) Two forms to be used by Property Appraisers and Chairs of local governing bodies for reporting purposes (on or before July 2, 2007):

1. Form DR-426 (For Use by Property Appraisers; Report on the Correctness of Total Tax Levies; N. 06/07).

2. Form DR-427 (For Use by Chair of Local Governing Body; Report on the Correctness of Total Tax Levies; N. 06/07).

(c) Form DR-425 (Steps for Reviewing Taxes Levied Used in Determining Fiscal Year 2007-08 Maximum Millage Levies Under HB 1B; N. 06/07).

Specific Authority Section 9 of Ch. 2007-321, L.O.F. Law Implemented Sections 1 through 11 of Ch. 2007-321, L.O.F. History—New 6-3-08.

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: June 3, 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 THE LOTTERY**

RULE NO.: 53ER08-35  
 RULE TITLE: Instant Game Number 761, BETTY BOOP

SUMMARY: This emergency rule describes Instant Game Number 761, “BETTY BOOP,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-35 Instant Game Number 761, BETTY BOOP.

(1) Name of Game. Instant Game Number 761, “BETTY BOOP.”

(2) Price. BETTY BOOP lottery tickets sell for \$2.00 per ticket.

(3) BETTY BOOP lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BETTY BOOP lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

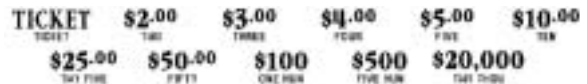
(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “BETTY’S NUMBERS” play symbols and play symbol captions are as follows:



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



(7) The legends are as follows:

BETTY’S NUMBERS YOUR NUMBERS PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “BETTY’S NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to \$50.00.

(b) The prizes are: TICKET, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$500 and \$20,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a BETTY BOOP lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 761 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF TICKETS PER POOL
TICKET	\$2 TICKET	1 IN 12.50	180,000
\$2	\$2	21.43	604,800
\$4	\$4	21.43	352,800
\$2 + \$3	\$5	30.00	352,800
\$5	\$5	37.50	252,000
\$2 x 5	\$10	300.00	201,600
\$5 x 2	\$10	300.00	25,200
\$10	\$10	150.00	25,200
\$5 x 5	\$25	300.00	50,400
\$25	\$25	300.00	25,200
\$5 x 10	\$50	1,800.00	4,200

\$10 x 5	\$50	1,800.00	4,200
\$50 (HEART)	\$50	360.00	21,000
\$10 x 10	\$100	18,000.00	420
(\$25 x 2) + \$50 (HEART)	\$100	2,400.00	3,150
\$100	\$100	2,400.00	3,150
(\$25 x 6) + \$50 (HEART)	\$200	45,000.00	168
(\$25 x 2) + \$100	\$500	378,000.00	20
(\$100 x 4) + \$50 (HEART)	\$500	378,000.00	20
\$500	\$500	378,000.00	20
\$20,000	\$20,000	756,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 761 are 1 in 3.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 761, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-30-08.

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: May 30, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-36  
RULE TITLE: Instant Game Number 751, BLAZIN' RED HOT BUCKS

SUMMARY: This emergency rule describes Instant Game Number 751, "BLAZIN' RED HOT BUCKS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-36 Instant Game Number 751, BLAZIN' RED HOT BUCKS.

(1) Name of Game. Instant Game Number 751, "BLAZIN' RED HOT BUCKS."

(2) Price. BLAZIN' RED HOT BUCKS lottery tickets sell for \$5.00 per ticket.

(3) BLAZIN' RED HOT BUCKS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BLAZIN' RED HOT BUCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

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

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	

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

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	

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

\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY	\$25.00 TWENTY FIVE	\$50.00 FIFTY
\$75.00 SEVENTY FIVE	\$100 ONE HUN	\$500 FIVE HUN	\$1,000 ONE THOU	\$10,000 TEN THOU	\$100,000 ONE HUN THOU

(7) The legends are as follows:

WINNING NUMBERS      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "HEART" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown. A ticket

having a "SMILE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all twenty prizes.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$500, \$1,000, \$10,000 and \$100,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 751 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>ODDS OF</u>	<u>NUMBER OF</u> <u>WINNERS IN</u> <u>52 POOLS OF</u>
		<u>1 IN</u>	<u>120,000</u>
			<u>TICKETS</u>
			<u>PER POOL</u>
\$5	\$5	30.00	208,000
\$5 (BILL)	\$5	8.57	728,000
\$5 x 2	\$10	60.00	104,000
\$10	\$10	30.00	208,000
\$10 (BILL)	\$10	15.00	416,000
\$5 x 3	\$15	120.00	52,000
\$15 (BILL)	\$15	120.00	52,000
\$5 x 5	\$25	300.00	20,800
(\$5 x 3) + \$10	\$25	400.00	15,600
\$5 (BILL) + (\$10 x 2)	\$25	300.00	20,800
\$10 + \$15 (BILL)	\$25	400.00	15,600
\$25 (BILL)	\$25	600.00	10,400
\$10 x 5	\$50	480.00	13,000
\$25 x 2	\$50	480.00	13,000
\$10 (BILL) + (\$20 x 2)	\$50	480.00	13,000
\$50 (BILL)	\$50	480.00	13,000
\$5 + (\$10 x 2) + \$50 (BILL)	\$75	12,000.00	520
(\$10 x 5) + \$25 (BILL)	\$75	12,000.00	520
\$75 (BILL)	\$75	12,000.00	520
\$10 (BILL) + (\$15 x 6)	\$100	2,400.00	2,600
(\$5 x 10) + \$50 (BILL)	\$100	2,400.00	2,600
\$5 x 20 (HOT)	\$100	2,400.00	2,600
(\$25 x 2) + \$50 (BILL)	\$100	2,400.00	2,600
\$100 (BILL)	\$100	2,400.00	2,600
\$50 x 10	\$500	30,000.00	208
\$25 x 20 (HOT)	\$500	30,000.00	208
\$500 (BILL)	\$500	30,000.00	208
\$100 x 10	\$1,000	120,000.00	52
\$50 x 20 (HOT)	\$1,000	60,000.00	104
\$500 x 2	\$1,000	120,000.00	52
\$1,000 (BILL)	\$1,000	120,000.00	52
\$1,000 x 10	\$10,000	780,000.00	8
\$500 x 20 (HOT)	\$10,000	780,000.00	8
\$10,000	\$10,000	780,000.00	8
\$100,000	\$100,000	780,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 751 are 1 in 3.25. Prizes, including the top prizes, are subject to availability at the time of ticket

purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 751, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BLAZIN' RED HOT BUCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for BLAZIN' RED HOT BUCKS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-30-08.

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: May 30, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-37  
 RULE TITLE: Retailer FLORIDA LOTTO™ Bonus Commission Program

SUMMARY: The Florida Lottery will award bonus commissions to the retailer(s) that sells one or more \$2.00 or \$3.00 FLORIDA LOTTO Jackpot ticket(s) for a Wednesday or Saturday LOTTO drawing.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-37 Retailer FLORIDA LOTTO™ Bonus Commission Program.

(1) The Florida Lottery will conduct, as a retailer sales incentive, a Retailer FLORIDA LOTTO Bonus Commission Program (“Program”) in which the Florida Lottery will award bonus commissions to retailers that sell a winning jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing.

(2) The bonus commission will start at \$10,000. In the event no winning jackpot ticket is sold for a FLORIDA LOTTO drawing, the bonus commission amount will increase by \$5,000 per draw until a winning jackpot ticket is sold, at which time the bonus commission will start over at \$10,000.

(3) Beginning June 1, 2008, the Florida Lottery will award an additional bonus commission to a retailer that sells a winning \$2.00 or \$3.00 Lotto Plus™ jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing.

(4) A retailer that sells a winning \$2.00 Lotto Plus jackpot ticket will receive the bonus commission in subsection (2) above plus \$5,000, and a retailer that sells a winning \$3.00 Lotto Plus jackpot ticket will receive the bonus commission in subsection (2) above plus \$10,000. The additional \$5,000 and \$10,000 bonus commissions will not carry forward in the event no winning \$2.00 or \$3.00 Lotto Plus jackpot tickets are sold for a specific drawing.

(5) If multiple winning \$1.00, \$2.00 or \$3.00 jackpot tickets are sold for the same FLORIDA LOTTO drawing, the retailers selling such tickets will share the applicable bonus commission(s). Each retailer selling a winning jackpot ticket will receive a share of the bonus set forth in subsection (2) above equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold for that drawing. Each retailer selling a winning \$2.00 Lotto Plus jackpot ticket will receive a share of the \$5,000 bonus equal to the number of winning \$2.00 jackpot tickets sold by that particular retailer divided by the total number of winning \$2.00 jackpot tickets sold for that drawing. Each retailer selling a winning \$3.00 Lotto Plus jackpot ticket will receive a share of the \$10,000 bonus equal to the number of winning \$3.00 jackpot tickets sold by that particular retailer divided by the total number of winning \$3.00 jackpot tickets sold for that drawing.

(6) Award of a bonus commission is not dependent upon the winning jackpot ticket being claimed by the winner.

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, F.A.C., or contract terms.

(8) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(9) FLORIDA LOTTO bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Specific Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 5-30-08, Replaces 53ER06-6, F.A.C.

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: May 30, 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

#### **DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Florida Department of Transportation issued an order granting the Petition of St. Lucie County, seeking a variance from the provisions of subsection 14-73.001(3), F.A.C. The Petition was received by the Department on February 29, 2008. The Department published its notice of receipt of the petition in the March 28, 2008, edition of the Florida Administrative Weekly. Subsection 14-73.001(3), F.A.C., requires a transit provider to update its Transit Development Plan (TDP) every five years. The Department's order, issued in DOT Case No. 08-028, granted the petition because St. Lucie County satisfied the requirements for a variance and the Department determined that a one year extension of the TPD deadline promoted the effective use of transportation resources in developing a regional TPD.

A copy of the Department's order may be obtained from the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact James C. Myers at (850)414-5393.

#### **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 May 28, 2008, the Governing Board of the Southwest Florida Water Management District has issued an order.

The Governing Board of the Southwest Florida Water Management District hereby gives notice of the issuance of an Order of Denial regarding a Petition of Waiver filed on behalf of Deborah A. Kos. Petitioner sought to waive the requirements of Section 4.4. of the District's Environmental Resource Permitting Information Manual Part B, Basis of Review (BOR), incorporated by reference in Rule 40D-4.091, F.A.C. The Petition was submitted in conjunction with Environmental Resource Permit (ERP) Modification Application No. 44007521.016. The Notice of Petition for Waiver was published in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly. The Governing Board considered the Petition at a duly-noticed public meeting held on May 27, 2008.

The Governing Board's Order SWF 08-018, filed on May 28, 2008, denies the Petition of Waiver, finding that Petitioner has not complied with the requirements of Section 120.542(2), Florida Statutes (F.S.) and Rule 28-104.002, Florida Administrative Code. Specifically, Petitioner did not respond to a request for additional information issued by the District following receipt of the Petition for Waiver. ERP Modification Application No. 44007521.016 was denied on February 26, 2008. Absent the additional requested information, Petitioner failed to demonstrate that application of BOR Section 4.4. in Petitioner's situation would create a substantial hardship or would violate principles of fairness as those terms are defined by Section 120.542(2), F.S. Based upon the foregoing, the District Governing Board determined that Petitioner is not eligible for the requested waiver because she failed to demonstrate that application of BOR Section 4.4 would create a substantial hardship or would violate principles of fairness, and thus failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means. A copy of the Order may be obtained by contacting: Martha A. Moore, Senior Attorney, Office of General Counsel, Southwest Florida Water Management District, 2379 S. Broad Street, Brooksville, Florida 34604-6899, (352)796-7211 or 1(800)423-1476, extension 4651.

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#### **DEPARTMENT OF THE LOTTERY**

NOTICE IS HEREBY GIVEN THAT on April 24, 2008, the Department of the Lottery has issued an order.

Petitioners Phillip Etoy Martin and April Marie Martin, co-trustees of the Martin Family Revocable Trust sought a waiver of subsection 53ER06-4(16), Florida Administrative Code, with respect to submission of IRS form 5754 "at the time of submission of the Winner Claim Form." The Petition was published in Vol. 34, No. 11, F.A.W., on March 14, 2008. The Department determined that Petitioners demonstrated that the purpose of the underlying statute as well as the rule can be achieved by other means and that strict application of the rule would violate principles of fairness and, therefore, GRANTED the waiver.

A copy of the Order may be obtained by contacting: Office of the General Counsel, Florida Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011, or by calling (850)487-7777.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT on June 3, 2008, the Agency for Health Care Administration has issued an order.

The Agency partially granted the Petition for Emergency Waiver from subsection 59A-4.1295(7), Florida Administrative Code, as filed by Florida Institute for Neurologic Rehabilitation. Notice of the filing of this Petition will appear in the June 6, 2008 edition of F.A.W.

The Petition sought an emergency waiver from the requirements of subsection 59A-4.1295(7), Florida Administrative Code, for a fifteen-year-old patient. By Final Order dated June 3, 2008, the Petition was partially granted, and an emergency waiver was issued to Florida Institute for Neurologic Rehabilitation based on the unique circumstances involved that would likely allow the patient in question to improve both its quality of care and quality of life. Said emergency waiver is limited in scope to apply only to the patient at issue, and is not transferable to any other entity or individual. The emergency waiver will expire on July 28, 2008, as requested by the Petitioner.

A copy of the Order may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has issued an order.

On February 29, 2008, the Petitioner, Hyatt Corporation, Inc., et al., filed a Petition for Waiver of Rule 61A-2.014, F.A.C., with the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco ("Department"). The Petition requested a waiver of Rule 61A-2.014, F.A.C., subsection (6), which requires all directors or officers of a corporation with an interest in an alcoholic beverage license to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petitioner does not qualify as any of the three exceptions also created by Rule 61A-2.014, F.A.C., but requested the waiver of application of the rule to Petitioner's positions of Assistant Secretary, since such positions are not involved in the operation, control or management of any Florida hotel or any alcoholic beverage sales at a Florida location.

On May 28, 2008, the Department filed an Order Granting Petition for Waiver. The Order noted that the positions for which waiver of Rule 61A-2.014, F.A.C., was requested are not involved in the operation, control, or management of any Florida hotel or of any alcoholic beverage sales at a Florida location, that granting this waiver would not create a dangerous precedent, and that the proposed waiver was consistent with the principles of public welfare articulated by the rules of the Florida Administrative Code. The Order concluded that Petitioner's request for waiver met the burden of demonstrating that the principles of public welfare and the purpose of the underlying rule had been met.

A copy of the Order may be obtained by contacting: Terry Musselwhite, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, (850)488-0062.

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NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has issued an order.

On March 28, 2008, the Petitioner, TGI Friday's, Inc., filed a Petition for Waiver of Rule 61A-2.014, F.A.C., with the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco ("Department"). The Petition requested a waiver of Rule 61A-2.014, F.A.C., subsection (6), which requires all directors or officers of a corporation with an interest in an alcoholic beverage license to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petitioner does not qualify as any of the three exceptions also created by Rule 61A-2.014, F.A.C., but requested the waiver of application of the rule to Petitioner's positions of Assistant Secretary, Assistant Secretary (acting as in-house counsel), Vice President of Operations (with oversight responsibilities relating only to those locations outside of Florida), Vice President of Franchising, Vice President of Strategic Projects, Vice President of International Operations, Senior Vice President of Marketing, and Chief Operations Officer, since such positions are not involved in the operation, control or management of any Florida hotel or any alcoholic beverage sales at a Florida location.

On May 28, 2008, the Department filed an Order Granting Petition for Waiver. The Order noted that the positions for which waiver of Rule 61A-2.014, F.A.C., was requested are not involved in the operation, control, or management of any Florida hotel or of any alcoholic beverage sales at a Florida location, that granting this waiver would not create a dangerous precedent, and that the proposed waiver was consistent with the principles of public welfare articulated by the Rules of the Florida Administrative Code. The Order

concluded that Petitioner's request for waiver met the burden of demonstrating that the principles of public welfare and the purpose of the underlying rule had been met.

A copy of the Order may be obtained by contacting: Terry Musselwhite, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, (850)488-0062.

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NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has issued an order.

On March 11, 2008, Petitioner, DRD of Okeechobee, Inc., d/b/a Shooter's Billiards, filed a Petition for Relief Under Florida Statute § 120.542 with the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco ("Department"). The Petition requested the waiver of the penalty guidelines for violations of the Beverage Law listed in Rule 61A-2.022, Florida Administrative Code. Petitioner alleged that imposition of the penalty guidelines would create an undue economic hardship as described under Section 120.542(2), Florida Statutes. Petitioner further alleged that imposition of the penalty guidelines against it is inappropriate because the purpose sought to be achieved by the penalty guidelines has already been met. Therefore, Petitioner requested that the Department waive the imposition of the penalty guidelines listed in Florida Administrative Code Rule 61A-2.022, F.A.C., against Petitioner.

The Department published notice of receipt of the Petition with Florida Administrative Weekly on April 4, 2008.

On May 28, 2008, the Department filed an Order Denying Petition for Relief. The Order noted that Rule 61A-2.022, Florida Administrative Code, allows the Director of the Division of Alcoholic Beverages and Tobacco to deviate from the penalty guidelines. The Order concluded that Petitioner's request did not meet the burden of demonstrating that a variance is required to prevent substantial hardship.

A copy of the Order may be obtained by contacting: Terry Musselwhite, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, (850)488-0062.

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NOTICE IS HEREBY GIVEN THAT on May 19, 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 7, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Hartell's Village Diner located in San Destin. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for seventy-one.



This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms have hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than seventy-one (71) seats which include 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 May 23, 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 16, 2008, for an Emergency 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 International Café by Railey located in Orlando. The above referenced F.A.C.s state that the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., 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. They are 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 the Petitioner ensuring the centrally located bathrooms have hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner shall also use a six (6) gallon or greater 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. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and 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 recession 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 May 14, 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 9, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from House of Kabab Restaurant located in Gainesville. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty (30).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (30) 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 May 14, 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 2, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Marble Slab Creamery located in Winter Park. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of sixteen (16).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (16) 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 May 23, 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 13, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Reggae Cafe located in Fort Myers. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty-one (31).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (31) 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 May 23, 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 19, 2008, for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from the Tacos Mi Poblanita located in Pierson. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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 May 23, 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 14, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Three Sisters Speakeasy located in Kissimmee. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for fifty (50).

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms have hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than fifty (50) seats which include 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.

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 May 14, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 28, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Wing Nuts located in Cape Coral. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of seventeen (17).

This variance request was approved and is contingent upon the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (16) 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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#### 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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NOTICE IS HEREBY GIVEN THAT on May 2, 2008, the Department Of Environmental Protection, Northwest District, has issued an order.

On August 3, 2006, the Department received a petition for a 120.542, F.S., variance from Escambia County School District. Notice of receipt of this petition was published in the F.A.W. on September 1, 2006. The petition requested a variance for the Molino K-8 School wastewater treatment plant from the requirements in paragraph 62-610.521(6)(c), subsections 62-610.521(9), 62-610.523(4) and paragraph 62-610.525(1)(c), subsections 62-610.525(5), (6), (8), (11), (13), F.A.C. Specifically, the variance requested to reduce the requirements for rapid infiltration basins (RIB) setback distance, the cell bottoms drying after resting period, the total suspended solids 5.0 mg/L limit, filtration and chemical feed, meeting primary and secondary drinking water standards and sampling for Cryptosporidium and Giardia. No public comment was received. On May 2, 2008, the Department granted a variance to Escambia County School District in a final order, OGC File No.: 06-1829, File No: FLA303755-003DWF/VO. The final order granted a variance from the requirement for: (1) the 100 foot setback distance from the RIB to property line to 22.98 feet; (2) the RIBs to dry out during the 5-14 day resting period; (3) the reclaimed water to not contain more than 5.0mg/L of total suspended solids; (4) the filtration for Total suspended solids as well as the need for chemical feed facilities for

coagulants, coagulant aids, or polyelectrolytes; (5) the facility to be designed and operated to meet the primary and secondary drinking water standards; and (6) the facility to sample for Cryptosporidium and Giardia. This variance was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to the School District or would affect them differently than other similarly situated applicants and because they had successfully fulfilled the requirements of the underlying statute.

A copy of the Order may be obtained by contacting: Jonathan May, Department of Environmental Protection, Northwest District, 160 Governmental Center, Pensacola, Florida 32502, [jonathan.may@dep.state.fl.us](mailto:jonathan.may@dep.state.fl.us), (850)595-8380.

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NOTICE IS HEREBY GIVEN THAT on May 23, 2008, the the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, received a petition for a variance or waiver pursuant to Section 120.542, F.S. and Rule 28-104, F.A.C. The petition requests a variance from or waiver of the requirements of subsections 62B-33.002(18), (63), F.A.C., which provides the definitions of "eligible structures" and "vulnerable" respectively, and from paragraph 62B-33.0051(1)(a), F.A.C., which states the conditions where armoring may be authorized. The petition was submitted by Charles W. Fleming, Jr., and John E. Fleming. The property is located 490 Blue Mountain Road, Santa Rosa Beach, Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: [Rosaline.Beackham@dep.state.fl.us](mailto:Rosaline.Beackham@dep.state.fl.us). Written comments must be received no later than 14 days from the date of publication of this notice.

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#### DEPARTMENT OF HEALTH

The Board of Massage Therapy hereby gives notice that it has received a petition, filed May 30, 2008, by Kimberly A. Parker, LMT, seeking a waiver or variance of paragraph 64B7-28.009(3)(a), F.A.C., with respect to the 12 continuing education hours via live classroom instruction which includes hands-on instruction or demonstration.

Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Pamela King, Executive Director, at the above address or telephone (850)245-4161.

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NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Board of Pharmacy, received a petition for Kanaklata Roy, 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 May 19, 2008, the the Department of Health, received a petition for Waiver from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from The Academy at Smart Start Tutoring, located at 1440 Reed Canal Rd., Suite 104, Port Orange, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. Comments on this petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida, 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on May 27, 2008, the Department of Children and Family Services, received a petition for Waiver of Rule 65C-14.055, F.A.C., from St. Gerard Campus and Carolline Alice Wolff, assigned Case No. 08-008W. Rule 65C-14.055, F.A.C. relates to Job functions and staff qualifications.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 13, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(1), F. A. C., from Andrea Trolice, assigned Case No. 08-012W. Subsection 65C-15.017(1), F. A. C., states the "agency director of licensed child-placing agency staff possess either a master's degree in social work or a related field plus four years of relevant experience, or a bachelor's degree in social work or a related field plus four years of related experience."

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on June 2, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of subsection 67-58.020(6), Florida Administrative Code, from Highlands County Board of County Commissioners ("Petition"). The Petition is seeking a waiver of the extension fee of one (1) percent required by the rule.

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

### **Section VI**

#### **Notices of Meetings, Workshops and Public Hearings**

##### **DEPARTMENT OF STATE**

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 2, 2008, 12:00 Noon

PLACE: Mission San Luis, Archaeology Lab, 2021 Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities, upcoming special events and other board business.

A copy of the agenda may be obtained by contacting: Ms. Nicole Belanger at (850)487-1666.

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).

The **Division of Cultural Affairs** and the **Citizens for Florida Arts** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 18, 2008, 9:00 a.m.

PLACE: R. A. Gray Building, Room 308, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting – to participate, please call 1(866)740-1260, when prompted, please enter the following code: 2456470.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at rbashmore@dos.state.fl.us.

For more information, you may contact: Rachelle Ashmore at (850)245-6490.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Florida State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: June 23, 2008, 9:30 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

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: Kathleen Fisher at (813)627-4221. 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: Kathleen Fisher at (813)627-4221.

The **Seed Investigation and Conciliation Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Gulf Coast Research and Education Center, 14625 County Road 672, Wimauma, Florida 33598, (813)634-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is to conduct a seed complaint hearing.

For more information, you may contact: Mr. Weldon Collier, Chief, Bureau of Feed, Seed, and Fertilizer; 3125 Conner Boulevard, Building 7, Tallahassee, Florida 32399, (850)414-1555.

**DEPARTMENT OF EDUCATION**

The **Florida Schools of Excellence Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 25, 2008, 10:00 a.m.

PLACE: 1(888)808-6959, Passcode 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the contract for Odyssey Charter School.

A copy of the agenda may be obtained by contacting: rudy.rodriguez@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: rudy.rodriguez@fldoe.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).

For more information, you may contact: rudy.rodriguez@fldoe.org.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: June 23-25, 2008, 8:00 a.m. – completion

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monday, June 23, 2008

- 8:00 a.m. Meeting of the Mechanical TAC
- 8:00 a.m. Meeting of the Plumbing TAC
- 8:00 a.m. Meeting of the Product Approval POC
- 9:00 a.m. Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Chiquita Animal Hospital, 3714 Chiquita Boulevard, Cape Coral; South County Water Reclamation Facility, 5600 Warren Street, Naples; JADAM, 282 N. W. 36th Street, Miami; Renovation to Fire Station #48, Clearwater; Palm Beach Gardens Community Replacement School, 4245 Holly Drive, Palm Beach Gardens; Law Offices of Kanner and Pinaluga, 2501 South Seacrest Boulevard, Boynton Beach; Kamakura, Inc. d.b.a. NAOE, 333 W. 47th Street, Miami Beach; Kiddie Academy Daycare Facility, 3401 Darwin Boulevard, Port St. Lucie; Hollywood Theaters, Port Orange; No Name Java, 2060 Central Avenue, St. Petersburg

1:00 p.m. Meeting of the Accessibility TAC

1:00 p.m. Meeting of the Energy TAC

1:00 p.m. Meeting of the Fire TAC

1:00 p.m. Meeting of the Roofing TAC

3:00 p.m. Meeting of the Electrical TAC

Tuesday, June 24, 2008

8:00 a.m. Meeting of the Structural TAC

8:00 a.m. Meeting of the Education POC

10:00 a.m. Meeting of the Code Administration TAC

COMMISSION PLENARY SESSION

Tuesday, June 24, 2008

1:00 p.m. Meeting of the Plenary Session of the Florida Building Commission  
 Review and Approve Agenda  
 Review and Approve May 6 and 7, 2008 Minutes and Facilitator's Summary Report  
 Chair's Discussion Issues and Recommendations  
 Review and Update of Commission Workplan  
 Consideration of requests for waiver from accessibility code requirements: Chiquita Animal Hospital, 3714 Chiquita Boulevard, Cape Coral; South County Water Reclamation Facility, 5600 Warren Street, Naples; JADAM, 282 N. W. 36th Street, Miami; Renovation to Fire Station #48, Clearwater; Palm Beach Gardens Community Replacement School, 4245 Holly Drive, Palm Beach Gardens; Law Offices of Kanner and Pinaluga, 2501 South Seacrest Boulevard, Boynton Beach; Kamakura, Inc. d.b.a. NAOE, 333 W. 47th Street, Miami Beach; Kiddie Academy Daycare Facility, 3401 Darwin Boulevard, Port St. Lucie; Hollywood Theaters, Port Orange; No Name Java, 2060 Central Avenue, St. Petersburg  
 Consider Applications for Product and Entity Approval  
 Consider Legal Issues and Petitions for Declaratory Statement:  
 Binding Interpretations: Reports Only  
 Declaratory Statements:

Second Hearing-

- DCA07-DEC-085 by Walter A. Tillit, Jr., P.E. of TilTeco, Inc.
- DCA08-DEC-002 by Scott Hampton, PE  
 Comment on DCA08-DEC-002
- DCA08-DEC-086 by Ruben Fabian Arroyo, Arroyo Enterprises, Inc.
- DCA08-DEC-087 by Joseph Hermann, Arroyo Enterprises, Inc.
- DCA08-DEC-108 by Ruben Fabian Arroyo, Arroyo Enterprises, Inc.
- DCA08-DEC-112 by Lee Arsenault, the Vintage Group, Inc.

First Hearing-

- DCA08-DEC-119 by Dick Wilhelm, Fenestration Manufacturers Association and Jeff Lowinski, Window and Door Manufacturers Association
- DCA08-DEC-124 by Chris Sheppard, System Components Corporation
- DCA08-DEC-142 by Jerry Sparks, Hillsborough County Florida

- DCA08-DEC-147 by John Berry, AIA, Cole + Russell Architects
- DCA08-DEC-150 by James Paula, St. Johns County Board of County Commissioners

Consider Committee Reports and Recommendations:

- Accessibility TAC
- Code Administration TAC
- Electrical TAC
- Energy TAC
- Fire TAC
- Mechanical TAC
- Plumbing TAC
- Roofing TAC
- Special Occupancy TAC
- Structural TAC
- Education POC
- Product Approval/Manufactured Buildings POC
- Bedroom Definition Workgroup
- Regional AC Efficiency Workgroup Report
- Budget Report and Discussion
- Recess

Wednesday, June 25, 2008

- 8:00 a.m. Reconvene. Meeting of the Plenary Session of the Florida Building Commission.  
 Rule Adoption Hearing on Rule 9B-3.047, Florida Building Code, Glitch Amendments  
 Work Plan Prioritization Exercise  
 Commission Member Comments and Issues  
 General Public Comment  
 Review Committee Assignments and Issues for the August 18, 19 and 20, 2008 Commission Meeting  
 Summary Review of Meeting Work Products  
 Adjourn

Wednesday, June 25, 2008

- 10:30 a.m. Ad Hoc Committee on Commission Meeting Processes and Budget Constraints

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax (850)414-8436, or go to the web site at [www.floridabuilding.org](http://www.floridabuilding.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or

Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax (850)414-8436, or go to the web site at [www.floridabuilding.org](http://www.floridabuilding.org).

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#### **DEPARTMENT OF LAW ENFORCEMENT**

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 1, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly MCIC Advisory Board Meeting for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

A copy of the agenda may be obtained by contacting: Dinah Johnson at 1(888)356-4774.

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: Dinah Johnson at 1(888)356-4774. 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: Dinah Johnson, Missing Children Information Clearinghouse, 2331 Phillips Road, Tallahassee, FL 32308, 1(888)356-4774.

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#### **DEPARTMENT OF TRANSPORTATION**

The **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: June 27, 2008, 9:00 a.m.

PLACE: Department of Transportation, Burns Building, Auditorium, 605 Suwannee Street, Tallahassee, Florida

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 14-85.004 – Logo Sign Program. The rule development notice was published in Vol. 34, No. 22, Florida Administrative Weekly, dated May 30, 2008. The rule is being amended to implement the provisions of Section 479.261, Florida Statutes, regulating the logo sign program.

A copy of the agenda may be obtained by contacting: James C. Myers, Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458.

The agenda is the proposed amendment to Rule 14-85.004, F.A.C. At the time the notice was published, the rule text was not available. A copy of the proposed rule text is now available.

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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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#### **STATE BOARD OF ADMINISTRATION**

The Florida **Commission on Hurricane Loss Projection Methodology** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 23, 2008, 10:00 a.m. – 5:00 p.m. (ET)

PLACE: Room 17, Morris Hall, House Office Building, 402 South Monroe Street, Tallahassee, Florida. To participate by telephone, dial 1(888)808-6959, Conference Code: 4765251363

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will review computer models submitted under the standards and acceptability process for 2007. In addition, other general business of the Commission will be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons at (850)413-1349 or [donna.sirmons@sbafla.com](mailto:donna.sirmons@sbafla.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: Donna Sirmons at (850)413-1349 or [donna.sirmons@sbafla.com](mailto:donna.sirmons@sbafla.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).

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#### **FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 2, 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.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*June 30, 2008, 9:30 a.m.  
 PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at: Office of Commission Clerk, Betty Easley Conference Center, Room 110.

\*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: July 1, 2008, 9:30 a.m.  
 PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.  
 LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting: Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.florida.psc.com>, at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at: Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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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 2, 2008, 10:00 a.m.  
 PLACE: Alachua County Board of Commissioners, Board Room (2nd Floor), 12 S. E. 1st Street, Gainesville, 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.

The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.

**DATE AND TIME:** Wednesday, July 2, 2008, 6:00 p.m.

**PLACE:** St. Johns River Water Management District, Governing Board Room, 4049 Reid Street, Palatka, 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.

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For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.

**DATE AND TIME:** Monday, July 7, 2008, 6:00 p.m.

**PLACE:** Highlands County Administration Building, Board Chambers (Room B104), 600 South Commerce Street, Sebring, 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, 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, FL 32399-0850.

The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.



DATE AND TIME: Tuesday, July 8, 2008, 10:00 a.m.  
 PLACE: Lakeland City Hall, City Commission Chambers (3rd Floor), 228 S. Massachusetts Avenue, Lakeland, 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, 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, FL 32399-0850.

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## EXECUTIVE OFFICE OF THE GOVERNOR

The **Volunteer Florida Foundation** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: June 12, 2008, 9:00 a.m. – 12:00 Noon;  
 June 13, 2008, 1:30 p.m. – 4:30 p.m.

PLACE: Conference Call: (770)659-9299, Passcode: 7857968  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Volunteer Florida Foundation Board Meeting.

A copy of the agenda may be obtained by contacting: Frances Rhodes, frances.rhodes@vfffund.org or (850)410-0696.

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: Frances Rhodes, frances.rhodes@vfffund.org or (850)410-0696. 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: Frances Rhodes, frances.rhodes@vfffund.org or (850)410-0696.

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## REGIONAL PLANNING COUNCILS

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 16, 2008, 8:30 a.m.

PLACE: 316 N. Wymore Road, Suite 100, Maitland, FL 32751  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the Executive Committee to discuss the upcoming Council Agenda. The meeting will be followed at 10:00 a.m. by the Strategic Regional Policy Plan Task Force meeting which will discuss the rewriting of the Council's SRPP.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075.

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 1 day before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or by email at [rlittle@ecfrpc.org](mailto:rlittle@ecfrpc.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).

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The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 2008, 10:00 a.m.

PLACE: 631 N. Wymore Road, Suite 100, Maitland, FL 32751  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Regular Monthly Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075 or [rlittle@ecfrpc.org](mailto:rlittle@ecfrpc.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 1 day before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or [rlittle@ecfrpc.org](mailto:rlittle@ecfrpc.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 Ruth Little.

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The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 18, 2008, 12:30 p.m.  
 PLACE: 631 N. Wymore Road, Suite 100, Maitland, FL 32751  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular bi-monthly meeting of the Smart Growth Alliance.  
 A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075 or rlittle@ecfrpc.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 1 day before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or rlittle@ecfrpc.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).  
 For more information, you may contact Ruth Little.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 7, 2008, 10:30 a.m.  
 PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments; Proposed Local Government Comprehensive Plan Amendments for Pembroke Pines; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments; Adopted Local Government Comprehensive Plan Amendments for Miami-Dade County; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: (954)985-4416.

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## REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 27, 2008, 9:30 a.m.  
 PLACE: Board Room, South Florida Regional Transportation Authority, Administration Building, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting.

A copy of the agenda may be obtained by contacting: Executive Office at (954)788-7915.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. 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 **Tampa Bay Regional Transportation Authority** announces a public meeting to which all persons are invited.

The TBARTA Board and its advisory committees will meet to discuss the development and implementation of regional transportation solutions. Details on the board meeting are as follows:

DATE AND TIME: Friday, June 27, 2008, 9:30 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The TBARTA Board will convene to discuss developing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties.

The Tampa Bay Area Regional Transportation Authority (TBARTA) announces its monthly calendar of meetings.

The Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, June 18, 2008, 9:30 a.m.

PLACE: The Land O' Lakes Public Library, 2818 Collier Parkway, Land O' Lakes, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This group of volunteers provides region-oriented advice to the Board from a citizen’s perspective.

CAC Workshop

**DATE AND TIME:** Thursday, June 26, 2008, 1:00 p.m. – 4:00 p.m.

**PLACE:** Pinellas Suncoast Transit Authority, 3201 Scherer Drive, St. Petersburg, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The CAC workshop for its members to discuss with each other the committee’s role and focus for the coming year.

A joint CAC/TMC Meeting

**DATE AND TIME:** Thursday, June 26, 2008, immediately following until 5:30 p.m.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To hear guest speaker Maria Garcia Berry, leader of Denver’s “FasTracks” public relations campaign, discuss TBARTA’s recent public opinion survey.

Transit Management Committee (TMC)

**DATE AND TIME:** Wednesday, June 18, 2008, 1:30 p.m.

**PLACE:** Florida Department of Transportation, District Seven Office, 11201 North McKinley Drive, Tampa, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Consisting of representatives of the region’s transit agencies, this group advises the Board on the technical development of the Master Plan and its future implementation.

A Joint Meeting of the TMC and CAC

**DATE AND TIME:** June 26, 2008, 4:00 p.m.

**PLACE:** Tampa Bay Golf & Country Club, 10641 Old Tampa Bay Drive, San Antonio (Pasco County), FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Also during June, the TBARTA Board and members of its advisory committees who wish to attend will take several official field trips. They are interested in learning more about the various counties that make up TBARTA, including the specific transportation challenges that affect each county.

A Field Trip to Hillsborough County

**DATE AND TIME:** Monday, June 16, 2008, 9:00 a.m.

**PLACE:** Hillsborough County Center, 26th Floor, Conference Center, 601 East Kennedy Blvd., Tampa, FL

A Field Trip in Pasco County

**DATE AND TIME:** Friday, June 27, 2008, 1:00 p.m.

**PLACE:** Tampa Bay Golf & Country Club, 10641 Old Tampa Bay Drive, San Antonio, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Board members will hear presentations regarding each county’s transportation and growth issues, financial constraints, and transportation plans.

Agendas for the Board, CAC and TMC meetings will be available online approximately five days prior to each meeting at <http://www.tbarta.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 3 days before the workshop/meeting. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Brandie Miklus, Transportation Planner, (813)217-4037, at least three (3) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brandie Miklus, Transportation Planner, (813)217-4037 at least three (3) days prior to the meeting.

**WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited.

**DATE AND TIME:** June 26, 2008, 1:00 p.m. (EDT)

**PLACE:** District Headquarters, 10 miles west of Tallahassee on Highway 90, Havana, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board Meeting – to consider District business.

**OTHER MEETINGS HELD ON JUNE 26, 2008:**

- 10:00 a.m. (EDT) Governing Board Workshop on Water Supply – Douglas E. Barr
- 11:00 a.m. (EDT) Administration, Budget, and Finance Committee – to discuss Fiscal Year 2008-2009 Tentative Proposed Budget, Millage Rate and Locations of Public Hearings on the Budget
- 12:00 Noon (EDT) District Lands Committee Meeting – to discuss Land Acquisition Matters
- 1:15 p.m. (EDT) Public Hearing on Consideration of Regulatory Matters
- 1:30 p.m. (EDT) Public Hearing on Consideration of Land Acquisition Matters

A copy of the agendas may be obtained by contacting: Robin Tucker, NWFWMMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at [www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2008, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING: Conduct Committee meetings and Governing Board meeting including consideration of the recommended annual service budget for Fiscal Year 2009. (A closed attorney-client session will be held during the lunch break) Ad Order 64009.

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 **Water Resources Advisory Commission (WRAC)**, Lake Okeechobee Committee meeting announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Lower West Regional Service Center, 2301 MacGregor Blvd., Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding issues of the restoration and protection of Lake Okeechobee; and the Caloosahatchee and St. Lucie Estuaries. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, June 20, 2008, 10:00 a.m. – until completion

PLACE: Conference Call: 1(888)808-6959, Conference Code:34767, Commission Business Office, 2740 Centerview Drive, Suite 1A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss regular Commission Business.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

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The Florida **Commission for the Transportation Disadvantaged** announces a workshop to which all persons are invited.

**DATES AND TIME:** Tuesday-Wednesday, June 24-25, 2008, 9:00 a.m. – until completion

**PLACE:** The Ritz-Carlton Sarasota, 1111 Ritz-Carlton Drive, Sarasota, FL 34263, (941)309-2050

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To provide an overview of the Transportation Disadvantaged Program and to discuss future program initiatives.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, June 19, 2008, 10:00 a.m.

**PLACE:** Agency for Health Care Administration, Conference Room "A", 2727 Mahan Drive, Tallahassee, Florida. Any person interested in participating by teleconference may dial (713)481-0090, Pass Code: 9701442#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Cheryl Barfield, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

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: Cheryl Barfield at (850)414-5422. 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: Cheryl Barfield at (850)414-5422.

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The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, June 25, 2008, 1:30 p.m. – 3:00 p.m.

**PLACE:** The Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 3, Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Industry practices relating to clinical laboratories issuing specimen cups with test strips incorporated within. Also to be discussed will be other issues raised in a Declaratory Statement request of Dominion Dignostics as it relates to kickbacks.

Members of the public who wish to testify at this meeting must contact: Lisa Jensen at (850)922-5873. All interested persons are encouraged to attend or submit comments.

A copy of the agenda may be obtained by contacting: Lisa Jensen at (850)922-5873 or [jensenl@ahca.myflorida.com](mailto:jensenl@ahca.myflorida.com). A copy of the pending declaratory statement may also be obtained by contacting: Lisa Jensen.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Lisa Jensen at (850)922-5873 or via e-mail at [jensenl@ahca.myflorida.com](mailto:jensenl@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).

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#### **DEPARTMENT OF MANAGEMENT SERVICES**

The **Florida Black Business Investment Board** announces a telephone conference call to which all persons are invited.

**DATE AND TIMES:** June 26, 2008, 9:00 a.m. and 10:00 a.m.

**PLACE:** Telephone conference call

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The FBBIB in conjunction with the Minority Business Information Center, LLC (a subsidiary of the FBBIB) announce meetings of the Audit Committee and Board of Directors to discuss the Board's 2007 audit and its operations, identify areas for future board priorities, receive reports from its committees/task force, review/approve related issues to MBIC/FBBIB and other business as needed, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

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: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275. 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: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, Advisory Council on Condominiums announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 27, 2008, 8:30 a.m. – until business is completed

PLACE: Old City Hall, 2nd Floor, 510 Greene Street, Key West, Florida, or via teleconference at 1(888)808-6959, Conference Code 9227625

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input and conduct general business of the Advisory Council on Condominiums.

A copy of the agenda may be obtained by contacting: Debbie Miller, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

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: Debbie Miller, Government Analyst at (850)488-1631. 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 **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: June 24, 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, or by phone at (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, or by phone at (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.

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The **Board of Landscape Architecture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 24, 2008, 2:00 p.m.

PLACE: Access Phone: 1(888)808-6959, Conference Code: 9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

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: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. 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 Professional Surveyors and Mappers** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Tuesday, July 8, 2008, 1:00 p.m., Probable Cause; Wednesday, July 9, 2008, 8:00 a.m., Committee Meetings, general board business; Thursday, July 10, 2008, 8:00 a.m., General Business Meeting

**PLACE:** Four Seasons Resort, 2800 South Ocean Blvd., Palm Beach, FL 33480

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Committee meetings and general board business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 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: Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 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.

The **Division of Certified Public Accounting** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, July 31, 2008, 2:00 p.m.

**PLACE:** Via Conference Call

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review requests for course approval.

A copy of the agenda may be obtained by contacting: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

The **Florida Real Estate Appraisal Board** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Monday, June 23, 2008, 10:30 a.m. or soon thereafter

**PLACE:** TELECONFERENCE ONLY – Department of Business and Professional Regulation, Division of Real Estate

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of the Appraisal Board – topics included, but not limited to, general business subject matter.

All of this meeting will be conducted as a teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Beverly Ridenauer, Government Analyst II, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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 (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. 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 **Division of Real Estate** announces a hearing to which all persons are invited.

**DATE AND TIME:** Wednesday, June 25, 2008, 8:30 a.m. or soonest thereafter

**PLACE:** Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida. The Hearing Officer for the Department will be participating via teleconference.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of the Department – disciplinary proceedings regarding unlicensed activity.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407) 481-5662.

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: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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 **Florida Real Estate Appraisal Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 30, 2008, 10:30 a.m. or soon thereafter

PLACE: TELECONFERENCE ONLY – Department of Business and Professional Regulation, Division of Real Estate using Teleconference Call: 1(888)808-6959, Conference Code: # 3177171

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – topics included, but not limited to, general business subject matter.

All of this meeting will be conducted as a teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Beverly Ridenauer, Government Analyst II, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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 (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. 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 **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 8, 2008, 3:00 p.m.

PLACE: The meeting will be held by teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

**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.”

The **Department of Environmental Protection** announces a series of public meetings to which all persons are invited.

Agriculture, Forestry and Waste Technical Workgroup

DATE AND TIME: June 19, 2008, 10:00 a.m. – 12:00 Noon or until completion of business

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing 1(800)704-9804 and entering the following code: 436766

Transportation and Land Use Technical Workgroup

DATE AND TIME: June 23, 2008, 1:00 p.m. – 3:00 p.m. or until completion of business

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing 1(800)704-9804 and entering the following code: 372144

Cap and Trade Technical Workgroup

DATE AND TIME: June 20, 2008, 2:00 p.m. – 4:00 p.m. or until completion of business

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing 1(800)704-9804 and entering the following code: 162223

Government Policy Coordination Technical Workgroup

DATE AND TIME: June 30, 2008, 9:00 a.m. – 11:00 a.m. or until completion of business

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing 1(800)704-9804 and entering the following code: 232679

Adaptation Technical Workgroup

DATE AND TIME: June 30, 2008, 10:00 a.m. – 12:00 Noon or until completion of business

PLACE: The meeting will be held via teleconference and members of the public may join the meeting by dialing 1(800)704-9804 and entering the following code: 883437



**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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 24, 2008, 9:30 a.m.

**PLACE:** Gainesville Regional Utilities, 1st Floor, Conference Room, 301 S. E. 4th Avenue, Gainesville, Florida 32601

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Orange Creek Basin (OCB) TMDL Working Group was formed to provide a forum for stakeholders to discuss issues related to the OCB TMDLs, including development, allocation, and implementation of the TMDLs. The Orange Creek BMAP was adopted on May 15, 2008. Topics for this meeting include discussion of BMAP implementation activities including updates of progress made on on-going projects and future reporting of projects to DEP.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

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: Ms. Mary Paulic at (850)245-8560. 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.

**DATE AND TIME:** Friday, June 27, 2008, 6:00 p.m. – 8:00 p.m.

**PLACE:** Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, FL 33411

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive comments on the Department's Notice of Intent to Issue an air construction/PSD (No. 0990646-002-AC) permit to Florida Power & Light Company, for the construction of a 1,250 Megawatt (MW) natural gas-fueled combined cycle unit at the West County Energy Center site located at 4000, 205th Street North in unincorporated Palm Beach County. The 1,250 MW unit is in addition to the 2,500 MW facility already under construction. The project is subject to preconstruction review for the Prevention of Significant Deterioration (PSD) of Air Quality pursuant to Rule 62-212.400, F.A.C.

The Department distributed an "Intent to Issue Permit" package on April 25, 2008. The applicant published the "Public Notice of Intent to Issue" in The Palm Beach Post on April 30, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. This public meeting was requested pursuant to the procedures described in the "Public Notice" and is being held to accept comments on the proposed draft permit. Oral and written comments may be submitted at the meeting. All statements will become part of the Department's public record for this project.

The Department's "Intent to Issue", "Draft Permit", and "Technical Evaluation and Preliminary Determination" can be viewed at <http://www.dep.state.fl.us/Air/permitting/construction/westcounty.htm>. A complete project file is available at the following physical address for the Division of Air Resource Management: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Division's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. For questions related to this meeting, please contact :Al Linero at (850)921-9523.

A copy of the agenda may be obtained by contacting: Mr. Al Linero at (850)921-9523 or [Alvaro.Linero@dep.state.fl.us](mailto:Alvaro.Linero@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 48 hours before the workshop/meeting by contacting: Ms. Debbie Nelson at (850)921-9537 or Deborah.

Nelson@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).

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## DEPARTMENT OF HEALTH

The **Nursing Workforce Ad Hoc Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 16, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call Number 1(888)808-6959, Code 1454444

GENERAL SUBJECT MATTER TO BE CONSIDERED: Delineate major issues related to the Florida nursing workforce shortage and to identify potential solutions and strategies to address the shortage.

A copy of the agenda may be obtained by contacting: Katie Hammond at (850)245-4259 or katie\_hammond@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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.

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The **Oral Healthcare Workforce Ad Hoc Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 20, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 8502452

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued work of the Florida Oral Healthcare Workforce Ad Hoc Advisory Committee.

A copy of the agenda may be obtained by contacting: Katie Hammond at (850)245-4259 or katie\_hammond@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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.

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The probable cause panel of the **Board of Acupuncture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 27, 2008, 9:00 a.m. or soon thereafter  
PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Matthew Casey, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, 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 7 days before the workshop/meeting by contacting: Practitioner Regulation Section, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399 or (850)245-4640. 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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NOTICE OF CHANGE – The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 19, 2008 date has been changed to June 26, 2008, 5:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Code 2458182

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, 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 by contacting the Board at (850)245-4125. 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 Orthotists and Prosthetists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 25, 2008, 2:00 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida, Meet Me Number 1(888)808-6959, Conference Code 9849329103

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/orthPro/index.html](http://www.doh.state.fl.us/mqa/orthPro/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.

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The **Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 8-9, 2008, 8:00 a.m. – 6:00 p.m.; July 10, 2008, 9:00 a.m. – 1:00 p.m.

PLACE: The Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council.

A copy of the agenda may be obtained by contacting: Desi Lassiter.

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.

For more information, you may contact: Desi Lassiter at (850)245-4055.

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#### NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 23, 2008, 1:30 p.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, P. O. Box 1845, Venice, FL 34284.

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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 1, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

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 tax exempt 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), June 30, 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.

A copy of the agenda may be obtained by contacting: Wayne Conner at (850)488-4197.

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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The **Affordable Housing Study Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 2, 2008, 11:00 a.m. – 5:30 p.m. (Times subject to change)

PLACE: Rick Seltzer Memorial Room, Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Tallahassee, FL 32301, (850)488-4197

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being rescheduled from June 19, 2008 that was previously noticed in the F.A.W. Newly appointed members of the Study Commission will receive orientation on the Study Commission and their term of service, followed by a regular meeting of the seated Commissioners to receive testimony from Florida Housing Finance Corporation on housing issues and discuss its 2008-2009 study topic.

A copy of the agenda may be obtained by contacting: Odetta MacLeish-White at (850)488-4197 or by visiting our website at [www.floridahousing.org/ahsc](http://www.floridahousing.org/ahsc).

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: Sheila Freaney 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).

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## FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: June 27, 2008, 6:00 p.m. – 8:00 p.m. (EST) (5:00 p.m. – 7:00 p.m. (CST) for the Panama City location)

PLACE: The public may access this video conference at the following locations: Florida Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, FL 32399, (850)488-6411; Northwest Regional Office, 3911 Hwy. 2321, Panama City, FL 3209, (850)265-3676; North Central Regional Office, 3377 E. U.S. Hwy. 90, Lake City, FL 32055, (386)758-0525; Northeast Regional Office, 1239 S. W. 10th Street, Ocala, FL 34474, (352)732-1225; Southwest Regional Office, 3900 Drane Field Road, Lakeland, FL 33811, (863)648-3200; South Regional Office, 8535 Northlake Boulevard, West Palm Beach, FL 33412, (561)625-5122

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Fish and Wildlife Conservation Commission (FWC) is holding a workgroup video conference meeting to present the results of a recent FWC mobility-impaired survey, seek further public input and discuss any proposed changes that may be recommended to the Commission during the September Commission meeting, based on this public input.

A copy of the agenda may be obtained by contacting: Paul Clemons, 620 S Meridian Street, Tallahassee, Florida 32399, (850)488-6411.

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: Paul Clemons, 620 S. Meridian Street, Tallahassee, Florida 32399, (850)488-6411.

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## DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a public meeting to which all persons are invited.

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

PLACE: The Hermitage Centre, Conference Room 440-C, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Deferred Compensation Advisory Council will hold its regular general session meeting.

A copy of the agenda may be obtained by contacting: Kandi Winters, Chief of Deferred Compensation, 200 E. Gaines Street, Tallahassee, Florida 32399-0346 or (850)413-3401.

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).

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### FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2008, 8:00 a.m. – 12:00 Noon

PLACE: Buena Vista Palace, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining the Florida's public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingram at (850)222-3222.

For more information, you may contact: Michael Comins, 113 East College Ave., Tallahassee, FL 32301.

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### GOVERNOR'S COMMISSION ON DISABILITIES

The **Governor's Commission on Disabilities** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 13, 2008, 10:00 a.m. – 12:00 Noon

PLACE: The Call-in Number: 1(888)808-6959, Conference Code is 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners.

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### SOIL AND WATER CONSERVATION DISTRICTS

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 16, 2008, 8:15 a.m.

PLACE: Office of USDA-NRCS Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by calling (850)973-6595.

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The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2008, 8:00 a.m.

PLACE: USDA Service Center, 750 S. Military Trail, Suite H, West Palm Beach, FL 33415

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Laura at (561)683-2285, ext. 3.

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: Omelio or Laura at (561)683-2285, ext. 3. 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: Laura at (561)683-2285, ext. 3.

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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: June 20, 2008, 10:00 a.m.

PLACE: This meeting will be held via teleconference. To participate, call 1(866)213-2185 and enter participant code 332328.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Executive Committee Meeting is to set the agenda for the July 16-17, 2008 Strategic Planning meeting and July 18, 2008 Board of Directors meeting.

A copy of the agenda may be obtained by contacting: [www.callsunshine.com](http://www.callsunshine.com).

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**CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.**

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2008, 5:50 p.m.

PLACE: Center for Independent Living in Central Florida, Inc., 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.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: Luana Kutz at (407)623-1070 or lkutz@cilorlando.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).

For more information, you may contact: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

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**FLORIDA INSURANCE ASSISTANCE INTERLOCAL AGENCY**

The **Florida Insurance Assistance Interlocal Agency** announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2008, 10:00 a.m. (CST)

PLACE: Harrison, Sale, McCloy, Duncan & Jackson, 304 Magnolia Avenue, Panama City, Florida 32402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on approval of professional services agreement, reimbursement agreement and discussion will include status of bond validation proceedings.

A copy of the agenda may be obtained by contacting: Randy Hanna, Bryant Miller Olive, 101 North Monroe Street, Suite 900, Tallahassee, Florida 32301.

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: Randy Hanna at (850)222-8611. 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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**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

The **Florida Comprehensive Health Association** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 1:00 p.m.

PLACE: Wagner, Vaughan, & McLaughlin, P.A., 601 Bayshore Boulevard, Ste. 910, Tampa, FL 33606

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors' Meeting.

A copy of the agenda may be obtained by contacting: Brenda DeYounks, Florida Comprehensive Health Association, 820 E. Park Ave., D-200, Tallahassee, FL 32301, (850)309-1200 or Fax (850)309-1222.

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).

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**ABLE TRUST**

The **Able Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2008, 1:30 p.m. – 3:30 p.m.

PLACE: Grand Hyatt Hotel, 2900 Baypoint Drive, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Governor's Alliance for Persons with Disabilities) will hold a Board Meeting. The agenda will include review and approval of grant to assist persons with disabilities in securing employment; reviewing committee reports; presentation of financial reports; and other business that may come before the organization.

Please contact The Able Trust at 1(888)838-2253 or (850)224-4493, by June 20, 2008, for a copy of the agenda and if you need additional information or accommodations.

A copy of the agenda may be obtained by contacting the Able Trust.

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: 1(888)838-2253 or (850)224-4493. 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).

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN THAT the Florida Department of Education has received the petition for declaratory statement from The Renaissance Charter School, Inc. and The Lee Charter Foundation, Inc. (DOE Agency Case No. DOE-2008-1570). The petition seeks the agency's opinion as to the applicability of Section 1003.03, Florida Statutes, as it applies to the petitioner.

The Petitioner requests that the Department enter a declaratory statement concerning the applicability of Section 1002.33(16), Florida Statutes, to the Department's agency action to implement the requirements of the Class Size Amendment.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400, (850)245-9661.

Please refer all comments to: Office of the General Counsel, Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida 32399-0400, (850)245-0442.

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from John Berry, on behalf of Cole & Russell Architects, on May 27, 2008, regarding whether Rule 9B-3.0472, Florida Administrative Code, requires the installation of carbon monoxide detectors within 10 feet of all sleeping rooms in a 208,000 square foot facility used as a senior housing project, where the facility is comprised of three "buildings" separated by fire walls from one another, and the fossil fueled appliances are located several hundred feet from, and several stories from, and in a different "building" from some of the sleeping rooms. It was assigned the number DCA08-DEC-147.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from Instant Access Media. The petition seeks the agency's opinion as to the applicability of Chapters 561-565, F.S.; Section 561.42, F.S.; Chapter 61A, F.A.C., as it applies to the petitioner.

The Petitioner requests a declaratory statement concerning whether its business model violates Florida Beverage Law codified as Chapters 561-565, Florida Statutes, emphasizing Section 561.42, Florida Statutes, and related administrative regulations, including all applicable laws pertaining to advertising and promotional activities conducted on the licensed premises of a vendor engaged in the retail sale of alcohol beverages.

A copy of the Petition for Declaratory Statement, Docket Number DS 2008-0352, may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Any person whose substantial interests may be affected by the issuance of a declaratory statement in this proceeding, must file a request to intervene and, if desired, a request for a hearing, within 21 days of the date of this notice.

Please refer all comments to: Brian J. Stabley, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Port Royal Owners Association, Inc.; Docket No. 2008015339 on March 7, 2008. The following is a summary of the agency's disposition of the petition:

Under Sections 718.111(11) and 718.115, Florida Statutes (2004), Port Royal Owners Association, Inc., which is required to insure the condominium property under article XIX(A) of the Declaration and Section 718.111(11)(a), Florida Statutes (2004), may not pass the cost of repair and reconstruction following a hurricane to only those unit owners whose units were damaged in the casualty, notwithstanding provisions in the declaration shifting this cost and responsibility to unit owners.

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: Philip Monte, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Clarcona Resort Condominium Association, Inc., Docket No.: 2008029536. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Clarcona Resort Condominium Association's rules and regulations regarding the inspection and copying of association records comply with the requirements of Section 718.111(12)(c), F.S., regarding unit owners' access to records.

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: Philip Monte, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Grant Brockway, Petitioner, In RE: The Moorings of Manatee Association, Inc., Docket No. 2008029734. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether The Moorings of Manatee Association, Inc. must use insurance proceeds received for damage to initially installed property within a unit to the owner under Section 718.111(11)(b), (2), 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.

## 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 on May 16, 2008, it received a Petition for Declaratory Statement filed by Laban Bontrager, D.M.D. The petition seeks the Board's interpretation of Sections 466.017(1), (2), Florida Statutes, and whether or not providing a prescription for a smoking cessation is within the scope of dental practice or in violation of Sections 466.017(1), (2), Florida Statutes.

Copies of the petition may be obtained from: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by Larry B. Kawa, D.D.S. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Petition requested the Board's interpretation of Section 466.028(1)(x), Florida Statutes and whether use of alternative imaging resources in lieu of plaster models in the diagnosis and treatment of malocclusions does not constitute a departure from "the minimum standards of performance in diagnosis and treatment when measured against generally prevailing peer performance" for an orthodontic practitioner licensed under Chapter 466, Florida Statutes. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008.

The Board's Order, filed on March 31, 2008, finds that Petitioner has complied with the requirements of Section 120.565 of the Florida Statutes and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry declines to issue a declaratory statement in response to Dr. Kawa's inquiry at this time. However, the Board did refer the issue to the Board of Dentistry's Rules Committee to further research the issue and begin rule development.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by Steven M. Kiffell, M.D., D.D.S. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 7, of the February 8, 2008, Florida Administrative Weekly. The



Petitioner sought the interpretation of Rule 64B5-14.003, F.A.C. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008.

The Board's Order, filed on March 31, 2008, finds that Petitioner has not complied with the requirements of Section 120.565, Florida Statutes and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry declines to issue a declaratory statement in response to Dr. Kiffell's petition. There was no identifiable substantial interest and no specific rule was identified. Further the Board determined that the Florida Statutes and rules in the Florida Administrative Code directly address the issues in question. Because the law is clear, no Declaratory Statement is necessary.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by Steven M. Kiffell, M.D., D.D.S. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 7, of the February 8, 2008, Florida Administrative Weekly. The Petitioner sought the interpretation of Rules 64B5-14.005, 64B5-14.007, 64B5-14.008, 64B5-14.008, 64B15-14.009 and 64B5-14.010, F.A.C. The Board considered the Petition at a duly-noticed public meeting held on March 6, 2008.

The Board's Order, filed on March 31, 2008, finds that Petitioner has not complied with the requirements of Section 120.565 of the Florida Statutes, and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry declines to issue a declaratory statement in response to Dr. Kiffell's petition. There was no identifiable substantial interest. Rules were listed but it was not specified which rules were needing to be interpreted and in general it appeared Petitioner was seeking legal advice. Further, the Board determined that it does not have jurisdiction or authority over ambulatory surgery centers, which it appears is what Petitioner is asking about.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

**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 AGRICULTURE AND CONSUMER SERVICES**

EXTERIOR ENVELOPE REPAIRS/RENOVATIONS  
 PROJECT FOR THE FLORIDA CITRUS BUILDING  
 INVITATION TO BID

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF ADMINISTRATION, hereinafter referred to as Owner, for an exterior envelope repairs/renovations project for the Florida Citrus Building located at 500 3rd Street N. W., Winter Haven, Florida. The Project Budget is estimated to be: \$950,000.00.

The contractor shall provide all materials, labor, equipment, permits and inspection fees necessary for the completion of the project in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME AND LOCATION: Exterior Envelope Repairs/Renovations Project for the Florida Citrus Building located at 500 3rd Street NW, Winter Haven, Florida.

SOLICITATION DOCUMENT: The entire solicitation document may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/DA-08/09-01, or by calling the Purchasing Office at (850)487-3727. Plans and specifications are available

through BGA, Inc., 3101 W. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33607, (813)375-3399, Fax (813)375-3400. Plans and specifications are available for a \$100 deposit, refundable if returned in good condition within 10-days after bid opening.

**MANDATORY PRE-BID CONFERENCE/SITE VISIT:** Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on July 2, 2008, at 11:00 a.m., at 500 3rd Street, N. W., Winter Haven, Florida. During the pre-bid conference a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** July 18, 2008, 2:00 p.m.

**PLACE:** Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu). Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of

proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

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## DEPARTMENT OF EDUCATION

### NOTICE TO GENERAL CONTRACTORS

The University of Central Florida, on behalf of the Board of Trustees, announces that continuing Professional services for minor projects are required for the following service(s): General Contractor.

The General Contractor will provide maintenance & repair services for educational (University) facilities, to include but not limited to: concrete sidewalk repairs; building interior and exterior repairs, painting, plumbing, and electrical repair/maintenance issues deemed necessary by University Facilities and Safety employees designated to conduct repair/maintenance projects to ensure building systems are maintained and repaired to the University standards.

All trades utilized under a General Contractors professional license may be utilized in the scope of this agreement. Campus Service contracts for these projects provide that the Contractors will be available on an as-needed basis for the upcoming fiscal year, July 1, 2008 – June 30, 2009. Upon completion of satisfactory performance, the contract may be renewed yearly for four (4) additional years. The contractor receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period

### INSTRUCTIONS:

General Contractors desiring to provide professional services shall apply by letter.

Attach to each letter of application:

A list of completed jobs over the last three (3) years with contact names and telephone numbers.

A copy of the applicant's current Professional Contractors license from the state of Florida. An applicant must be properly licensed to practice at the time of submission of this application. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for the Florida Board of Education 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 contractor 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 thirty six

(36) months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or contractor in excess of \$15,000.00 in connection with this project for a period of thirty six (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: Frank Ballentine, Physical Plant Building 16, Libra Dr. Orlando, FL. 32816-3600, (407)823-3579, Fax (407)823-4394, email fballent@mail.ucf.edu or accessing the University of Central Florida, Facilities and Safety website at www.pp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), July 14, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

**ITB78-042, PANTHER PARKING GARAGE (PG-3)  
SITE IMPROVEMENTS, FM070916**

Florida International University, Purchasing Services Department will receive sealed bids for the following: ITB78-042, PANTHER PARKING GARAGE (PG-3) SITE IMPROVEMENTS, FM-070916, estimated budget: \$298,665, to be opened July 24, 2008, 2:00 p.m., in Purchasing Services, 11200 S. W. 8 ST., CSC 410, Miami, Florida 33199. Scope of Work: The project consists on the furnishing of all labor, material, supervision and equipment required to improve the existing Panther Parking Garage site. The project includes clearing, grading, sidewalks, drainage system, irrigation system and landscaping.

The project is based on the Contract Documents. Mandatory Pre-Bid Meeting will be held June 19, 2008, 3:30 p.m., in Purchasing Services, Room CSC410, University Park Campus, 11200 S. W. 8 Street, Miami, FL. Bid Documents are available in Purchasing Services, University Park CSC 414, 11200 S. W. 8 ST., Miami, FL, (305)348-2161, website: finance.fiu.edu/purchasing.

AMERICANS WITH DISABILTY ACT OF 1990 – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161 or purchasing@fiu.edu within three (3) days of the event.

**\*\*REVISED\*\***

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR ARCHITECTURE-ENGINEERING**

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

**PROJECT NUMBER: FSDB-20080002**

**PROJECT NAME: Bloxham Hall Renovations**

**PROJECT LOCATION:** The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

**SERVICES TO BE PROVIDED:** Architectural and engineering services including, but not limited to: interior demolition, reconfiguring of HVAC chilled water loop system, electrical, interior framing, drywall, flooring, data communication systems, fire alarm and sprinkler system, interior finishes, and ADA upgrades.

The building is a 13,245 square feet, two story structure and the second floor is currently dormitory space. The project goal is to create new dormitory rooms to house twenty students on the first floor and minor renovations of the second floor. The construction shall start 2008/2009.

**PROJECT BUDGET:** \$2,000,000.00

**FSDB PROJECT MANAGER:** Thomas Young

**PHONE NUMBER:** (904)827-2360

**RESPONSE DUE DATE:** Monday, July 7, 2008, no later than 3:00 p.m.

**INSTRUCTIONS FOR SUBMITTAL**

Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email: Laura Bowden, Contract Administrator at bowdenl@fsdb.k12.fl.us or John Connor, Purchasing Director at connorj@fsdb.k12.fl.us requesting instruction booklet "Selection Criteria of the Architect/Engineer dated December 2007."

**INVITATION TO BID**

Sealed bids will be received by the Columbia County Schools, Purchasing Department, 372 W. Duval Street, Lake City, Florida 32055 until 2:00 p.m., June 25, 2008, for the following:

**Bid Number:** 3182

**Title:** Bid for Bread, SFS

Detailed specifications may be obtained from the Purchasing Department at the above address or by calling (386)755-8038 or Fax (386)755-8077. The School Board reserves the right to reject any and all bids. This bid shall be for bread products delivered to twelve (12) schools on a daily basis throughout the 2008-09 school year. Estimated annual purchase is \$200,000.00.

**RFBP No. 54007907**

**Milk Products**

The Putnam County District School Board, Palatka, Florida is soliciting sealed bids from responsible vendors to furnish milk products as specified in RFBP 54007907 to the Putnam County District Schools. Bid proposals will be received in the Purchasing Office, 1314 Reid Street, Palatka, FL 32177 until 2:00 p.m. (Local Time), Wednesday, June 25, 2008. Interested

vendors may obtain a copy of the RFBP from the Purchasing Department, Putnam County District Schools, Phone (386)329-0525.

#### Notice of Bid/Request for Proposal

##### DCPS Annual Construction Management Services

The Duval County Public Schools Office of Facilities Design and Construction announces that Request for Qualifications (RFQ) and Prequalification of Bidders for Annual Contracts for Construction Management Services for Duval County Public Schools are required. This will be a multiple year contract to one or more firms for an initial period of one year with an option to renew for two additional one-year periods. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated costs not exceeding the threshold amount of \$1,000,000 (Construction) or \$50,000 (Planning/Study) provided for in Section 287.055, Florida Statutes. Duval County Public Schools reserves the right to negotiate and award multiple projects to the firm(s) selected for annual contract services. Some of the assigned projects may exceed the construction threshold amount provided in Section 287.017, F.S., for Category Five (\$250,000) or Category Two (\$25,000) for planning or study activity.

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids and proposals for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. All firms submitting proposals shall be required to submit both a Pre-Qualification Application and a separate proposal package. Duval County Public Schools will evaluate both pre-qualification applications and proposals.

Firms who are not approved as a pre-qualified bidder will not be considered for award of an annual contract.

Prequalification forms and information may be obtained at [www.duvalschools.org](http://www.duvalschools.org) under About DCPS, DCPS Departments, Facilities Design and Construction Services, Forms and Standards, General Documents.

Proposal information for Award Selection may be obtained at [www.duvalschools.org](http://www.duvalschools.org) under About DCPS, DCPS Departments, Facilities Design and Construction Services, Selection Booklets, Selection of the Construction Manager. Applications are to be sent to: James L. Womack, Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182. PROJECT MANAGER: James L. Womack, (904)390-2279. RESPONSE DUE DATE: RFQ'S ARE DUE ON OR BEFORE JULY 14, 2008 AND WILL BE ACCEPTED UNTIL 4:30 p.m. MBE GOALS: If multiple contracts are awarded, one out of every four of them should be

sheltered. The remaining should have an overall participation goals of 10%; based on the availability of MBEs for this project.

#### **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."

#### **EXPRESSWAY AUTHORITIES**

##### **CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) SERVICES FOR THE DESIGN AND CONSTRUCTION OF AN EASTBOUND AUXILIARY LANE ALONG DOLPHIN EXPRESSWAY REQUEST FOR QUALIFICATIONS**

MDX PROCUREMENT/contract NO.: RFQ-08-05

MDX WORK PROGRAM NO.: 83622.050

MDX PROJECT/SERVICE TITLE: CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) SERVICES FOR THE DESIGN AND CONSTRUCTION OF AN EASTBOUND AUXILIARY LANE ALONG DOLPHIN EXPRESSWAY (STATE ROAD 836), FROM WEST OF NORTHWEST 57TH AVENUE TO NORTHWEST 42ND AVENUE

The Miami-Dade Expressway Authority is seeking Professional Services from a Consultant that has the necessary qualifications and experience to provide construction engineering and inspection services and contract administration for the Design-Build Project of MDX Work Program Number 83622.030 for the design and construction of an eastbound auxiliary lane along Dolphin Expressway (State Road 836), from West of Northwest 57th Avenue to Northwest 42nd Avenue. The Services consists of, but is not limited to, providing all management, oversight, administration, and quality assurance with respect to all construction, engineering, and inspection services. MDX notifies all Proposers and individuals that it requires and encourages small, minority and women-owned businesses to have full opportunity to submit a response to any Solicitation Document issued by MDX. In accordance with its Small Business Participation Policy, available on MDX's website, MDX requires satisfaction of fifteen percent (15%) small business participation requirement in this procurement. For copies of the RFQ with complete information on pre-qualification requirements, the scope of services as well as submittal requirements, please log onto our web site at [www.mdx-way.com](http://www.mdx-way.com) or call MDX Procurement Office at (305)637-3277. Please note: In order to download any MDX solicitations, you must register as a Vendor. The Vendor Registration can only be done through MDX's website. The deadline for submitting a Proposal is July 22, 2008 by 2:00

p.m. (Eastern Time). A Pre-Proposal Conference is scheduled for June 25, 2008 at 10:00 a.m. at the MDX Headquarters Building. Attendance to the Pre-Proposal Conference is NOT mandatory however, everyone is encouraged to attend.

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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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**NOTICE OF INVITATION TO BID****BID NO. BDC 85-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Jonathan Dickinson State Park – Concession Tour Boat Launch

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully complete the construction of a 6 foot wide by approximately 350 foot long accessible walkway, a portion of which is over water and supported by concrete pilings. The walkway is comprised of concrete sidewalk with a section of elevated wood and composite material boardwalk with handrails. The work also includes construction of a 6 foot wide by approximately 250 foot long boardwalk with two 6 foot by 10 foot observation platforms, and two 6 foot by 30 foot finger piers, constructed of wood and composite material, all of which is over water and supported by concrete pilings. The work also includes relocating several existing floating canoe/kayak mooring docks, and the demolition and rehabilitation of approximately 1000 square feet of existing wooden decking and stairs including associated handrails.

**PARK LOCATION:** Jonathan Dickinson State Park, 16450 S. E. Federal Highway, Hobe Sound, Florida 33455

**PROJECT MANAGER:** Randy Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax (850)488-1141.

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following

prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on June 13, 2008, contact: Dorothy Brown or Randy Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax (850)488-1141.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 3:30 p.m. (ET), Tuesday, July 8, 2008, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Friday, July 11, 2008, unless extended by the Department for good cause.

**NOTICE OF RIGHTS:** Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, [Lea.Crandall@dep.state.fl.us](mailto:Lea.Crandall@dep.state.fl.us) during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Rule 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and

120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

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**NOTICE OF INVITATION TO BID**

**BID NO. BDC 86-07/08**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Paynes Prairie Preserve State Park – Alachua Sink Boardwalk

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully construct an elevated boardwalk with an on-grade observation deck at the beginning and an elevated boardwalk at the end.

**PARK LOCATION:** Paynes Prairie Preserve State Park, 100 Savannah Blvd., Micanopy, Florida 32667.

**PROJECT MANAGER:** Suzannah Ray, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax (850)488-1141.

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633 Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on June 13, 2008 at: Paynes Prairie Preserve State Park, 100 Savannah Boulevard, Micanopy, Florida 32667, Attention: David Jowers, (352)466-3397, Fax (352)466-4297.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard with the Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 4:00 p.m. (ET), Tuesday, July 8, 2008 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction at (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Friday, July 11, 2008, unless extended by the Department for good cause.

**NOTICE OF RIGHTS:** Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

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**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

**Notice of Bid/Request for Proposal**

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of a Request for Proposals (RFP). Copies of the RFP can be downloaded for the FDDC website ([www.fddc.org](http://www.fddc.org)) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, or calling (850)488-4180, 1(800)580-7801 (Toll Free), 1(888)488-8633 (TDD). To register to receive electronic mail (email) notices of future RFPs, please visit our website ([www.fddc.org](http://www.fddc.org)) and click on the "RFPs" button near the top of the page, then click on the "sign up" button and follow the directions.

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2008-HC-7000) is released in order to develop and distribute training materials to increase family and caregiver knowledge on the importance of good oral health care practices for persons with developmental disabilities. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. Interested parties should obtain a copy of RFP #2008-HC-7000 for specific information related to funding amounts.

The deadline for submitting written questions and letters of intent for this RFP is July 14, 2008 by 4:00 p.m. (EST). In order for your proposal to be considered, your letter of intent must be received by the above referenced deadline. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of July 21, 2008. The deadline for submitting proposals for this RFP to FDDC is August 29, 2008 by 2:00 p.m. (EST).

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#### **NATIONAL JOINT POWERS ALLIANCE**

##### **Invitation for Bid**

##### **Indefinite Quantity Construction Contract**

The National Joint Powers Alliance® (NJPA) issues this Invitation For Bid (IFB) to provide Indefinite Quantity Construction Contracting (IQCC) services to NJPA, and current and qualified NJPA government, education, and non-profit Members in the individual areas of FL01-NE Florida, FL02-NW Florida, FL03-Central Florida, FL04-Suncoast Florida, FL05-SE Florida and FL06-SW Florida. It is the intention of NJPA to award multiple contracts for construction services in each of these six areas. Each contract has an estimate annual value of \$3,000,000 and the term of the contract is four years.

IQCC is a construction contracting procurement system that provides facility owners' access to competitively bid "on-call" general contractors to provide immediate construction services over an extended period of time.

Intending bidders are required to attend at least one of the pre-bid seminars below for the purpose of discussing the IQCC procurement system, the IFB documents, and bid forms.

6/24/2008, 10:00 a.m. Ft. Lauderdale Airport Hilton, 1870 Griffin Rd., Dania Beach, FL 33004

6/26/2008, 10:00 a.m. Embassy Suites Orlando-North, 225 Shorecrest Dr., Altamonte Springs, FL 32701

An electronic copy of the IFB documents, which include instructions to bidders and bid forms, may be obtained by letter of request to Gregg Meierhofer, NJPA, 200 First St. Northeast, Staples, MN 56479, or by email request to EZIQC@NJPA

COOP.org. IFB's will be available until the bid opening date of July 15, 2008. Direct any questions to Gregg Meierhofer at (218)894-5473.

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#### **WEST VOLUSIA HOSPITAL AUTHORITY**

##### **Medical Facility – Modular Building**

The West Volusia Hospital Authority is accepting Proposals for a Modular Building – Medical Facility for a Healthcare Clinic in DeLand, FL. For a complete copy of the Request For Proposal contact the Authority office at (386)734-9441 or send inquiry to WVHospAuth@gmail.com.

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## **Section XII Miscellaneous**

#### **DEPARTMENT OF COMMUNITY AFFAIRS**

##### **NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2), FLORIDA STATUTES**

##### **DCA DOCKET NO. 13-07**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") executed between the Miami-Dade County School Board and each of the following local governments: Florida City and Miami Springs, 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 the Florida City, 404 West Palm Drive, Florida City 33034; City of Miami Springs, 201 Westward Drive, Miami Springs, Florida 33166.

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 Miami-Dade County School Board, Florida City and Miami Springs. 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.

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-s-Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
INTERLOCAL AGREEMENT INCONSISTENT WITH  
SECTIONS 163.31777(2) and (3), FLORIDA STATUTES  
DCA DOCKET NO. 16-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Duval County/Jacksonville, Atlantic Beach, Baldwin, Jacksonville Beach, Neptune Beach and Duval County School Board, pursuant to Section 163.31777, F.S., to be inconsistent 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 City of Jacksonville, Office of General Counsel, 117 West Duval Street, Suite 480, Jacksonville, Florida 32202.

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 inconsistent with the minimum requirements of Sections 163.31777(2) and (3), 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 Duval County/Jacksonville, Atlantic Beach, Baldwin, Jacksonville

Beach, Neptune Beach and Duval County School Board. 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 and will be forwarded to the Administration Commission, which may impose sanctions pursuant to Section 163.31777(3)(c), F.S.

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.

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-s-Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
INTERLOCAL AGREEMENT CONSISTENT WITH  
SECTION 163.31777(2) AND (3), FLORIDA STATUTES  
DCA DOCKET NO. 43-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Martin County, Stuart and the Martin County School Board, 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 the Martin County Planning, 2401 S. E. Monterey Road, Stuart, Florida 34996.

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) and (3), 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 Martin County and Stuart and the Martin County School Board. 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 32399-3060. 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.

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-s-Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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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 Abraham Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 4960 Southwest 52nd Street, #415, Davie (Broward County), Florida 33314, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Abraham Motors, Inc. are dealer operator(s): Osvaldo Montano, 4960 Southwest 52nd Street,

#415, Davie, Florida 33314; principal investor(s): Osvaldo Montano, 4960 Southwest 52nd Street, #415, Davie, Florida 33314.

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 United Motors of America, intends to allow the establishment of Bartow Motorcycle World, Inc. d/b/a Barry Motorsports of Lakeland, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 4685 Highway 98 South, Lakeland (Polk County), Florida 33812, on or after May 27, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bartow Motorcycle World, Inc. d/b/a Barry Motorsports of Lakeland are dealer operator(s): Glenn Barry, 5146 Fairfield Drive, Lakeland, Florida 33811; principal investor(s): Glenn Barry, 5146 Fairfield Drive, Lakeland, Florida 33811.

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: Melissa Bell, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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 QLink, L.P., intends to allow the establishment of Big Boys Toys Florida, LLC, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 1312 Thomas Drive, Panama City Beach, (Bay County), Florida 32408, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Big Boys Toys Florida, LLC are dealer operator(s): Rauden Peavy, 1312 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Rauden Peavy, 1312 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: Johnny Tai, Vice President, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that QLink, L.P., intends to allow the establishment of Big Boys Toys Florida, LLC, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors (GUNG) at 1312 Thomas Drive, Panama City Beach (Bay County), Florida 32408, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Big Boys Toys Florida, LLC are dealer operator(s): Rauden Peavy, 1312 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Rauden Peavy, 1312 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.

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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 QLink, L.P., intends to allow the establishment of Big Boys Toys Florida, LLC, as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 1312 Thomas Drive, Panama City Beach (Bay County), Florida 32408, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Big Boys Toys Florida, LLC are dealer operator(s): Rauden Peavy, 1312 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Rauden Peavy, 1312 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: Johnny Tai, Vice President, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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 QLink, L.P., intends to allow the establishment of Big Boys Toys Florida, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1312 Thomas Drive, Panama City Beach (Bay County), Florida 32408, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Big Boys Toys Florida, LLC are dealer operator(s): Rauden Peavy, 1312 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Rauden Peavy, 1312 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: Johnny Tai, Vice President, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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 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 (KYO) 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): Marion Stewart, 3955 Edgewood Drive, Fort Myers, Florida 33916 and Lynda Stewart, 3955 Edgewood Drive, Fort Myers, Florida 33916; principal investor(s): Marion Stewart, 3955 Edgewood Drive, Fort Myers, Florida 33916 and Lynda Stewart, 3955 Edgewood Drive, 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: 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.

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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 Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 5720 North Florida Avenue, Tampa (Hillsborough County), Florida 33604, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604.

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: Mei Zhou, President, 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 Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 5720 North Florida Avenue, Tampa (Hillsborough County), Florida 33604, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604.

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: Mei Zhou, President, 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 Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 5720 North Florida Avenue, Tampa (Hillsborough County), Florida 33604, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604.

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: Mei Zhou, President, 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 JMSTAR Powersports, Inc., intends to allow the establishment of Ciao Moto Corporation, as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 14291 Southwest 120th Street, Suite 108, Miami (Dade County), Florida 33186-7287, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ciao Moto Corporation are dealer operator(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186-7287; principal investor(s): Alejandro Meza, 14291 Southwest 120th Street, Suite 108, Miami, Florida 33186-7287.

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 Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2309 South State Road 7, Hollywood (Broward County), Florida 33023, on or after June 2, 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.

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 Lance Powersports, Inc., intends to allow the establishment of Extreme Motor Sales, as a dealership for the

sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after May 21, 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: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

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 Fishers Auction Service, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 2032 Hibiscus Drive, Edgewater (Volusia County), Florida 32141, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fishers Auction Service are dealer operator(s): Ray Fisher, 2032 Hibiscus Drive, Edgewater, Florida 32141; principal investor(s): Ray Fisher, 2032 Hibiscus Drive, Edgewater, Florida 32141.

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 Goldenvale, Inc., intends to allow the establishment of Hunt for Cars, Inc., as a dealership for the sale of Roketa (RKTA) motorcycles at 5796 South Ridgewood Avenue, Port Orange (Volusia County), Florida 32127, on or after June 1, 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, 5796 South Ridgewood Avenue, Port Orange, Florida 32127; principal investor(s): Lonnie Hunt, 5796 South Ridgewood Avenue, Port Orange, Florida 32127.

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: Ken Vahrenkamt, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

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 A & A Scooter, Inc., intends to allow the establishment of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 5803 North 56th Street, Tampa (Hillsborough County), Florida 33610, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express are dealer operator(s): Joel Ilesanmi, 5803 North 56th Street, Tampa, Florida 33610; principal investor(s): Joel Ilesanmi, 5803 North 56th Street, Tampa, Florida 33610.

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: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

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 Argo Scooters, LLC, intends to allow the establishment of Long's Motorcycle Sales, Inc., as a dealership

for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 800 Northwest 12 Avenue, Miami (Dade County), Florida 33136, on or after May 20, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Long's Motorcycle Sales, Inc. are dealer operator(s): John Long, 800 Northwest 12 Avenue, Miami, Florida 33136; principal investor(s): John Long, 800 Northwest 12 Avenue, Miami, Florida 33136.

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: Florence Kolvites, Argo Scooters, LLC, 409 Littlefield Avenue, South San Francisco, California 94080-6106.

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 Lance Powersports, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after May 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770.

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: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

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 Motorcar Exchange, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 13 West Mariana Avenue, North Fort Myers (Lee County), Florida 33903, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcar Exchange, LLC are dealer operator(s): Mark Alexa, 1420 Southeast 29th Street, Cape Coral, Florida 33904; principal investor(s): Mark Alexa, 1420 Southeast 29th Street, Cape Coral, Florida 33904.

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 Lance Powersports, Inc., intends to allow the establishment of Motorcar Exchange, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 13 West Mariana Avenue, North Fort Myers (Lee County), Florida 33903, on or after May 27, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcar Exchange, LLC are dealer operator(s): Mark Alexa, 13 West Mariana Avenue, North Fort Myers, Florida 33903; principal investor(s): Mark Alexa, 13 West Mariana Avenue, North Fort Myers, Florida 33903.

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: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

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 Peace Industry Group, Inc., intends to allow the establishment of Motorimport Distributors, as a dealership for



the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 12202 Hutchison Boulevard, Warehouse 72, Panama City Beach (Bay County), Florida 32407, on or after June 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorimport Distributors are dealer operator(s): Wayne Wooten, 12202 Hutchison Boulevard, Panama City Beach, Florida 32407; principal investor(s): Wayne Wooten, 12202 Hutchison Boulevard, 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: 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 Power Sports Factory, intends to allow the establishment of Navitas Financial Group d/b/a Pompano Pats, as a dealership for the sale of Qianjiang Motorcycles Group Corp. (QINJ) at 2075 South Woodland Boulevard, Deland (Volusia County), Florida 32724, on or after May 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Navitas Financial Group d/b/a Pompano Pats are dealer operator(s): Pat Johnson, 2075 South Woodland Boulevard, Deland, Florida 32724 and Ron Hurtibise, 2075 South Woodland Boulevard, Deland, Florida 32724; principal investor(s): Pat Johnson, 2075 South Woodland Boulevard, Deland, Florida 32724 and Ron Hurtibise, 2075 South Woodland Boulevard, Deland, Florida 32724.

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: Brett Moorner, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

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 Power Sports Factory, intends to allow the establishment of Navitas Financial Group d/b/a Pompano Pats, as a dealership for the sale of Qianjiang Motorcycles Group Corp. (QINJ) at 910 West International Speedway Boulevard, Daytona Beach (Volusia County), Florida 32114, on or after May 29, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Navitas Financial Group d/b/a Pompano Pats are dealer operator(s): Pat Johnson, 910 West International Speedway Boulevard, Daytona Beach, Florida 32114 and Ron Hurtibise, 910 West International Speedway Boulevard, Daytona Beach, Florida 32114; principal investor(s): Pat Johnson, 910 West International Speedway Boulevard, Daytona Beach, Florida 32114 and Ron Hurtibise, 910 West International Speedway Boulevard, Daytona Beach, Florida 32114.

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: Brett Moorer, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

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 Argo Scooters, LLC, intends to allow the establishment of O & P Technologies, Inc. d/b/a Planet Bikes, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 15160 Southwest 136th Street, #2, Miami (Dade County), Florida 33196, on or after May 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of O & P Technologies, Inc. d/b/a Planet Bikes are dealer operator(s): Oscar Rodriguez, 13232 Southwest 87th Terrace, Miami, Florida 33183; principal investor(s): Oscar Rodriguez, 13232 Southwest 87th Terrace, Miami, Florida 33183.

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: Florence Kolvites, Argo Scooters, LLC, 409 Littlefield Avenue, South San Francisco, California 94080-6106.

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 Pine Wood Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by Shanghai Honling Motorcycle Corp. (HONL) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Wood Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

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 Pine Wood Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Wood Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

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 Pine Wood Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Wood Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

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 Pine Wood Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Wood Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

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 A & A Scooter, Inc., intends to allow the establishment of Power & Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 120 South Federal Highway, Pompano Beach (Broward County), Florida 33062, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power & Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060.

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: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

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 A & A Scooter, Inc., intends to allow the establishment of Power & Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 550 North Flager Avenue, Pompano Beach (Broward County), Florida 33060, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power & Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060.

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: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

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 A & A Scooter, Inc., intends to allow the establishment of Road Power USA, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 927 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Road Power USA, LLC are dealer operator(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250; principal investor(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250.

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: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

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 the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Southeast Toyota Distributors, LLC, intends to allow the relocation of Murphy Auto Group, Inc. d/b/a Scion of Winter Haven, as a dealership for the sale of Scion motor vehicles (SCIO) from its present location at 4099 Lake Alfred Road, Winter Haven, Florida 33881, to a proposed location at 37048 U.S. Highway 27, Haines City (Polk County), Florida 33844, on or after June 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Murphy Auto Group, Inc. d/b/a Toyota of Winter Haven are dealer operator(s): Dennis L. Murphy, 4727 U.S. Highway 19 North, New Port Richey, Florida 34652; principal investor(s): Dennis L. Murphy, 4727 U.S. Highway 19 North, New Port Richey, Florida 34652. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lori Engwiller, Southeast Toyota Distributors, LLC, 100 Jim Moran Boulevard, SETDF119, Deerfield Beach, Florida 33442.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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 Carter Brothers Manufacturing, intends to allow the establishment of Scooter Boutique, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 791 3rd Street North, Jacksonville Beach (Duval County), Florida 32250, on or after May 23, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Boutique, Inc. are dealer operator(s): Terry Hensen, 12526 Masters Ridge Drive, Jacksonville, Florida 32225; principal investor(s): Terry Hensen, 12526 Masters Ridge Drive, Jacksonville, Florida 32225.

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: Jack Mullinax, Carter Brothers Manufacturing Co., Inc., 1871 Highway 231, Brundidge, Alabama 36010.

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 Titan Imports, Inc. d/b/a US Titan, Inc., intends to allow the establishment of Snack Attack Corp., as a dealership for the sale of motorcycles manufactured by Kaitong

Motorcycle Manufacture Co. Ltd. (KAIT) at 2423 South State Road 7, Hollywood (Broward County), Florida 33023, on or after May 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp. are dealer operator(s): Daniel Haspel, 2423 South State Road 7, Hollywood, Florida 33023; principal investor(s): Daniel Haspel, 2423 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: Hongjie Zhang, US Titan Imports, Inc., 8630 Rochester Avenue, Rancho Cucamonga, California 91730.

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 Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert G. Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert G. Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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 the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Southeast Toyota Distributors, LLC, intends to allow the relocation of Murphy Auto Group, Inc. d/b/a Toyota of Winter Haven, as a dealership for the sale of Toyota motor vehicles (TOYT) from its present location at 4099 Lake Alfred Road, Winter Haven, Florida 33881, to a proposed location at 37048 U.S. Highway 27, Haines City (Polk County), Florida 33844, on or after June 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Murphy Auto Group, Inc. d/b/a Toyota of Winter Haven are dealer operator(s): Dennis L. Murphy, 4727 U.S. Highway 19 North, New Port Richey, Florida 34652; principal investor(s): Dennis L. Murphy, 4727 U.S. Highway 19 North, New Port Richey, Florida 34652. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lori Engwiller, Southeast Toyota Distributors, LLC, 100 Jim Moran Boulevard, SETDF119, Deerfield Beach, Florida 33442.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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 Genuine Scooters, LLC, intends to allow the establishment of Wala 2 Corporation d/b/a Scooterjax, as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 1636 Hendricks Avenue, Jacksonville (Duval County), Florida 32207, on or after May 27, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Scooterjax are dealer operator(s): Thomas Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Genuine Scooters, LLC, intends to allow the establishment of Wala 2 Corporation d/b/a Scooterjax, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 1636 Hendricks Avenue, Jacksonville (Duval County), Florida 32207, on or after May 27, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Scooterjax are dealer operator(s): Thomas Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas Bolc, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Piaggio Group Americas, Inc., intends to allow the establishment of Wala 2 Corporation d/b/a Vespa Jacksonville, as a dealership for the sale of Piaggio (PIAG) motorcycles at 1128 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after May 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Vespa Jacksonville are dealer operator(s): Tom Bolc, 1128 North 3rd Street, Jacksonville Beach, Florida 32250; principal investor(s): Tom Bolc, 1128 North 3rd Street, Jacksonville Beach, Florida 32250.

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: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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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**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Healthcare Administration has received an application for service exemption from North Florida Regional Medical Center, 6500 Newberry Road, Gainesville, FL 32605 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The service category requested is Oral/Maxillofacial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Sherry Ledbetter, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by (850)921-6621 or by e-mail at [ledbetts@ahca.myflorida.com](mailto:ledbetts@ahca.myflorida.com).

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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 Department of Environmental Protection gives notice that pursuant to Section 403.067(4), F.S., and Chapter 62-303, F.A.C., a final order was entered on June 3, 2008, adopting a Verified List of Impaired Waters for Group 1/Cycle 2 basins and delisting certain waters within the Group 1 basins. The Group 1 basins include the following hydrologic units: Everglades West Coast; Lake Okeechobee; Ochlockonee/St. Mark's; Ocklawaha; Suwannee; and Tampa Bay. In addition, the Group 5 Verified List for the Florida Keys is being adopted pursuant to the final order. These lists and revisions will be submitted to the United States Environmental Protection Agency (EPA) pursuant to Section 303(d) of the federal Clean Water Act, and shall serve to amend the 1998 Section 303(d) statewide list of Florida waters and to update the Group 1/Cycle 1 lists maintained by the EPA. Waters within the Group 1 basins verified as impaired waters are set forth in Exhibit 1 to the final order. Waters within the Group 5 Florida Keys basin verified as impaired waters are set forth in Exhibit

2 to the final order. Waters that the Department will request EPA to remove from the 1998 List and the Group 1/Cycle 1 lists for the Group 1 basins are also listed in Exhibit 1 as waters subject to delisting.

A copy of the above-referenced final order may be obtained by contacting: Ms. Pat Waters, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment, MS 3555, Tallahassee, Florida 32399-2400 or by calling (850)245-8449 or at [www.dep.state.fl.us/legal/final\\_orders/finalorders.htm](http://www.dep.state.fl.us/legal/final_orders/finalorders.htm).

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**NOTICE OF INTENT TO ISSUE PROPOSED****MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning the Martin Power Plant certification Power Plant, Power Plant Siting Application No. PA89-27M, OGC Case No. 08-0775. On May 1, 2008, the Department received an application to modify the Conditions of Certification for the Martin Power Plant from Florida Power & Light pursuant to Section 403.516(1)(c), Florida Statutes, for replacement of planned facilities associated with coal gasification with the "Martin Solar Energy Center" (MSEC). A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those

portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

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#### NOTICE OF INTENT TO ISSUE PROPOSED

##### MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Orlando Utilities Commission Curtis H. Stanton Energy Center, Power Plant Siting Application No. PA81-14, OGC Case No. 08-1632. On March 7, 2008 the Department received an application to modify the Conditions of Certification for the Curtis H. Stanton Energy Center from Orlando Utilities Commission pursuant to Section 403.516(1)(c), Florida Statutes, to make the necessary changes to convert the currently under construction Unit B Integrated Gasification Combined Cycle unit to a conventional natural gas-fired combined cycle unit. The Department proposes to modify the Conditions of Certification for the Stanton Energy Center for the changes to Unit B, and to incorporate Department initiated updates and corrections. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant

may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

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#### NOTICE OF PROPOSED WATER QUALITY STUDY

The Department of Environmental Protection gives notice of the intent of the Mosaic Company to conduct a study of water quality in the Little Manatee River and tributaries thereof. The purpose of this study is to establish water quality based effluent limits (WQBELs) for a proposed discharge from the Mosaic Four Corners Mine to an unnamed tributary that flows into Howard Prairie Branch and thence to the Little Manatee River Outstanding Florida Water.

Any interested person may submit written comments as to the plan of study to: Jan Mandrup-Poulsen, Watershed Assessment Section, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3555, Tallahassee, FL 32399. Comments must be received within 14 days of publication of this notice.

In response to comments received pertaining to the plan of study prior to the proposed commencement date, the Department or applicant, by mutual agreement, may revise the plan of study if necessary. Upon approval of any revisions to the plan of study by the Department, the applicant shall conduct the study for purposes of establishing WQBELs for the affected discharger.

Although the Department may allow for informal dispute resolution during the study period, the study is free-from agency decision making and does not constitute proposed agency action until notice of such is given pursuant to subsection 62-650.500(8), Florida Administrative Code.

Upon request, the plan of study is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Department of Environmental Protection, 2600 Blair Stone Road, Room 238, Tallahassee, FL 32399, (850)245-8448 or the Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, FL 33637, (813)632-7600.

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NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON  
GEOLOGICAL AND GEOPHYSICAL PERMIT  
APPLICATION FOR FEDERAL WATERS IN THE GULF  
OF MEXICO

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by EMGS Americas to collect seabed logging data in deep waters of the Gulf of Mexico was received by the State of Florida.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by June 27, 2008. Contact: Shana Kinsey or Debby Tucker, (850)245-2163, email address [Shana.Kinsey@dep.state.fl.us](mailto:Shana.Kinsey@dep.state.fl.us) or [Debby.Tucker@dep.state.fl.us](mailto:Debby.Tucker@dep.state.fl.us).

This public notice fulfills the requirements of 15 CFR 930.

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NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON  
GEOLOGICAL AND GEOPHYSICAL PERMIT  
APPLICATION FOR FEDERAL WATERS OFFSHORE ST.  
JOHNS COUNTY, FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by PBS&J, to collect seismic data in federal waters off St. Johns County, Florida to identify sand for beach restoration, was received by the State of Florida.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by June 25, 2008. Contact:

Shana Kinsey or Debby Tucker, (850)245-2163, email address [Shana.Kinsey@dep.state.fl.us](mailto:Shana.Kinsey@dep.state.fl.us) or [Debby.Tucker@dep.state.fl.us](mailto:Debby.Tucker@dep.state.fl.us).

This public notice fulfills the requirements of 15 CFR 930.

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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://appprod.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 2, 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 Crystal Lynn Brewer, L.P.N., license number PN 5152570. 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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On June 2, 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 Jamie Renee Conklin, C.N.A., license number CNA 146569. 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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On May 28, 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 Janet Nicolas, R.N., license number RN 9252167. 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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**HERNANDO COUNTY PLANNING DEPARTMENT**

DISADVANTAGED BUSINESS ENTERPRISE (DBE)  
GOAL FOR FISCAL YEAR 2008/2009

IT IS THE POLICY of the Hernando County Metropolitan Planning Organization (MPO) to provide Disadvantaged Business Enterprises (DBEs) the opportunity to participate in contracts for The Hernando Express Bus (THE Bus) that are

financed in whole or part with funds from the Federal Transit Administration. For this reason, the MPO has established a goal of 4% for the DBE Program for fiscal year 2008/2009. A description of the goal and the process for establishing the goal are available for review during regular business hours by contacting: Steve Diez, Transportation Planner II, at the Hernando County MPO, 20 North Main Street, Room 262, Brooksville, FL 34601, or by telephone at (352)754-4057. The DBE goal and rationale may also be viewed online via THE Bus website at [www.hernandobus.com](http://www.hernandobus.com). The address for the Federal Transit Administration, Office of Civil Rights is: 100 Alabama Street, S. W., Suite 17150, Atlanta, GA 30303. The DBE goal and rationale for its adoption will be available for inspection for 45 DAYS following the date of this notice.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN May 26, 2008  
 and May 30, 2008**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-1.09981	5/30/08	6/19/08	34/11	34/18
6A-6.053	5/30/08	6/19/08	34/11	34/18

**STATE BOARD OF ADMINISTRATION**

19-8.028	5/27/08	6/16/08	34/17	
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**DEPARTMENT OF CORRECTIONS**

33-401.401	5/29/08	6/18/08	34/10	
33-602.701	5/27/08	6/16/08	34/15	

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

**Poinciana Community Development District**

42AA-1.002	5/29/08	6/18/08	34/11	
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**DEPARTMENT OF ELDER AFFAIRS**

**Administration of Federal Aging Programs**

58A-6.003	5/27/08	6/16/08	34/17	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Office of Licensure and Certification**

59A-1.004	5/30/08	6/19/08	34/10	
59A-1.009	5/30/08	6/19/08	34/10	

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

60L-35.001	5/30/08	6/19/08	33/27	34/2
60L-35.002	5/30/08	6/19/08	33/27	34/2

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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60L-35.003	5/30/08	6/19/08	33/27	33/37
60L-35.004	5/30/08	6/19/08	33/27	34/2
60L-35.005	5/30/08	6/19/08	33/27	34/2
60L-35.006	5/30/08	6/19/08	33/27	34/2

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

61G14-19.001	5/28/08	7/1/08	34/16	
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**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

64B-1.009	5/30/08	6/19/08	34/4	34/16
64B-1.013	5/30/08	6/19/08	34/4	34/16

**Board of Pharmacy**

64B16-27.797	5/29/08	6/18/08	33/15	34/18
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**FLORIDA HOUSING FINANCE CORPORATION**

67-57.005	5/28/08	6/17/08	34/15	
67-57.010	5/28/08	6/17/08	34/15	
67-57.030	5/28/08	6/17/08	34/15	
67-57.040	5/28/08	6/17/08	34/15	
67-57.050	5/28/08	6/17/08	34/15	
67-57.060	5/28/08	6/17/08	34/15	
67-57.070	5/28/08	6/17/08	34/15	

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

69V-560.102	5/28/08	6/17/08	34/7	
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