

## Section I

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-13.001	Purpose
5M-13.002	Approved Best Management Practices
5M-13.003	Presumption of Compliance
5M-13.004	Notice of Intent to Implement
5M-13.005	BMP Record Keeping

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to adopt the "Water Quality/Quantity Best Management Practices for Florida Specialty Fruit and Nut Crops" manual by rule and associated regulations.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule will address the development of practices that protect water resources, the procedures for filing a Notice of Intent, and associated recordkeeping requirements necessary for producers to receive a presumption of compliance with state water quality standards. The draft manual can be reviewed at: <http://www.floridaagwaterpolicy.com/BestManagementPractices.html>.

**RULEMAKING AUTHORITY:** 403.067(7)(c)2., 570.07(23) FS.

**LAW IMPLEMENTED:** 403.067(7)(c)2. FS.

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

**DATE AND TIME:** July 12, 2010, 4:00 p.m.

**PLACE:** University of Florida, Alachua County Extension, 2800 N.E. 39th Ave., Gainesville, Florida 32609, phone: (352)955-2402

**DATE AND TIME:** July 13, 2010, 2:00 p.m.

**PLACE:** Gulf Coast Research and Education Center, University of Florida-IFAS, 14625 CR 672, Wimauma, Florida 33598, phone: (813)634-0000

**DATE AND TIME:** July 14, 2010, 2:00 p.m.

**PLACE:** University of Florida, Miami-Dade County Extension, 18710 S.W. 288th Street, Homestead, Florida 33030, phone:( 305)248-3311

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: Bill Bartnick, Environmental Administrator, (850)617-1700 or Fax (850)617-1701

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: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

#### 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

##### Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-35.060	Licensure Application Process.
59A-35.090	Background Screening; Prohibited Offenses.

**PURPOSE AND EFFECT:** These rules will be revised to reflect annual adjustments to licensure fees as provided in Section 408.805(2), F.S. and changes in background screening requirements in Section 408.809, F.S. and Chapter 435, F.S. provided in Chapter 2010-114, Laws of Florida.

**SUBJECT AREA TO BE ADDRESSED:** Licensure application forms incorporated by reference in Rule 59A-35.060, F.A.C., will be revised to reflect annual increases as provided in Section 408.805(2), F.S. for health care provider types that did not meet the cost of administering the licensure program.

Background screening requirements in Rule 59A-35.090, F.A.C., will be revised to reflect the changes in statutory requirements.

**RULEMAKING AUTHORITY:** 408.819 FS.

**LAW IMPLEMENTED:** 408.806, 408.809, 408.810 FS.

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

**DATE AND TIME:** Thursday, August 5, 2010, 10:00 a.m. – 12:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308 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: Nick Harris at (850)412-4421 or email [nicholas.harris@ahca.myflorida.com](mailto:nicholas.harris@ahca.myflorida.com). If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Nick Harris at (850)412-4421 or email [nicholas.harris@ahca.myflorida.com](mailto:nicholas.harris@ahca.myflorida.com)

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.: 60BB-8.2015                      RULE TITLE: VPK Child Registration Pilot Project

PURPOSE AND EFFECT: The purpose of the proposed rule development is to revise the current rule to permit all early learning coalitions to allow Voluntary Prekindergarten Education (VPK) Program providers to facilitate student eligibility determinations and to conduct parent orientation sessions or exhibit parent orientation videos on behalf of early learning coalitions. The proposed rule is anticipated to reduce administrative costs incurred in the enrollment of students into the VPK Program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule revisions address the process by which student eligibility determinations and parent orientation sessions are conducted.

RULEMAKING AUTHORITY: 1002.79(2) FS. (2009)

LAW IMPLEMENTED: 1002.53(2), (4), (5), 1002.75(2)(a), (b) FS. (2009)

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

DATE AND TIME: July 21, 2010, 9:00 a.m. – 11:00 a.m. or until business is concluded

PLACE: Hyatt Regency Tampa, 211 North Tampa Street, Tampa, FL 33602 and via conference call and WebEx which may be accessed at the following web address: [http://www.floridajobs.org/earlylearning/oel\\_state\\_fed.html#proposedrules](http://www.floridajobs.org/earlylearning/oel_state_fed.html#proposedrules).

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: Kristin Harden, 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: Available online at: [http://www.floridajobs.org/earlylearning/oel\\_state\\_fed.html#proposedrules](http://www.floridajobs.org/earlylearning/oel_state_fed.html#proposedrules).

**DEPARTMENT OF MANAGEMENT SERVICES**

**Technology Program**

RULE NO.:	RULE TITLE:
60FF-5.007	Non-Wireless Provider Fee Remittance Collections for T1/PRI Circuits

PURPOSE AND EFFECT: The Board proposes the to promulgate and adopt the new rule to clarify procedures for non-wireless service provider fee remittance collections for T1/PRI Circuits.

SUBJECT AREA TO BE ADDRESSED: Non-wireless service provider fee remittance collections.

RULEMAKING AUTHORITY: 365.172(2)(a) FS.

LAW IMPLEMENTED: 365.172(9)(a), (b), (c), 365.173(2)(b), (c) 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: John C. Ford, Chair, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-2334

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NOS.:	RULE TITLES:
61-35.0281	Alcoholic Beverages and Tobacco – Licensing: Application for Brand/Label Registration
61-35.02811	Alcoholic Beverages and Tobacco – Licensing: Application for Malt FL/Florida Imprinting Exemption

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to promulgate forms for registration of brands and/or labels and application for an exemption from the statutory imprinting requirement.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in these rules is the promulgation of forms for use by the Division of Alcoholic Beverages and Tobacco, Bureau of Licensing.

RULEMAKING AUTHORITY: 20.165(8), 561.11, 563.04, 563.045, 564.04, 564.045, 565.08, 565.095 FS.

LAW IMPLEMENTED: 563.04, 563.045, 563.06, 564.04, 564.045, 565.08, 565.095 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: Renita Hayes, Management Review Specialist, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-3227

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 NOS.:                   RULE TITLES:

61A-4.005                   Brand Registration

61A-4.056                   Primary American Source of Supply

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to update the process of getting brand and/or label registration, imprinting approval, or exemption from the imprinting requirements. The rules will also utilize newly adopted department forms for registration of brands and/or labels and application for an exemption from the statutory imprinting requirement.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in these rules is to update the process of getting brand and/or label registration, imprinting approval, or exemption from the imprinting requirements.

RULEMAKING AUTHORITY: 561.11, 563.04, 563.045, 564.04, 564.045, 565.08, 565.095 FS.

LAW IMPLEMENTED: 563.04, 563.045, 563.06, 564.04, 564.045, 565.08, 565.095 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: Renita Hayes, Management Review Specialist, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-3227

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.:                   RULE TITLE:

61A-4.0051                   Malt Beverage Container Imprinting; Exemption

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to update the process of getting brand and/or label registration, imprinting approval, or exemption from the imprinting requirements. The rules will also utilize newly adopted department forms for registration of brands and/or labels and application for an exemption from the statutory imprinting requirement.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in these rules is to update the process of getting brand and/or label registration, imprinting approval, or exemption from the imprinting requirements.

RULEMAKING AUTHORITY: 561.11, 563.04, 563.045, 564.04, 564.045, 565.08, 565.095 FS.

LAW IMPLEMENTED: 563.04, 563.045, 563.06, 564.04, 564.045, 565.08, 565.095 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: Renita Hayes, Management Review Specialist, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-3227

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:

61D-2.023                   Animal Welfare

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement recent changes in Florida Statutes pertaining to the welfare of racing animals.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the welfare of racing animals, inspections of areas where racing animals are raced, trained, housed, or maintained, including any areas where food, medications, or other supplies are kept, to ensure the humane treatment of racing animals and compliance with this chapter and the rules of the division.

RULEMAKING AUTHORITY: 550.0251(3), 550.2415(12) FS

LAW IMPLEMENTED: 550.0251(11), 550.2415(6) 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 22, 2010, 10:00 a.m. – 5:00 p.m.

PLACE: Hurston Building, North Tower, 400 West Robinson Street, Suite N-901, Orlando, Florida 32801-1736

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: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-6.008      RULE TITLE: Permitted Medications for Horses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement Florida Statutes pertaining to permitted medications for horses by establishing threshold levels for certain Class IV and V medications commonly found in racehorses.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the establishment of threshold levels for certain Class IV and V medications commonly found in racehorses.

RULEMAKING AUTHORITY: 550.0251, 550.2415 FS.

LAW IMPLEMENTED: 550.0251(11), 550.2415(1), (8)(e), (9)(c), (13), (14), (16) 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 22, 2010, 9:00 a.m. – 10:00 a.m.

PLACE: Hurston Building, North Tower, 400 West Robinson Street, Suite N-901, Orlando, Florida 32801-1736

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: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.007	Business Occupational License Requirements for an Independent Testing Laboratory
61D-14.022	Slot Machine Requirements
61D-14.024	Logic Compartment
61D-14.032	Progressive System Requirements
61D-14.033	Progressive Displays and Controllers
61D-14.034	Progressive Jackpots
61D-14.037	Games with Bonus Features, Multiple Win Lines, Prizes
61D-14.038	Percentage Payout and Odds
61D-14.047	Facility Based Monitoring System and Computer Diagnostics
61D-14.048	Facility Based Monitoring System Required Reports
61D-14.073	Meter Readings

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes pertaining to the regulation of slot machine operations at pari-mutuel racing facilities and the implementation of wide area progressive systems (WAP).

SUBJECT AREA TO BE ADDRESSED: The amendment to Rule 61D-14.006, F.A.C., adds wide area progressive providers to those business entities requiring a slot machine business occupational license under Section 551.107(2), F.S. The amendment to Rule 61D-14.007, F.A.C., adds wide area progressive providers to those business entities in which an independent testing laboratory is prohibited from having an interest. The amendment to Rule 61D-14.022, F.A.C., provides updates to the technical standards for slot machines, slot

machine operations, and slot machine capabilities, as well as addresses wide area progressive system (WAP) slot machine games where two or more slot machine terminals are linked to substantially increase potential jackpot payouts. The updated rule also describes in additional detail the required procedures for jackpot payment. The rule has been substantially reworded to conform to plain language requirements and improve clarity of specifications in a number of technical requirement areas. Rule 61D-14.024, F.A.C., provides technical standards for access to logic compartments and interior compartments housing components that could affect the outcome of a slot machine game, including progressive systems, and requires procedures to limit access to compartment keys. The rule also provides procedures for sealing the compartments and providing access only to authorized personnel, and has been substantially reworded to conform to plain language requirements and improve clarity of specifications for technical requirement areas. Rule 61D-14.032, F.A.C., provides system and operational requirements for slot machines configured to accept and participate in both wide area and local area progressive jackpot slot machine play. Rule 61D-14.033, F.A.C., provides system and operational requirements for progressive gaming system displays and controllers used in progressive jackpot slot machine play. Rule 61D-14.034, F.A.C., addresses progressive system jackpots, the recording of information related thereto by progressive slot machines, and the modification thereof. The amendment to Rule 61D-14.037, F.A.C., adds wide area progressive slot machines to the requirements governing slot machine games with bonus features. The amendment to Rule 61D-14.038, F.A.C., adds the requirement that the division must approve the frequency of progressive awards. The amendment to Rule 61D-14.047, F.A.C., adds progressive slot machines to the requirement that slot machines not be enabled to play following receipt of an error until its control program is authenticated. The amendment to Rule 61D-14.048, F.A.C., adds daily progressive meter reports to the reports required under the rule and specifies what must be included in a daily progressive meter report. The amendment to Rule 61D-14.073, F.A.C., adds progressive meter readings to the meter readings accounting department employees must make under the rule and specifies the requirements therefor.

**RULEMAKING AUTHORITY:** 551.103(1), 551.122 FS.

**LAW IMPLEMENTED:** 551.103(1)(a), (b), (c), (d), (e), (g), (h), (i), 551.104(4)(f), (j), 551.107, 551.108, 551.121(5) 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 20, 2010, 9:00 a.m. – 5:00 p.m.

**PLACE:** Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Boulevard, Suite 195, Ft. Lauderdale, Florida 33309

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: Mary Polombo at (850)413-0750. 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:** Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

**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**

**Division of Recreation and Parks**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62D-5.053	Purpose
62D-5.054	Definitions
62D-5.055	General Requirements
62D-5.056	Application Requirements and Processing
62D-5.057	Evaluation Criteria
62D-5.058	Grant Administration
62D-5.059	Compliance Responsibilities

**PURPOSE AND EFFECT:** The Division of Recreation and Parks is proposing to amend Chapter 62D-5, Part V, Florida Administrative Code to address needed changes such as revisions to definitions, scoring criteria, grant administration and to add new language to clarify ambiguities. These areas need clarification and changing due to evolving grant program policies.

**SUBJECT AREA TO BE ADDRESSED:** Financial Assistance for Outdoor Recreation through the Florida Recreation Development Assistance Program (FRDAP).

**RULEMAKING AUTHORITY:** 375.075 FS.

**LAW IMPLEMENTED:** 375.075 FS.

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

**DATES AND TIMES:**

WORKSHOP 1: Tuesday, July 20, 2010, 9:00 a.m. –12:00 Noon

WORKSHOP 2: Thursday, July 22, 2010, 9:00 a.m. – 12:00 Noon

**PLACES:**

WORKSHOP 1: South Econ Community Park, Renaissance Senior Center, 3800 S. Econlockhatchee Trail, Orlando, FL 32829

WORKSHOP 2: Dept. of Environmental Protection, Douglas Bldg., Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000

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: Angie Bright, Administrative Assistant, Office of Information & Recreation Services, Division of Recreation and Parks, 3900 Commonwealth Blvd., MS #585, Tallahassee, FL 32399-3000, angie.bright@dep.state.fl.us, (850)245-2501. 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: Attn: Angie Bright, Re: FRDAP 62D-5, Part V Rule Development/ Public Comments, Office of Information & Recreation Services, Division of Recreation and Parks, 3900 Commonwealth Blvd., MS #585, Tallahassee, FL 32399-3000, angie.bright@dep.state.fl.us, (850)245-2501 direct, (850)245-3038 fax

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.004                      RULE TITLE: Endorsements

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether amendments to the requirements for licensure by endorsement should be adopted by allowing applicants to complete the requirement for Florida laws and rules education via distance learning.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsements.

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) FS.

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

DATE AND TIME: July 28, 2010, 11:00 a.m., or as soon thereafter as can be heard

PLACE: Rosen Plaza Hotel, 9700 International Dr., Orlando, FL 32819

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

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-28.009                      RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether amendments to the continuing education requirements and criteria for the Board of Massage Therapy should be adopted.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 456.013(7), (8), (9), 480.035(7), 480.0415 FS.

LAW IMPLEMENTED: 456.013(7), (8), (9), 480.0415 FS.

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

DATE AND TIME: July 28, 2010, 11:00 a.m., or as soon thereafter as can be heard

PLACE: Rosen Plaza Hotel, 9700 International Dr., Orlando, FL 32819

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

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NOS.: 64B7-32.003                      RULE TITLES: Minimum Requirements for Board Approved Massage Schools

64B7-32.0035                      Distance Learning Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether amendments to the minimum requirements for Board of Massage Therapy approval of a massage school should be adopted. This rule

development would also propose a new Rule 64B7-32.0035, F.A.C., that sets standards for the approval of distance learning and internet courses offered for educational credit.

**SUBJECT AREA TO BE ADDRESSED:** Minimum Requirements for Board Approved Massage Schools and Distance Learning Requirements.

**RULEMAKING AUTHORITY:** 480.035(7), 456.013(7), (8), (9), 480.033(9), 480.035(7), 480.0415 FS.

**LAW IMPLEMENTED:** 456.013(7), (8), (9), 480.033(9), 480.041(1), 480.0415 FS.

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

**DATE AND TIME:** July 28, 2010, 11:00 a.m., or as soon thereafter as can be heard

**PLACE:** Rosen Plaza Hotel, 9700 International Dr., Orlando, FL 32819

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

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

**RULE NO.:** 64B16-26.351  
**RULE TITLE:** Standards for Approval of Registered Pharmacy Technician Training Programs

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the standards for training programs and to update the incorporated form.

**SUBJECT AREA TO BE ADDRESSED:** Standards for Approval of Registered Pharmacy Technician Training Programs.

**RULEMAKING AUTHORITY:** 465.014 FS.

**LAW IMPLEMENTED:** 465.014 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:** Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

**RULE NO.:** 64D-3.002  
**RULE TITLE:** Notifiable Diseases or Conditions to Be Reported, Human

**PURPOSE AND EFFECT:** The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

**SUBJECT AREA TO BE ADDRESSED:** The subject areas to be addressed include an updated DH 680 Form (Certification of Immunization) and the Immunization Guidelines for Florida Schools, Childcare Facilities and Family Day Care Homes. The guidelines will be updated to require a tetanus-diphtheria-acellular-pertussis (Tdap) vaccination rather than a tetanus-diphtheria (Td) vaccination at 7th grade entry to be implemented with the 2009-2010 school year.

**RULEMAKING AUTHORITY:** 381.003 FS.

**LAW IMPLEMENTED:** 381.003 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 12, 2010, 8:30 a.m. (EDT)

**PLACE:** 2585 Merchants Row Blvd., Room 135Q, Tallahassee, FL 32399-1719

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: Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A11, Tallahassee, FL 32399-1719. 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:** Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A11, Tallahassee, FL 32399-1719

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

**RULE NOS.:** 64E-6.017  
**RULE TITLES:** Definitions  
 64E-6.018 System Location, Design and Maintenance Criteria  
 64E-6.0181 System Repair  
 64E-6.0182 Coordinated Permitting

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes, implement the provisions of 2010 legislation, and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair, maintenance, operation and sampling and reporting in the Florida Keys.

RULEMAKING AUTHORITY: 381.0011(4), 381.011(13), 381.006, 381.0065(3)(a), 381.0065(4)(k) FS., Chs. 1999-395, 2010-205, LOF.

LAW IMPLEMENTED: 381.0065, 381.00655, 386.041 FS., Chs. 1999-395, 2001-337, 2010-205, LOF

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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-6.017 Definitions.

Definitions in Chapter 64E-6, Parts I and III, F.A.C., are also applicable to Chapter 64E-6, Part II, F.A.C.

(1) Basic disinfection – treatment process designed to meet secondary treatment standards for fecal coliform providing an arithmetic annual mean not to exceed 200 fecal coliform colonies per 100 ml sample.

(1) through (3) renumbered (2) through (4) No change.

(5)(4) Minimum level of waste treatment – a treatment which will provide a recovered water product that contains not more, on a permitted annual average basis, than the following concentrations from a sampling point located following the final design treatment step of the onsite sewage treatment and disposal system:

(a) Biochemical Oxygen Demand (CBOD <sub>5</sub> )	10 mg/l <del>H</del>
(b) Suspended Solids	10 mg/l <del>H</del>
(c) Total Nitrogen, expressed as N	10 mg/l <del>H</del>
(d) Total Phosphorus, expressed as P	1 mg/l <del>H</del>

(5) through (7) renumbered (6) through (8) No change.

Rulemaking Specific Authority 381.0011(4), (13), 381.006, 381.0065(3)(a), (4)(k) FS., Chs. 99-395, 2010-205, LOF. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655, 386.041 FS., Chs. 99-395, 2010-205, LOF.~~ History–New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.062, Amended 3-3-98, 3-22-00,\_\_\_\_\_.

64E-6.018 System Location, Design and Maintenance Criteria.

(1) Table III of Chapter 64E-6, Part I, F.A.C., and other subsections of Part I pertaining to soil texture, soil depth, and maximum sewage loading rates for specific soils shall not apply to areas subject to the provisions of this Part except for Table III, Footnote 2., as it relates to the falling head percolation test procedure. However, approved system design criteria, system location, operation, maintenance and monitoring requirements of this section ~~subsections 64E-6.018(1), (2), (3), and (4), F.A.C.,~~ shall apply. A minimum of one soil profile and one percolation test per application shall be required for site evaluations performed in the Florida Keys. However, a soil profile and percolation test is not required when ~~the system design engineer chooses the use of an injection well is used~~ for effluent disposal.

(2) Effluent loading rates for various onsite sewage treatment and disposal system components installed under this part shall not exceed the following:

<u>(a) Nutrient material-lined drainfield receiving effluent from a performance-based treatment system.</u>	<u>1.7 gallons per day per square foot</u>
<u>(b) Sand-lined drainfield receiving effluent from a performance-based treatment system</u>	<u>1.3 gallons per day per square foot</u>
<u>(c) Sand-lined drainfield receiving effluent from an aerobic treatment unit</u>	<u>1.1 gallons per day per square foot</u>
<u>(d) Sand-lined drainfield receiving effluent from a septic tank</u>	<u>0.9 gallons per day per square foot</u>
<u>(e) Mineral aggregate filter receiving effluent from an aerobic treatment unit or performance based treatment system</u>	<u>5.5 gallons per day per square foot</u>

(3) All new, modified and repaired onsite sewage treatment and disposal systems shall be performance-based treatment systems designed by an engineer licensed in the State of Florida, permitted in accordance with Part IV of this chapter and shall meet the minimum level of waste treatment as defined in Rule 64E-6.017, F.A.C. All receptacles subject to a positive buoyancy exposure shall be anchored or otherwise weighted to prevent flotation during flooding periods. The ~~engineer's design shall evaluate the~~ receptacles ~~shall be evaluated~~ for buoyancy while in their normal operating condition.



~~(4)(4)~~ An onsite sewage treatment and disposal system which meets the location, construction, maintenance and operational requirements of this section paragraphs 64E-6.018(1)(a) or (b), F.A.C., shall be approved, provided that if an aerobic treatment unit is a component of the system design, the certification, construction, operational and maintenance requirements of Rule 64E-6.012, F.A.C., shall also be met; however, the design engineer may specify an aerobic treatment unit with a minimum treatment capacity equal to the estimated sewage flow in Table I in lieu of using the values in Table IV when the aerobic treatment unit is part of a performance-based treatment system.

(a) When final effluent disposal is into a nutrient reducing material-lined drainfield system, the following general requirements shall apply:

~~1. The county health department shall require the installer of a nutrient reducing material lined drainfield system to provide certification from the installer's nutrient reducing material supplier that the material supplied for such type of installations meets the requirements of this subsection.~~

~~1.2.~~ No part of the system shall be within 25 feet of the boundaries of surface water bodies or salt marsh and Buttonwood Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

~~2.3.~~ The bottom of the drainfield shall be at least 24 inches above mean high water. The nutrient reducing material layer shall be a minimum of 12 inches thick and the bottom surface of the nutrient reducing material layer shall be at least 12 inches above mean high water. The nutrient reducing material shall overlie a 12 inch thick layer of quartz sand meeting the particle size requirements for sand liners under drainfields. The bottom surface of the sand liner shall be at the elevation of mean high water.

~~3.4.~~ Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial effects of evapotranspiration.

~~5. Nutrient reducing material has a finite life span. The nutrient reducing material shall be replaced as necessary to ensure that the system continues to meet the minimum level of waste treatment.~~

~~4. Even effluent distribution over the nutrient reducing material layer shall be assured by utilizing low-pressure dosing, or drip irrigation.~~

(b) When final disposal is into a sand-lined drainfield, the following general requirements apply:

1. For a sand-lined drainfield, a minimum 12 inch thick layer of quartz sand shall be placed beneath the bottom of the drainfield absorption surface and a minimum 12 inch wide and minimum 24 inch thick layer of quartz sand shall be placed contiguous to the drainfield sidewall absorption surfaces in order to provide an additional level of effluent treatment prior to effluent passing into the surrounding natural limestone rock. Sand material shall have either an effective grain size in the

range of 0.25 millimeter to 1.00 millimeter and shall have a uniformity coefficient of less than 3.5, or the material shall be of such size whereby at least 90 percent of the sand particles pass a U.S. Standard Number 18 sieve and less than 10 percent pass a number 60 sieve. These materials are in the USDA soil texture classes known as medium sand and coarse sand. The county health department shall require the installer of a sand-lined drainfield system to provide certification from the installer's sand supplier that the sand supplied for such type of installation meets the requirements of this subsection.

2. No part of the system shall be within 25 feet of the mean high water line of tidal surface water bodies or within 25 feet of the ordinary high water line of lakes, ponds or other non-tidal surface waters or salt marsh and Buttonwood Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

3. The bottom of the drainfield shall be at least 24 inches above mean high water. The bottom surface of the sand layer shall be at least 12 inches above mean high water.

4. Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial effects of evapotranspiration.

~~(c)(b)~~ An injection well shall be approved for final effluent disposal provided setbacks from salt marsh/buttonwood habitats and other surface water bodies cannot be met by another approved effluent disposal system or when the percolation rate exceeds 30 minutes per inch or where the soil profile shows caprock underlies the site noted above, and provided the installation is in. Installation of injection wells shall be in compliance with the following:

1. An injection well shall not be permitted or installed under the provisions of this part in any area designated by the United States Environmental Protection Agency or the Florida Department of Environmental Protection as having a single or sole source aquifer. Single source aquifer is defined in subsection 62-520.200(14), F.A.C.

2. In areas where injection wells are approved for use, the DOH Monroe County Health Department shall be the permitting authority for the engineer designed onsite sewage treatment unit and the injection well, where the estimated daily domestic sewage flow will not exceed 2000 gallons per day. For establishments having a total daily sewage flow greater than 2000 gallons per day but not greater than 10,000 gallons per day, the Monroe County Health Department shall be the permitting authority for the engineer designed treatment unit and DEP is the permitting authority for the injection well and any additional associated effluent treatment device.

3. The ground surface within a distance of at least 10 feet in all directions around the injection well and any portion of the onsite sewage treatment and disposal system shall not be subject frequent to surface or ground water flooding. In

addition, the invert of the effluent inlet pipe to the injection well shall be a minimum 18 inches above the estimated seasonal high water level.

4. If there is adequate vertical and horizontal clearance to allow for proper maintenance, repair or replacement of the treatment unit and injection well, such components of the onsite sewage treatment and disposal system shall be allowed to be placed beneath an elevated building.

5. Prior to discharge into an injection well, effluent shall pass through an unsaturated mineral aggregate filter unit as described in this paragraph, or where effluent is passed through a filter unit of another design which has been determined by the State Health Office to be at least equal to the mineral aggregate filter unit with regard to sewage treatment capability. The unsaturated mineral aggregate filter shall be designed in accordance with the following:

a. Effluent application to the unsaturated mineral aggregate filter unit shall be by gravity or pressure distribution to a perforated pipe distribution system as specified in Part I, Rule 64E-6.014, F.A.C. Such distribution system shall be placed within the walls of the mineral aggregate filter and shall be placed above a mineral aggregate filter layer which shall be at least 24 inches thick. Mineral aggregate filter material shall have either an effective size in the range of 1.18 millimeters to 4.75 millimeters and shall have a uniformity coefficient of less than 3.5 or the material shall be equivalent in size to Florida Department of Transportation aggregate classification number eight or nine. The system designer may specify additional layers of filter material above or below the required 24-inch layer of filter material. The DOH Monroe County Health Department shall require the installer of mineral aggregate filter systems to provide certification from the installer's mineral aggregate supplier that the aggregate supplied meets requirements of this sub-paragraph. If the filter is not sealed with a lid meeting the requirements for septic tank lids in Rule 64E-6.013, F.A.C., the filter shall be capped with a layer of slightly limited soil no less than 6 nor more than 12 inches thick. The design engineer may choose to use 24 inches of phosphorous absorbing material in lieu of the 24-inch layer of filter material provided the phosphorous absorbing material meets the particle size distribution required for unsaturated mineral aggregate filters.

b. The maximum sewage loading rate to an approved filter unit other than an unsaturated mineral aggregate filter as described in this section shall be evaluated by the State Health Office based on unit design, size, filter media characteristics and expected functional life of the unit.

c. Effluent having passed through an unsaturated mineral aggregate filter shall collect in an underdrain for gravity or mechanical discharge into an injection well. The underdrain shall consist of minimum 4 inch diameter perforated drainpipe which is encased within a minimum 8 inch depth of 1/2 to 2 inch diameter washed and durable aggregate. The walls and

bottom of the filter unit shall be reinforced concrete or other material of adequate strength and durability to withstand hydrostatic and earth stresses to which the unit will be subjected. The walls and bottom of the unit shall be made waterproof so that the total volume of effluent passed through the mineral aggregate filter will be collected in the filter underdrain for discharge into the injection well.

6. Prior to discharge into an injection well, effluent from the filter unit shall be disinfected by chlorination or other disinfection method approved by the State Health Office to meet the basic disinfection requirements of this rule. Where chlorination is used, a free chlorine residual of 0.5 milligram per liter measured at the point of effluent discharge after a minimum chlorine contact time of 15 minutes into the injection well, shall be maintained in the effluent at all times. Disinfection shall occur in a treatment chamber dedicated to that purpose.

5. ~~Prior to discharge into an injection well, effluent shall be disinfected by chlorination or other disinfection method approved by the State Health Office. A minimum disinfection level equivalent to a free chlorine residual of 0.5 milligrams per liter measured at the point of effluent discharge after a minimum chlorine contact time of 15 minutes into the injection well, shall be maintained in the effluent at all times.~~

~~7.6-~~ An injection well to receive an estimated daily domestic sewage flow not exceeding 2000 gallons per day shall meet minimum construction criteria a., b. and c. of this sub-paragraph. The Monroe County Health Department shall be notified by the well driller regarding the time when the well will be drilled so the county health department can schedule observation of well construction. The DOH Monroe County Health Department shall not approve an injection well for use until the well driller has certified, in writing to the DOH Monroe County Health Department, that the well has been installed in compliance with the provisions of this sub-paragraph. The inspection fee for the construction of an injection well shall be \$125.00.

a. An injection well as defined in subsection 64E-6.017(3), F.A.C., shall be constructed, in part, utilizing a casing of polyvinyl chloride, commonly referred to as PVC. The minimum PVC casing weight and strength classification shall be schedule 40 and the minimum outside diameter of the casing shall be 4 inches. Other casing materials having strength and corrosion resistance properties equal to or greater than PVC schedule 40 pipe shall also be approved.

b. An open hole having a minimum diameter of 6 inches shall extend to a depth of not less than 30 feet below the bottom of the casing.

c. The annular space between the casing and the natural rock wall of the borehole shall be grouted the full length of the casing.

~~8.7.~~ A minimum of one maintenance visit every four months shall be made to those systems using injection wells for effluent disposal. The visit shall include an inspection of the chlorination unit and any filter units. When an aerobic treatment unit is a component of the onsite sewage treatment and disposal system, documents and reports required in Rule 64E-6.012, F.A.C., shall also include the results of aerobic treatment unit inspections and shall include information on chlorine residuals to assess compliance with the disinfection requirements of this rule.

~~9.8.~~ If an injection well is discontinued for effluent disposal the injection well shall be properly abandoned and plugged by filling the injection well from bottom to top with cement grout; or by filling the open hole from the bottom of the hole to one foot below the bottom of the casing with gravel that meets the size requirements for drainfield aggregate in paragraph 64E-6.014(4)(c), F.A.C., and filling the remainder of the injection well with cement grout. The Monroe County Health Department shall be notified by the well driller, septic tank contractor, or state-licensed plumber about the time when the well will be abandoned so the county health department can schedule observation of well abandonment. The DOH Monroe County Health Department shall not approve an injection well abandonment until the well driller, septic tank contractor, or state-licensed plumber has certified, in writing to the DOH Monroe County Health Department, that the well has been abandoned in compliance with the provisions of this sub-paragraph. If the abandonment of the well is not ready to be inspected at the time of the inspection of the abandonment of the treatment receptacles, the inspection fee for the abandonment of an injection well shall be \$75.00 and shall be paid to the department prior to the inspection.

~~(2) For an aerobic treatment unit treating domestic sewage flows in excess of 1500 gallons per day but not exceeding 10,000 gallons per day, where effluent from the treatment unit will be discharged to an engineer designed soil absorption drainfield system, the following requirements shall be met:~~

~~(a) The soil absorption drainfield system shall be set back from surface water bodies by the greatest distance attainable, but shall meet at least minimum setback and elevation requirements specified in subsection 64E-6.018(1), F.A.C.~~

~~(b) The owner or lessee of a system shall comply with the general maintenance and operational requirements of subsections 64E-6.012(2) and (3), F.A.C., and any additional operation and maintenance requirements specified by the system design engineer.~~

~~(d) Nutrient-reducing materials have a finite life-span. Nutrient-reducing material shall be used in accordance with the following requirements:~~

~~1. The installer shall provide certification from the nutrient reducing material supplier that the material supplied meets the requirements of this section. The certification shall~~

include the capacity of the material to absorb nutrient stated in units of mass of nutrient absorbed per mass of absorbing material at the design effluent nutrient concentration.

2. The nutrient reducing material shall be replaced as necessary to ensure that the system continues to meet the minimum level of waste treatment. The design engineer shall specify the capacity of the nutrient reducing material to absorb nutrient stated in units of mass of nutrient absorbed per mass of absorbing material at the design effluent nutrient concentration. The design engineer shall provide an estimate of the life span for the system using the absorption capacity and estimated sewage flow.

~~(5)(3)~~ The owner or lessee of a performance-based treatment system shall obtain and maintain a maintenance contract with an approved maintenance entity.

(a) All new onsite sewage treatment and disposal systems shall be inspected by an approved maintenance entity at least two times each year.

(b) A maintenance report shall be kept by the maintenance entity. A copy of all maintenance reports shall be provided to the county health department. The report shall include the following information:

1. The address of the system.
2. Date and time of inspection.
3. Sample collection time and date, and person who collected sample.
4. Results of all sampling.
5. Volume of effluent treated, to include total monthly and daily average.
6. Maintenance performed.
7. Problems noted with the treatment system and actions taken or proposed to overcome them.

(6) The maintenance entity of a performance-based treatment system shall cause the system to be screening tested for nitrogen and phosphorous at least once every year. The screening test shall be one of the tests approved by the Monroe County Health Department. If the health department is requested to conduct the screening test, an inspection fee of \$75 shall be paid to the health department prior to requesting the test. Upon the results of a screening test that shows a violation for phosphorous or nitrogen, the owner shall have the system sampled and tested by a laboratory certified by the Department. The Monroe County Health Department shall require the property owner or maintenance entity to have the system sampled for nitrogen or phosphorous or both and to have the samples tested by a laboratory certified by the department when there is reason to believe that the system is not meeting applicable performance standards.

(a) If any individual laboratory-certified test shows a total phosphorous concentration in excess of 4.0 mg/l, the system may be resampled at the owner's discretion. If the system is

not resampled within 30 days of the original sampling date or the resample shows a phosphorous concentration in excess of 4.0 or shows less than a 50% reduction of phosphorous between the influent and effluent samples, the the phosphorous absorbing material shall be replaced as a system repair or the the system shall be re-engineered by an engineer registered in the State of Florida. The system shall be brought into compliance with treatment standards required at the time of system permitting.

(b) If any individual laboratory certified test shows a total nitrogen concentration in excess of 40.0 mg/l, the system may be resampled at the owner's discretion. If the system is not resampled within 30 days of the original sampling date or the resample shows a nitrogen concentration in excess of 40.0 or shows less than a 50% reduction of nitrogen between the influent and effluent samples, the system shall be re-engineered by an engineer registered in the State of Florida. The system shall be brought into compliance with treatment standards required at the time of system permitting.

(7)(4) In conjunction with the systems specified in this subsection ~~subsections 64E-6.018(1) and (2), F.A.C.,~~ an applicant may use the alternative systems described in subsection 64E-6.009(1), (3), (4), (5) or (6), F.A.C. An alternative system shall meet the general intent of Part I and Part II of this rule.

Rulemaking Specific Authority 381.0011(4), (13), 381.006, 381.0065(3)(a) FS., Chs. 99-395, 2010-205, LOF. Law Implemented 381.0065, 381.00655 FS., Chs. 99-395, 2010-205, LOF. History—New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.063, Amended 3-3-98, 3-22-00, 4-21-02, 11-26-06, \_\_\_\_\_.

64E-6.0181 System Repair Cesspit and Undocumented System Replacement and Interim System Use.

(1) Where a property is determined to have a cesspit or an undocumented system, the cesspit or undocumented system shall be required to be replaced with an onsite sewage treatment and disposal system complying with Rule 64E-6.018, F.A.C., ~~except as provided for in subsection (2).~~

(2) In areas that are scheduled to be served by a central sewer by December 31, 2015, where there is documentation from the sewer utility that the property is scheduled to be served by December 31, 2015 and there is documentation from the property owner has paid or has signed an agreement to pay for connection to the central sewer system, an onsite sewage treatment and disposal system requiring repair shall be repaired to the standards in this section ~~sewage facility before July 1, 2010, interim construction standards specified in subsection 64E-6.0181(3), F.A.C., for new, modified, expanded or existing onsite sewage treatment and disposal systems or to replace cesspits or undocumented systems shall be allowed.~~

(a) ~~Interim system requirements shall be allowed through July 1, 2004, for onsite sewage treatment and disposal systems in areas that are scheduled to be served, according to an adopted local comprehensive plan determined to be in compliance by the Department of Community Affairs, by a central sewage facility before July 1, 2010.~~

(b) After July 1, 2004, interim system requirements shall be allowed in an area scheduled to be served by a central sewage facility only when all of the following conditions are met:

1. An enforceable contract to provide the central sewage and collection system has been signed;
2. The contract contains a binding schedule for connection of the onsite sewage treatment and disposal systems to the central sewage facility; and
3. There is an enforceable requirement for abandonment of the onsite sewage treatment and disposal systems.

(c) Onsite sewage treatment and disposal systems that are not scheduled to be served in accordance with this section shall provide the level of treatment required in Rule 64E-6.018, F.A.C.

(d) All onsite sewage treatment and disposal systems in operation on July 1, 2010, shall provide the level of treatment required in Rule 64E-6.018, F.A.C.

(3) ~~Interim systems standards shall be:~~

(a) No system shall be repaired to meet a lower standard of treatment than the treatment standard permitted or required to be met prior to the repair.

(b) The following general requirements apply for the use of a septic tank and sand-lined drainfield system:

1. A tank need not be replaced as part of the repair if the health unit determines the tank to be structurally sound, constructed of approved materials, and if such tank has an effective capacity within two tank sizes of the capacities required by Table II. In addition, the tank shall be pumped and a solids deflection device shall be installed as a part of the outlet of the tank if one is not currently in place. If the tank needs to be replaced as part of the repair, it shall be replaced with a tank meeting the requirements of Table II and Rule 64E-6.013, F.A.C.

2. Effluent from the septic tank shall discharge to a drainfield over a sand liner meeting the standards in subparagraph 64E-6.018(4)(b)1., F.A.C.

3. No part of a septic tank and sand-lined drainfield system shall be located within 50 feet of the mean high water line of tidal surface water bodies or within 50 feet of the ordinary high water line of lakes, ponds or other non-tidal surface waters.

4. The drainfield component of the system must be located a minimum distance of 50 feet from salt marsh and Buttonwood Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

5. The bottom of the drainfield shall be at least 30 inches above mean high water. The bottom surface of the sand layer shall be at least 18 inches above mean high water.

6. Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial effects of evapotranspiration.

(c) The following general requirements apply for the use of an aerobic treatment unit and a sand-lined drainfield system:

1. The A Class I aerobic treatment unit shall meet the which meets the location, construction, maintenance and operational requirements of subparagraph 64E-6.0181(3)(a)1. or 2., F.A.C., and the certification, construction, operational and maintenance requirements of Rule 64E-6.012, F.A.C.

1. Where a Class I aerobic treatment unit is utilized, and where final effluent disposal is into a sand lined drainfield system, the following general requirements shall apply:

2. Effluent from the aerobic treatment unit shall discharge to a drainfield over a sand liner meeting the standards in subparagraph 64E-6.018(4)(b)1., F.A.C.

a. For a sand lined drainfield, a minimum 12 inch thick layer of quartz sand shall be placed beneath the bottom of the drainfield absorption surface and a minimum 12 inch wide and minimum 24 inch thick layer of quartz sand shall be placed contiguous to the drainfield sidewall absorption surfaces in order to provide an additional level of effluent treatment prior to effluent passing into the surrounding natural limestone rock. Sand material shall have either an effective grain size in the range of 0.25 millimeter to 1.00 millimeter and shall have a uniformity coefficient of less than 3.5, or the material shall be of such size whereby at least 90 percent of the sand particles pass a U.S. Standard Number 18 sieve and less than 10 percent pass a number 60 sieve. These materials are in the USDA soil texture classes known as medium sand and coarse sand. The county health department shall require the installer of a sand lined drainfield system to provide certification from the installer's sand supplier that the sand supplied for such type of installation meets the requirements of this subsection.

3.b. No part of the system shall be within 25 feet of the mean high water line of tidal surface water bodies or within 25 feet of the ordinary high water line of lakes, ponds or other non-tidal surface waters or salt marsh and Buttonwood Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

4.e. The bottom surface of the sand layer shall be at least 12 inches above mean high water.

d. The maximum sewage loading rate to an aerobic treatment unit absorption bed drainfield with underlying sand liner shall be 1.1 gallons per square foot per day.

5.e. Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial effects of evapotranspiration.

(d) The following general requirements apply for the use of an aerobic treatment unit and an injection well as defined in Rule 64E-6.017, F.A.C.

1. The Class I aerobic treatment unit shall meet the certification, construction, operational and maintenance requirements of Rule 64E-6.012, F.A.C.

2. Effluent from the aerobic treatment unit shall discharge to filter, disinfection chamber and injection well located, designed, installed, operated and maintained in accordance with paragraph 64E-6.018(4)(c), F.A.C.

2. Provided a Class I aerobic treatment unit is utilized and provided effluent from the treatment unit, prior to discharge into an injection well, is passed through a mineral aggregate filter unit as described in subparagraph 64E-6.0181(3)(a)2., F.A.C., or where effluent is passed through a filter unit of another design which has been determined by the State Health Office to be at least equal to the mineral aggregate filter unit with regard to sewage treatment capability, an injection well shall be approved in compliance with the following:

a. An injection well shall not be permitted or installed under the provisions of this part in any area designated by the United States Environmental Protection Agency or the Florida Department of Environmental Protection as having a single or sole source aquifer. Single source aquifer is defined in subsection 62-520.200(14), F.A.C.

b. In areas where injection wells are approved for use, the DOH Monroe County Health Department shall be the permitting agent for the aerobic treatment unit, the filter unit and the injection well, where the estimated daily domestic sewage flow will not exceed 2000 gallons per day. For establishments having a total daily sewage flow greater than 2000 gallons per day but not greater than 10,000 gallons per day, the Monroe County Health Department shall be the permitting authority for the aerobic treatment unit and the filter unit and DEP is the permitting agent for the injection well and any additional associated effluent treatment device. The effluent from the treatment unit permitted by the DOH Monroe County Health Department shall not exceed 20 mg/l CBOD<sub>5</sub> or 20 mg/l suspended solids on a permitted annual average basis and shall have disinfection in accordance with sub-subparagraph 64E-6.0181(3)(a)2.h., F.A.C., prior to discharge into any injection well.

e. The interior of the aerobic treatment unit, the top surface of the mineral aggregate filter soil cover, and the ground surface within a distance of at least 10 feet in all directions around the injection well, filter unit and aerobic treatment unit shall not be subject to surface or ground water flooding. In addition, the invert of the effluent inlet pipe to the injection well shall be a minimum 18 inches above the estimated seasonal high water level.

d. If there is adequate vertical and horizontal clearance to allow for proper maintenance, repair or replacement of the aerobic treatment unit, filter unit and injection well, such

~~components of the onsite sewage treatment and disposal system shall be allowed to be placed beneath an elevated building.~~

~~e. If a mineral aggregate filter as referred to in subparagraph 64E-6.0181(3)(a)2., F.A.C., is utilized, effluent discharge from the aerobic unit shall be by gravity or pressure distribution to a perforated pipe distribution system as specified in Part I, Rule 64E-6.014, F.A.C. Such distribution system shall be placed within the walls of the mineral aggregate filter and shall be placed above a mineral aggregate filter layer which shall be at least 24 inches thick. Mineral aggregate filter material shall have either an effective size in the range of 2.36 millimeters to 4.75 millimeters and shall have a uniformity coefficient of less than 3.5 or the material shall be equivalent in size to Florida Department of Transportation aggregate classification number eight or nine. The system designer may specify additional layers of filter material above or below the required 24 inch layer of filter material. The DOH Monroe County Health Department shall require the installer of mineral aggregate filter systems to provide certification from the installer's mineral aggregate supplier that the aggregate supplied meets requirements of this sub-paragraph. If the filter is not sealed with a lid meeting the requirements of paragraph 64E-6.013(1)(c), F.A.C., the filter shall be capped with a layer of slightly limited soil no less than 6 nor more than 12 inches thick.~~

~~f. The maximum sewage loading rate to the mineral aggregate filter shall be 5.5 gallons per square foot per day based upon the top surface area of the filter layer. The maximum sewage loading rate to an approved filter unit other than a mineral aggregate filter as described in this section shall be evaluated by the State Health Office based on unit design, size, filter media characteristics and expected functional life of the unit.~~

~~g. Effluent having passed through a mineral aggregate filter shall collect in an underdrain for gravity or mechanical discharge into an injection well. The underdrain shall consist of minimum 4 inch diameter perforated drainpipe which is encased within a minimum 8 inch depth of 1/2 to 2 inch diameter washed and durable aggregate. The walls and bottom of the filter unit shall be reinforced concrete or other material of adequate strength and durability to withstand hydrostatic and earth stresses to which the unit will be subjected. The walls and bottom of the unit shall be made waterproof so that the total volume of effluent passed through the mineral aggregate filter will be collected in the filter underdrain for discharge into the injection well.~~

~~h. Prior to discharge into an injection well, effluent from the filter unit shall be disinfected by chlorination or other disinfection method approved by the State Health Office. A minimum disinfection level equivalent to a free chlorine residual of 0.5 milligram per liter measured at the point of~~

~~effluent discharge after a minimum chlorine contact time of 15 minutes into the injection well, shall be maintained in the effluent at all times.~~

~~i. An injection well to receive an estimated daily domestic sewage flow not exceeding 2000 gallons per day shall meet minimum construction criteria (I), (II) and (III) of this sub-paragraph. The DOH Monroe County Health Department shall not approve an injection well for use until the well driller has certified, in writing to the DOH Monroe County Health Department, that the well has been installed in compliance with the provisions of this sub-paragraph. The inspection fee for the construction of an injection well shall be \$125.00.~~

~~(I) An injection well as defined in subsection 64E-6.017(3), F.A.C., shall be constructed, in part, utilizing a casing of polyvinyl chloride, commonly referred to as PVC. The minimum PVC casing weight and strength classification shall be schedule 40 and the minimum outside diameter of the casing shall be 4 inches. Other casing materials having strength and corrosion resistance properties equal to or greater than PVC schedule 40 pipe shall also be approved.~~

~~(II) An open hole having a minimum diameter of 6 inches shall extend to a depth of not less than 30 feet below the bottom of the casing.~~

~~(III) The annular space between the casing and the natural rock wall of the borehole shall be grouted the full length of the casing.~~

~~j. A minimum of one maintenance visit every four months shall be made to those systems using injection wells for effluent disposal. In addition to the standard aerobic treatment unit maintenance visit, the visit shall include an inspection of the chlorination and filter units. Documents and reports required in Rule 64E-6.012, F.A.C., shall also include the results of these inspections and shall include information on chlorine residuals to assess compliance with the disinfection requirements of this rule.~~

~~k. If an injection well is discontinued for effluent disposal use such injection well shall be properly abandoned and plugged by filling the injection well from bottom to top with cement grout.~~

~~(b) A performance-based treatment system designed and certified by a professional engineer, licensed in the state, as producing an effluent meeting at a minimum the treatment standards for a system designed in accordance with paragraph 64E-6.0181(3)(a), F.A.C., and permitted, constructed and monitored in accordance with Part IV.~~

Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a) FS., Chg. 99-395, 2010-205, LOF. Law Implemented 381.0065, 386.00655 FS., Chg. 99-395, 2001-337, 2010-205, LOF. History--New 3-3-98, 3-22-00, 4-21-02, 5-24-04, 11-26-06,\_\_\_\_\_.

64E-6.0182 Coordinated Permitting.

Chapter 28-20, F.A.C., and the Memorandum Of Understanding (MOU) between Monroe County, the Department of Community Affairs, the Department of Environmental Protection, and the Department of Health, including the Monroe County Health Department, dated July 25, 1997, are herein incorporated by reference, and is available by contacting the department. Chapter 28-20, F.A.C., and the MOU establish a permit allocation system for development and a coordinated permit review process. Chapter 28-20, F.A.C., and the MOU prohibit new system construction permits to serve new residential development that would allow development in excess of the number of permits that Monroe County may issue under its policy.

Rulemaking Specific Authority 381.0011(4), (13), 381.006, 381.0065(3)(a), (4)(k) FS., Chg. 99-395, LOF. Law Implemented ~~154.01, 381.0011(4), 381.006(7), 381.0065, 386.00655, 386.01, 386.03, 386.041~~ FS., Ch. 99-395, LOF. History—New 3-3-98, 3-22-00, Repromulgated \_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Substance Abuse Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65D-31.001	Applicability
65D-31.002	Definitions
65D-31.003	Managing Entity Qualifications
65D-31.004	Functions of Managing Entities
65D-31.005	Managing Entity Policies Requiring Departmental Approval
65D-31.006	Department’s Responsibilities

**PURPOSE AND EFFECT:** To further specify the essential elements, functions and authority of managing entities based on specifications of Section 394.9082, F.S. To clarify the authority residing with the department and the managing entities. To develop specifications needed to measure both DCF’s performance and that of managing entities.

**SUBJECT AREA TO BE ADDRESSED:** Definition of the role, functions, essential elements, activities, and authority of managing entities.

**RULEMAKING AUTHORITY:** 394.9082 FS.

**LAW IMPLEMENTED:** 394.9082 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:** TBD

**PLACE:** TBD

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Gloria C. Henderson, 1317 Winewood Boulevard, Building 6, Room 235, Tallahassee, FL 32399-0700, (850)413-9068

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

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
5E-14.110	Fumigation Requirements – Notices
5E-14.111	Fumigation Requirements – Application; Restrictions and Precautions

**PURPOSE AND EFFECT:** To provide electronic submission of required 24 hour prior notice of structural fumigations to the Department and to clarify and delineate precautionary language directing fumigator’s to visually inspect and secure the space between adjacent buildings.

**SUMMARY:** The proposed rule will change existing rules and policies by providing pest control fumigators the ability to meet the 24 hour notification requirement through a Department maintained website/database and improving the Department’s capability and efficiency to regulate pest control through the use of technological web-based applications. The proposed change will also clarify and delineate precautionary language directing fumigators to inspect and secure the space between adjacent buildings and update an outdated pest control practice while maintaining appropriate safety and precautionary pest control practices.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency that states there is no financial impact to small business.

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.

**RULEMAKING AUTHORITY:** 482.051 FS.

**LAW IMPLEMENTED:** 482.051(4) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control; 1203 Governors Square Boulevard, Tallahassee, Florida 32301; (850)921-4177

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

5E-14.110 Fumigation Requirements – Notices.

(1) Each licensee, before performing general fumigation, shall ~~notify the department at least twenty four (24) hours in advance of the fumigation period in advance notify in writing the department inspector having jurisdiction over the location where the fumigation operation is to be performed.~~ Notification shall be made utilizing the department's electronic fumigation notification website <http://appl.flaes.org/fumigation> or by submitting by facsimile, a completed on DACS Form 13667, Notification of Fumigation, Rev. 04/10 05/08, which is hereby adopted and incorporated by reference and available from the department's website at <http://www.doacs.state.fl.us/onestop/aes/pesteont.html>. Such notices shall be received by the department inspector at least twenty four (24) hours in advance of the fumigation period. The notice shall state the following:

- ~~(a)(1)~~ Company name and business location address.
- ~~(b)(2)~~ Accepted common or trade name and active ingredients of fumigant to be used.
- ~~(c)(3)~~ Name of certified operator in charge ~~and/or his~~ the designated certified operator(s) or special fumigation identification card holder(s) for the fumigation, together with her or his day and night telephone numbers.
- ~~(d)(4)~~ Location (address), county, and type of structure (single family residential, multi-unit, ~~single family,~~ business commercial, or other) to be fumigated.
- ~~(e)(5)~~ Date of fumigation.
- ~~(2)(6)~~ Any change(s) in information required in ~~written~~ notices by this regulation shall be reported via the electronic submission website <http://appl.flaes.org/fumigation> or in writing via facsimile in advance of the fumigation period.

(a) Exceptions: In authentic and verifiable emergencies only, when twenty-four (24) hours advance notification is not possible, advance electronic submission via <http://appl.flaes.org/fumigation> telephone or facsimile notice shall be given ~~and~~.

~~(b)~~ This ~~such~~ notice shall be immediately followed by written confirmation stating the required information. The written confirmation may be made by electronic mail to [bepcfumigation@doacs.state.fl.us](mailto:bepcfumigation@doacs.state.fl.us).

(3) A licensee that performs chamber or vault fumigations on the premises of the licensee's licensed business location shall notify the department annually in writing. Information required in the written notification shall include the type of chamber being used on the property (such as shipping containers, trucks, PODS, tarpaulin areas, etc.) and the days of the week and hours during which these fumigations may be performed during the year of notification. The licensee shall provide the department at least 24 hours notice of any changes in the days of the week and hours during which fumigations may be performed.

(4) All forms and filing specifications contained in this rule are hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850)921-4177 or by visiting the Department's website at <http://www.doacs.state.fl.us/onestop/aes/pestcont.html>.

Rulemaking Specific Authority 482.051 FS. Law Implemented 482.051(4) FS. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.110, Amended 7-5-95, 9-17-08,\_\_\_\_\_.

5E-14.111 Fumigation Requirements – Application; Restrictions and Precautions.

- (1) through (4) No change.
- (5) Fumigation of structures shall be performed in strict accordance with the registered label and labeling directions and precautions for the intended use and type of structure, provided there is sufficient distance along the entire length of the passageway between the structure(s) to be fumigated and all adjacent occupied structure(s) to allow visible inspection, with or without egress, for connected structures as defined in subsection 5E-14.102(17), F.A.C., and inspection for and sealing of exterior openings, such as vents, windows, etc. that require sealing for adequate fumigant confinement permit comfortable, free and reasonable passage for the crewmen to work; for the certified operator or his special fumigation identification card holder to make tests along the passageway for escaping gas with gas detecting equipment and otherwise. If these requirements cannot be met, the fumigation shall not be performed unless the adjacent structure(s) is vacated.
- (6) through (7) No change.

Rulemaking Specific Authority 482.051 FS. Law Implemented 482.051(1), 482.152, 482.241 FS. History–New 1-1-77, Amended 6-27-79, 6-22-83, Formerly 10D-55.111, Amended 8-11-93, 9-17-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Anderson H. Rackley, Director of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Charles H. Bronson, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 2010

**DEPARTMENT OF EDUCATION**

**State Board of Education**

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



**PURPOSE AND EFFECT:** The purpose of this rule amendment is to adopt the Next Generation Common Core State Standards for Reading and Language Arts and Mathematics in accordance with Section 1003.41, Florida Statutes. The effect is to ensure that Florida's curriculum standards remain current and relevant.

**SUMMARY:** This rule is amended to adopt the Next Generation Common Core State Standards in Reading and Language Arts and Mathematics.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** None.

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.

**RULEMAKING AUTHORITY:** 1001.02(1), 1003.41 FS.

**LAW IMPLEMENTED:** 1003.41 FS.

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

**DATE AND TIME:** July 27, 2010, 10:00 a.m.

**PLACE:** Conference Call #: 1(888)808-6959, Code: 4617163

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Todd Clark, Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, Tallahassee, FL 32399, (850)245-0764

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

6A-1.09401 Student Performance Standards.

(1) Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. Beginning with the 2013-2014 2007-2008 school year, the reading and language arts benchmarked standards for reading and language arts referenced below in paragraph (1)(a), describe what students should know and be able to do at grade level progression for kindergarten to grade 8 and in grade bands for grade levels 9-10 and 11-12. Beginning with the 2013-2014 school year, the mathematics benchmarked standards for mathematics referenced below in paragraph (1)(b) describe what students should know and be able to do at grade level progression from kindergarten to grade 8 and for each of the mathematics content areas of: Number and Quantity, Algebra, Functions, Modeling, Statistics and Probability, and Geometry for grades 9-12. Beginning with the 2008-2009 school year, the mathematics and science benchmarked standards for mathematics and science referenced below in paragraphs (1)(b) and (c), describe what students should know and be able to do at grade level progression from kindergarten to grade 8 and for each of the mathematics content areas of: algebra, calculus, discrete mathematics, financial literacy, geometry, probability,

~~statistics, and trigonometry, and each of the science content areas of: earth and space science, life science, physical science, and nature of science for grades 9-12. Beginning with 2009-2010, the health, physical education, and social studies benchmarked standards describe what students should know and be able to do at ten progression levels (grades K, 1, 2, 3, 4, 5, 6, 7, 8, 9-12). The benchmarked standards in paragraphs (1)(e)-(f) of this rule describe what students should know and be able to do at four progression levels (grades Pre-K-2, 3-5, 6-8, 9-12) in the subjects of the arts and foreign languages. The access points contained in either the Next Generation Sunshine State Standards or the Sunshine State Standards provide access to the general education curriculum for students with significant cognitive disabilities. Public schools shall provide appropriate instruction to assist students in the achievement of these standards or the Sunshine State Standards for Special Diploma as appropriate. These standards, benchmarks, and access points are contained in the following publications which are hereby incorporated by reference and made a part of this rule.~~

- (a) Next Generation Common Core Sunshine State Standards – Reading and Language Arts, 2010 July 2007,
  - (b) Next Generation Common Core Sunshine State Standards – Mathematics, 2010 2008,
  - (c) Sunshine State Standards – Science, 2008,
  - (d) Next Generation Sunshine State Standards – Social Studies, 2009,
  - (e) Sunshine State Standards – Foreign Languages, 1996,
  - (f) Sunshine State Standards – The Arts, 1996,
  - (g) Next Generation Sunshine State Standards – Health, 2009,
  - (h) Next Generation Sunshine State Standards – Physical Education, 2009, and
  - (i) Sunshine State Standards for Special Diploma, 1999.
- Copies of these publications may be obtained from the Division of Public Schools, Department of Education, 325 West Gaines St., Tallahassee, Florida 32399-0400.
- (2) through (4) No change.

Rulemaking Authority 1001.02 FS. Law Implemented 1001.03, 1003.41 FS. History–New 6-18-96, Amended 9-28-99, 3-1-07, 7-25-07, 11-25-07, 4-14-08, 9-22-08, 2-1-09, 1-6-10, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Dr. Frances Haithcock, Chancellor, Division of Public Schools  
**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Dr. Eric J. Smith, Commissioner of Education  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 21, 2010  
**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** May 14, 2010

**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.: 33-602.210  
 RULE TITLE: Use of Force

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to clarify the procedures for reporting and recording use of force incidents and to amend Form DC4-711A for clarity.

**SUMMARY:** The proposed rule clarifies the procedures for reporting and recording use of force incidents and amends Form DC4-711A for clarity.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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.

**RULEMAKING AUTHORITY:** 944.09 FS.

**LAW IMPLEMENTED:** 776.07, 944.09, 944.35 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:** Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

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

33-602.210 Use of Force.

(1) through (4) No change.

(5) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. Utilization of the custodial touch, with the hand firmly grasped around the inmate's triceps or elbow, during internal transport of restrained inmates shall not be considered a use of force when the transport hold is for the safety of the inmate and resistance is not met.

(a) through (7) No change.

(8) The warden or, in his absence, the duty warden will be consulted and give ~~her or his~~ permission prior to use of physical force. In spontaneous use of force incidents when circumstances do not permit prior approval, the warden or, in his absence, the duty warden will be notified immediately following any use of force incident. Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (2) shall prepare, date and sign Form DC6-232, Authorization for Use of Force Report, either during, or immediately after, the tour of duty when force was used. If the authorization for force is given after normal working hours, the person authorizing the force shall complete and sign Form DC6-232 within one working day (Monday through Friday) following the incident. Form DC6-232 is incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(9) Whenever force is used the employee initially using force shall complete Form DC6-230, Institutions Report of Force Used. ~~The, and the~~ completed form shall include a detailed written report of force used providing exact circumstances leading to the use of force (i.e., who, what, when, where, how, and why), the officer's personal behavior in the use of force, specific information regarding the type, brand, and amount of any chemical agents used (number and length of bursts), as well as the dispenser and method of disbursement. If more than one employee was involved in the initial use of force, the highest ranking official involved or the most senior employee shall complete the report. Each additional employee involved in the use of force who agrees with the facts and circumstances as reported on Form DC6-230 Section I shall prepare Form DC6-231, Institutions Report of Force Used Staff Supplement. The report shall describe in detail the type and amount of force used by him or her. Each employee shall individually write his or her own report, then submit the completed report to the clerical personnel designated by the warden to type all the reports onto one form to be signed by each employee. Any additional employee who does not agree with the facts and circumstances as reported in Form DC6-230 Section I shall prepare a separate Form DC6-230, Institutions Report of Force Used. Forms DC6-230 and DC6-231 are incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(10) No change.

(11) The warden or acting warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation. If signs of excessive force or procedural deviation are noted by the warden or assigned inspector, she or he will notify the Office of the Inspector General directly, so that there is no undue delay in initiating an investigation. The warden shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information and required documentation. This information will include the reports of all involved staff and the statements of

staff witnesses, inmate witnesses, the inmate subject, and the completed Form DC1-813, Use of Force File Checklist. Form DC1-813 is incorporated by reference in subsection (29) of this rule. All inmate statements (subject and witnesses) shall be made in writing using Form DC6-112C, Witness Statement. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. All employees who witness but do not participate in the use of force shall complete, Form DC6-210, Incident Report. Form DC6-210 is incorporated by reference in subsection (29) of this rule. This process will be completed within 5 working days (Monday through Friday). The warden shall review the information and note any inappropriate actions. The warden shall review Form DC1-813, Use of Force File Checklist and shall forward the videotape(s) and associated reports on the use of force and the warden's review to the institutional inspector within five working days. The warden shall keep a copy of the completed Form DC6-230 pending the response from the Office of the Inspector General. The institutional inspector will ensure that all documentation is complete, note any preliminary finding, including anything missing from the documentation and the reason why, complete the appropriate sections on Form DC1-813, and then will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The Use of Force Unit within the OIG, following its review, will either approve the use of force action or disapprove it. If necessary, it will be referred for investigation before final approval or disapproval. If the Use of Force Unit finds that the use of force was appropriate, the OIG's written determination of the appropriateness of the force used and the reasons therefor, shall be forwarded to the circuit administrator or warden upon completion of the review. If the Use of Force Unit finds that the use of force was inappropriate, the OIG shall conduct a complete investigation into the incident and forward the findings of fact to the appropriate regional director. The OIG shall also advise the warden in writing of the reason for the disapproval so that the warden can take any needed corrective action. If employee disciplinary action appears warranted, the warden shall prepare Form DC6-296, Disapproved Use of Force/Disposition Report, and forward the materials to the ~~service center~~ employee relations supervisor in the servicing personnel office. Form DC6-296 is incorporated by reference in subsection (29) of this rule. The warden shall document all corrective action taken. Copies of the employee's report, the warden's summary and the inspector general's review and determination shall be kept in the inmate's file. Form DC2-802, Use of Force Log, shall be placed in every employee's personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The warden or his designee shall be responsible for submitting accurate information to the personnel office in order to maintain Form DC2-802. Any use of force reports

completed prior to April 15, 1998 shall remain in the file. Form DC2-802 is incorporated by reference in subsection (29) of this rule.

(12) Based on the use of force review data system, the Inspector General will notify the warden and regional director of any officer involved in eight or more use of force incidents in an eighteen month period. The regional director will review the circumstances for possible reassignment.

(13) Any incident that necessitates the drafting of Form DC6-230, Institutions Report of Force Used, will be reported to the Emergency Action Center (EAC). The following information will be provided to the EAC the:

(a) Name of the institution at which the incident occurred,  
(b) Name of staff members reporting to the emergency action center.

(c) Name of the inmate(s) involved,

(d) Names of staff members involved,

(e) Category of force used as determined by subsection (14) below,

(f) Injuries to staff members, and

(g) Injuries to inmates.

(14) The applicable category of or reason for the use of force shall be determined by the warden or shift supervisor based on whether the force was used to:

(a) Defend her/himself or another against an inmate using unlawful force;

(b) Prevent the escape from a state correctional institution or facility of an inmate or aid in the recapture of an escaped inmate;

(c) Prevent the escape of an inmate during transporting or while outside a correctional institution or facility;

(d) Prevent damage to property;

(e) Quell a disturbance;

(f) Overcome an inmate's physical resistance to a lawful command;

(g) Prevent an inmate from inflicting further injury to her/himself (suicide attempt);

(h) Restrain the inmate when ordered to allow medical treatment; or

(i) Complete a cell extraction.

(15) The designation of multiple categories of or reasons for use of force may be required depending on the use of force incident. Additional information that is reportable to the emergency action center that may accompany a use of force, such as battery of a law enforcement officer or escape, shall also be reported.

~~(16)~~ (12) Any employee who witnesses, or has reasonable cause to suspect, that an inmate has been unlawfully abused shall immediately prepare, date and sign Form DC6-210, Incident Report, pursuant to Section 944.35(3)(d), F.S., specifically describing the nature of the force used, the location and time of the incident and the persons involved. The report

shall be delivered to the inspector general of the department with a copy delivered to the warden of the institution. The inspector general shall conduct an appropriate investigation and, if probable cause exists that a crime has been committed, notify the state attorney in the circuit in which the institution is located.

~~(17)(43)~~ Force or restraint may be used to administer medical treatment when ordered by a physician or clinical associate, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or clinical associate shall prepare Form DC6-232, Authorization for Use of Force Report, documenting the reasons that force or restraint was authorized. The physician's or clinical associate's report shall be attached to Form DC6-230, Institutions Report of Force Used, when actual force is used, or Form DC6-210, Incident Report, when restraints are applied without the use of force as described above. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign Form DC4-711A, Refusal of Health Care Services, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-711A, DC4-701C and DC4-708 are incorporated by reference in subsection ~~(29)(25)~~ of this rule. When the use of four-point or five-point psychiatric restraints is authorized and the inmate does not offer resistance to the application of the restraints, the completion of Form DC6-230, Institutions Report of Force Used, or Form DC6-231, Institutions Report of Force Used Staff Supplement, will not be required. In these situations, where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped and Form DC6-210, Incident Report, will be completed. The videotape, the completed Incident Report, and the completed Form DC6-232, Authorization for Use of Force Report, will be forwarded to the warden or acting warden for review within one working day. The warden will forward the videotape and associated reports to the institutional inspector within five working days. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Office of the Inspector General, as outlined in

subsection (11) above, for review. If at any time prior to or during the application of the psychiatric restraints the inmate offers resistance to the application, the steps outlined in subsection (9) above will be followed.

(14) through (15) renumbered (18) through (19) No change.

~~(20)(46)~~ Use of EIDs. EIDs shall not be used on anyone other than an inmate during an authorized use of force.

(a) through (e) No change.

(f) When in a close management or confinement setting, prior to utilizing EIDs, the officer shall review Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, to determine whether the inmate has a medical condition which may be exacerbated by use of EIDs. If no form is available, and where time and circumstances permit, medical staff shall be consulted to determine if the inmate has any medical condition that would make the use of an EID dangerous to that inmate's health. Form DC4-650B is incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(g) No change.

(h) As soon as possible following each use of an EID, the inmate shall be afforded medical examination and treatment. Medical staff shall, upon completing the medical examination, make a mental health referral for each inmate who is classified S-2 or S-3 on the health profile. The referral shall be made by completing Form DC4-529, Staff Request/Referral, and sending it to mental health staff. Form DC4-529 is incorporated by reference in subsection ~~(29)(25)~~ of this rule. Mental health staff shall evaluate the inmate not later than the next working day to determine whether a higher level of mental health care (isolation management, transitional, or crisis stabilization) is indicated. For the purposes of this rule, the following definitions shall apply:

1. through (m) No change.

~~(21)(47)~~ Use of Chemical Agents. Chemical agents shall not be used on anyone other than an inmate during an authorized use of force.

(a) through (b) No change.

(c) In controlled situations when time constraints are not an issue, chemical agents can only be used if authorized by the warden or, in his or her absence, the duty warden. Additionally, in accordance with paragraph ~~(1)(4)~~ below, certified correctional staff will be pre-authorized to administer chemical agents in instances where chemical agents must be used for intervention in self-defense, i.e., when the officer believes that he or she is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers or inmates.

(d) through (j) No change.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's

station in confinement and close management units until its use is authorized. Each stored chemical agent dispenser will be numbered. Form DC6-216, Chemical Agent Accountability Log, will be kept in all areas in which chemical agents are stored and will be utilized to record the weight of each numbered chemical agent dispenser prior to issue and again when it is returned to the secure inventory storage area. The weighing process will be conducted and a verifying entry will be made in the log, including the signature of the shift supervisor authorizing the use of the chemical agent. The chief of security shall monitor the canister weights following each use of chemical agents to ensure the amounts used are consistent with that expected by reviewing and initialing Form DC6-216. Form DC6-216 is incorporated by reference in subsection ~~(29)~~(25) of this rule.

(1) Issuance of chemical agents.

1. No change.

2. Certified officers assigned to major institutions and posted to internal security, recreation field, shift supervisor posts, or designated as "A" team response members are authorized by the Secretary to be issued one MK-9, or equivalent, dispenser of OC in addition to the dispenser issued in accordance with subparagraph ~~(21)(1)1.~~ (17)(1)1. These officers are authorized to administer the chemical agents listed in this subparagraph in spontaneous disturbance situations involving multiple inmates in locations where large numbers of inmates are present, such as recreation fields, canteen, and meal lines. This option shall only be utilized in disturbance situations rising to the level of inmate involvement where this enhanced option is deemed necessary and shall not be used indoors.

3. The chemical agent dispenser shall be securely encased and attached to the officer's belt. Each chemical agent dispenser will be secured within a pouch or to a holstering device by a numbered, breakable seal. Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned as well as the seal number on the dispenser she or he received. Form DC6-213 is incorporated by reference into subsection ~~(29)~~(25) of this rule. Upon receiving the dispenser and pouch, the officer will examine the safety seal to ensure that it is intact. If the seal is broken, the Shift Supervisor will be notified immediately and Form DC6-210, Incident Report, will be written. The arsenal sergeant shall maintain a master inventory of all individual chemical agent dispensers complete with the weight of the dispenser at the time the original seal is attached. Whenever a dispenser is returned with a broken seal, the arsenal sergeant shall document the weight of the dispenser on Form DC6-216, Chemical Agent Accountability Log, and attach a new seal. Any discrepancies in the weight of the dispenser will be reported to the chief of security, and Form DC6-210, Incident Report, shall be completed.

(r) Upon request, appropriate health services staff shall provide the following completed forms to Department inspectors or legal staff: Form DC4-701C, Use of Force Exam; Form DC4-708, Diagram of Injury; and Form DC4-701, Chronological Record of Health Care. Form DC4-701 is incorporated by reference in subsection ~~(29)~~(25) of this rule.

(m) through (q) No change.

(18) through (19) renumbered (22) through (23) No change.

~~(24)~~(20) Pepperball Launching System (PLS). The PLS shall be used primarily by restricted labor squad supervisors and exercise officers for designated confinement, close management, maximum management, and death row populations. The PLS is intended for the dispersal of chemical agents in situations where the use of aerosol type agents would not be effective due to weather conditions or when their use could subject the officer or uninvolved inmates to injury. The PLS shall only be employed by officers trained in their use and effects.

(a) through (f) No change.

(g) All subsequent reports, medical requirements and reviews required for the use of chemical agents as outlined in subsection ~~(21)~~(47) above shall be completed after the use of the PLS.

(h) No change.

(21) through (24) renumbered (25) through (29) No change.

~~(30)~~(25) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) DC1-813, Use of Force File Checklist, effective September 18, 2006.

(b) DC2-802, Use of Force Log, effective February 7, 2000.

(c) DC4-529, Staff Request/Referral, effective January 6, 2009.

(d) DC4-701C, Emergency Room Record, effective October 4, 2007.

(e) DC4-708, Diagram of Injury, effective October 4, 2007.

(f) DC4-711A, Refusal of Health Care Services, effective ~~January 6, 2009.~~

(g) DC6-210, Incident Report, effective March 3, 2008.

(h) DC6-213, Individual Chemical Agent Dispenser Accountability Log, effective September 18, 2006.

(i) DC6-216, Chemical Agent Accountability Log, effective July 25, 2002.

(j) DC6-230, Institutions Report of Force Used, effective August 25, 2003.

(k) DC6-231, Institutions Report of Force Used Staff Supplement, effective August 25, 2003.

(l) DC6-232, Authorization for Use of Force Report, effective July 25, 2002.

(m) DC6-296, Disapproved Use of Force/Disposition Report, effective July 25, 2002.

(n) DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, effective August 4, 2008.

(o) DC4-701, Chronological Record of Health Care, effective 4-8-10.

Rulemaking Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, 8-4-08, 1-6-09, 5-26-09, 4-8-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
George Sapp, Deputy Secretary of Institutions  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 24, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 4, 2010

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-63.400	Purpose and Policy
40E-63.401	Scope of Program
40E-63.402	Definitions
40E-63.404	Incorporation of Forms, Instructions and References
40E-63.406	Delegation
40E-63.415	No Notice General Permits
40E-63.420	BMP Plan Pre-approvals
40E-63.430	General Permit Applications
40E-63.432	Permit Modifications, Transfers and Renewals
40E-63.434	Permit Duration
40E-63.435	BMP Plans
40E-63.436	Permit Application Processing Fees
40E-63.437	Alternative BMP Plans
40E-63.438	Early Implementation of Water Quality Improvement Activities
40E-63.439	Permit Modifications, Transfers and Renewals
40E-63.440	General Permit Application Requirements in the C-139 Basin
40E-63.441	Permit Duration
40E-63.442	Basis for Issuance of General Permits in the C-139 Basin
40E-63.443	Permit Application Processing Fees

40E-63.444	Limiting Conditions for General Permits in the C-139 Basin
40E-63.446	C-139 Basin Compliance
40E-63.450	Individual Permit Application Requirements in the C-139 Basin
40E-63.452	Basis for Issuance of Individual Permits in the C-139 Basin
40E-63.454	Limiting Conditions for Individual Permits in the C-139 Basin
40E-63.456	Optional Discharge Monitoring Program
40E-63.458	Limiting Conditions for the Optional Discharge Monitoring Program
40E-63.460	C-139 Basin Compliance
40E-63.461	C-139 Basin Permit Compliance
40E-63.462	Permit Basin Discharge Monitoring Program
40E-63.464	Limiting Conditions for the Permit Basin Discharge Monitoring Program
40E-63.470	C-139 Basin Works of the District Permit Compliance

PURPOSE AND EFFECT: Pursuant to paragraph 40E-63.460(3)(d), F.A.C., the South Florida Water Management District is required to revise Part IV of Chapter 40E-63, F.A.C., to ensure that the objectives of the Everglades Forever Act, Section 373.4592(4)(f)5., F.S., are met if the District determines that the C-139 Basin has not achieved the rule-required phosphorus levels for the fourth time. The C-139 Basin has been out of compliance for at least four water years.

SUMMARY: The proposed rule amendments require landowners whose water management systems discharge into Works of the District within the C-139 Basin, as described in the rule, to implement best management practices (BMPs) to reduce and control phosphorus discharges from the basin. The BMPs will take into account site-specific conditions, potential phosphorus sources, primary phosphorus species, and transport mechanisms based on available data. This will ensure a thorough and consistent approach to implementation and maintenance. The proposed amendments also enhance the compliance methodology to more accurately reflect the conditions in the C-139 Basin, and if required, establish remedial actions if the basin does not achieve compliance with the phosphorus performance measures in the future.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs (SERC) has been prepared in support to the revisions to Part IV and Appendix B of Chapter 40E-63, F.A.C., and is available on the District’s website at [www.sfwmd.gov](http://www.sfwmd.gov) or by contacting one of the persons listed in the contact section below. The draft SERC has been prepared in accordance with the requirements of Section 120.541(2), F.S. A summary of the conclusions reached is presented below:

(a) The rule amendments provide No Notice General Permits (NNGP) to owners of land parcels that implement basic BMPs and that are not part of a central drainage system, are inactive, or are less than 40 acres. These BMPs are not expected to incur significant costs. Costs are likely to be zero or nominal (e.g., soil and/or plant tissue test).

(b) For permittees with General permits, the implementation costs of the BMP Plan will vary based on the current level of implementation. Permittees who have judiciously implemented BMPs will be least impacted by the proposed rule in terms of transactional costs. Also, many of the BMPs that permittees will be required to implement as a result of the proposed rule may already be required under other rules, or fully or partially implemented as standard operating procedure for the agricultural operation.

(c) In the event the C-139 Basin is determined by the District to be out-of-compliance, permittees may incur costs to develop a plan of proposed water quality improvement activities and implement these activities. The magnitude of cost will depend on the percentage (%) total phosphorus reduction required from each permittee. The estimated transactional costs associated with each proposed rule revision are provided in Section 4.0 of the SERC.

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

RULEMAKING AUTHORITY: 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS.

LAW IMPLEMENTED: 373.085, 373.4592 FS.

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

DATE AND TIME: August 12, 2010, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Carmela Bedregal, Engineer Supervisor, Everglades Regulation Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416, (800)432-2045, ext 2737 or (561)682-2737, email: cbedrega@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management

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

Copies of the materials incorporated by reference in Rule 40E-63.404, F.A.C., are available online at www.sfwmd.gov or by contacting either of the persons listed herein.

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

##### 40E-63.400 Purpose and Policy.

(1) This part of Chapter 40E-63, F.A.C., Program implements requirements of the Everglades Forever Act (EFA), Sections 373.4592(4)(f)5. and 6., F.S., for the C-139 Basin, and also provides a regulatory process for landowners whose water management systems connect with and make use of the canals, structures and other Works of the District within the C-139 Basin, in accordance with Section 373.085, F.S.

(2) Since water quality monitoring data from the C-139 Basin demonstrate that the landowners within the C-139 Basin have collectively exceeded historical the annual phosphorus loading levels of phosphorus of 28.7 metric tons, landowners are required to implement a best management practices (BMP) program for reduction of phosphorus in discharges that is consistent with the land uses within the basin.

(3) The objectives of this part of Chapter 40E-63, F.A.C., BMP program are as follows:

(a) To implement and continuously improve through adaptive management immediately require initial implementation of a BMP program, including modifications to existing water management systems, for reducing and controlling phosphorus discharges from the C-139 Basin (~~later in this Chapter referred to as Level I~~);

(b) To provide a water quality monitoring program, performance measures and a compliance methodology to evaluate the effectiveness of the BMP program in reducing phosphorus discharges; ~~for determining whether additional measures will be required of landowners (later in this Chapter referred to as Levels II through IV); and~~

(c) To establish a BMP compliance verification an inspection and enforcement program to ensure that phosphorus discharges from the basin do not exceed historic levels, based upon water quality monitoring data from the period October 1, 1978 to September 30, 1988, in accordance with Chapter 40E-63, F.A.C., Appendix B2, "C-139 Basin Compliance Methodology", dated ~~October 2004; and~~

(d) To develop and conduct research and demonstration projects to improve and confirm the effectiveness of BMPs for reducing phosphorus and other constituents that are not being significantly improved by either Stormwater Treatment Areas (STAs) or BMPs.

(4) This part of Chapter 40E-63, F.A.C., Program requires landowners to reduce phosphorus discharges from the C-139 Basin, and in conjunction with the Stormwater Treatment

Areas (STAs), especially ~~STA-5~~, provides a sound basis for the State of Florida's long-term improvement cleanup and restoration objectives for the Everglades. It is recognized that achieving phosphorus and other water quality standards will involve an adaptive management approach, whereby best available information and technology are used to identify and implement incremental BMP improvement activities for further phosphorus reduction and water quality improvements, if needed.

~~(5) Except as otherwise provided in this chapter, the permittees within the C-139 Basin shall not be required to implement any additional water quality improvement measures before December 31, 2006, in accordance with the EFA, Section 373.4592(4)(f)3., F.S.~~

~~(5)(6)~~ Unless otherwise provided by this part ~~IV~~ of Chapter 40E-63, F.A.C., nothing herein shall be construed to modify any existing state water quality standards, nor to otherwise restrict the authority granted to the District pursuant to Chapter 373, F.S.

(6) Section 403.067(7)(c)2., F.S., authorizes the Florida Department of Agriculture and Consumer Services (FDACS) to develop and adopt BMPs by rule and assist with their implementation.

(7) The District's sub-basin monitoring and maintenance program for data collection, performance measure assessment, and determination of when water quality improvement activities are required, as described in paragraphs 40E-63.446(2), (3)(a), (3)(e), and (4), F.A.C., and Appendices B3.1 and B3.2 (which are incorporated by reference in subsections 40E-63.404(7) and (8), F.A.C.), and are an inseparable component of this part of Chapter 40E-63, F.A.C., for ensuring that landowners are responsible for their proportional share of phosphorus load discharged from the C-139 Basin. If these provisions are declared invalid, the District shall initiate rulemaking pursuant to Chapter 120, F.S., to revise this part of Chapter 40E-63, F.A.C., to ensure that the proportional share objectives of the EFA, Section 373.4592(4)(f)3., F.S., are met.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History--New 1-24-02, Amended \_\_\_\_\_.

#### 40E-63.401 Scope of Program.

(1) For the purposes of this part of Chapter 40E-63, F.A.C., rule, the Works of the District for the C-139 Basin include water control structures, right-of-ways, canals, and other water resources that the South Florida Water Management District owns, operates and controls, and that have been specifically named as Works of the District pursuant to Sections 373.085 and 373.086, F.S. Works of the District for the C-139 Basin including G-96, G-134, G-135, include

G-136, G-150, G-151, G-152, G-406, G-342A, G-342B, G-342C, G-342D, L-1 Canal, L-2 Canal, L-3 Canal (north of G-406), and their open channel connections.

(2) Unless expressly exempted, all lands within the C-139 Basin are users of the Works of the District within the C-139 Basin, and as such must be granted a No Notice General Permit pursuant to the provisions of Rule 40E-63.415, F.A.C., or must obtain a General ~~or Individual~~ Permit pursuant to the provisions of Rule ~~40E-63.430 40E-63.440 or 40E-63.450~~, F.A.C., respectively. The rules shall apply to existing and new discharges releases of water to Works of the District within the C-139 Basin.

(3) Landowners in the C-139 Basin share responsibility for achieving phosphorus load limitations in the basin. The compliance program, as established in this part of Chapter 40E-63, F.A.C., ensures that landowners are responsible for their proportional share of phosphorus load discharged from the C-139 Basin based upon their proportional share of acreage to the total C-139 Basin acreage.

(4) Permits issued under this part of Chapter 40E-63, F.A.C., do not eliminate or alter other applicable permit requirements for discharges that impact other water bodies, basins, or Works of the District, nor do they affect the permit requirements of other District regulatory programs.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History--New 1-24-02, Amended \_\_\_\_\_.

(Substantial rewording of Rule 40E-63.402 follows. See Florida Administrative Code for present text.)

#### 40E-63.402 Definitions.

(1) "Best Management Practice (BMP)" means a practice or combination of practices determined by the District, in cooperation with the Department of Environmental Protection (Department) and FDACS, based on research, field testing, and expert review, to be the most effective and practicable on-location means, including economical and technological considerations, of improving water quality in agricultural and urban discharges to a level that balances water quality improvements, and agricultural productivity.

(2) "BMP Plan" means a combination of BMPs that meets, but is not limited to, the requirements of Rules 40E-63.435 and 40E-63.437, F.A.C., as determined by the District.

(3) "BMP equivalent point" means the numerical value assigned to a BMP as provided in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.). The points are used for regulatory permit review to ensure a comparable level of effort in BMP implementation among permittees. The points are an indication of relative BMP effectiveness. The points are based on expert review, technical publications, best professional judgment, and cooperative workshops with stakeholders.



(4) “C-139 Basin” means those lands described in the EFA, Section 373.4592(16), F.S. or lands outside those boundaries which discharge to the C-139 Basin or to the canals or structures described in subsection 40E-63.401(1), F.A.C.

(5) “Demonstration project” means an investigation based on technical information to evaluate the feasibility and effectiveness of best management practices techniques offering phosphorus reduction and financial benefits. Criteria to be considered by the District for review are described in subsection 40E-63.437(3) and Rule 40E-63-438, F.A.C.

(6) “Discharge” means any surface water runoff generated by rainfall, irrigation, or seepage flowing off-site from a land area. Runoff may occur through a structure (pump or gravity) or may flow as uncontrolled discharge from a land area.

(7) “Nutrient control practices” means a category of BMPs that minimizes nutrient input and the movement of nutrients off-site by efficient and controlled application of nutrients (e.g., organic and chemical fertilizers, soil amendments, and residuals.)

(8) “Parcel” means a contiguous land area identified in the county tax rolls under common ownership.

(9) “Particulate matter and sediment control practices” means a category of BMPs that minimizes the movement off-site of nutrients in particulate matter and sediments by controlling the amount of eroded soil and plant matter in discharges.

(10) “Permit basin” means a parcel or group of parcels served by one or more discharge structures that collectively represent all of the discharge from that area of land. A permit may have one or more permit basins. The boundaries of a permit basin are determined by the District based on available hydrologic data to define, to the extent practicable, the land area discharging to each sub-basin.

(11) “Structure” means a structural device or hydrologic feature (e.g. pump, culvert, open connection, land surface grading, ditch) that water flows through or across and is ultimately discharged/directed from a permit basin to a receiving water body.

(12) “Sub-basin” is an area of land determined by the District to represent all discharges to District monitoring locations based upon hydrologic mapping, and permittee submitted information, as represented in Appendix B3.1 “Permittee Annual Phosphorus Load Determination Based on Sub-basin Monitoring and the Permit Basin Discharge Monitoring Program”, dated \_\_\_\_\_.

(13) “Verification plan” means a water quality monitoring program to verify the expected effectiveness of a BMP Plan or proposed water quality improvement activities in accordance with subsection 40E-63.460(4), F.A.C.

(14) “Water management practices” means a category of BMPs that minimizes the quantity and improves the quality of off-site discharges which carry nutrients downstream. BMPs for water management include discharge and irrigation management practices to reduce runoff.

(15) “Water management system” means the collection of devices, improvements or natural systems whereby surface waters are conveyed, controlled, impounded, or obstructed. For water management systems serving multiple entities, dams, impoundments, reservoirs and their structures and canals are referred to as the common facilities.

(16) “Water quality improvement activities” means a combination of modifications to a BMP Plan proposed by a permittee to meet the required total phosphorus reduction requirements of Appendix B3.2.(incorporated by reference in subsection 40E-63.404(8), F.A.C.). Improvement activities may include revising implementation methods to increase the effectiveness of existing BMPs or implementing additional BMPs.

(17) “Water year” or “WY” means the 12-month period beginning on May 1 and ending on the following April 30.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended \_\_\_\_\_.

40E-63.404 Incorporation of Forms, Instructions and References.

The documents listed in subsections (1) through (8) are hereby incorporated by reference, and are available on the District’s website ([www.sfwmd.gov](http://www.sfwmd.gov)), or from the District’s Clerk’s Office at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)686-8800, upon request.

(1) South Florida Water Management District Form 1045, January 2002, ~~entitled~~, “Application For a C-139 Basin Pollutant Source Control Works Of The District Permit” dated \_\_\_\_\_ and “Guidebook for Preparing an Application for a C-139 Basin Pollutant Source Control Works of the District Permit”, dated January 2002 (“Guidebook”).

(2) “Guidebook for Preparing an Application for a C-139 Basin Pollutant Source Control Permit” (“Guidebook”), dated \_\_\_\_\_.

(3)(2) “Appendix B1 – BMP Description and Equivalent Points Reference Table”, dated \_\_\_\_\_ January 2002.

(4)(3) “Appendix B2 – C-139 Basin Performance Measure Compliance Methodology”, dated \_\_\_\_\_ January 2002, and setting forth the compliance methodology the District will follow for the C-139 Basin with regard to the applicable phosphorus load limitation.

(5)(4) “Appendix B2.1 – FORTRAN Program for Calculating C-139 Basin Flows and Phosphorus Loads”, dated \_\_\_\_\_ January 2002.

~~(6)(5)~~ “Appendix B2.2 – Flow Computation Methods Used to Calculate C-139 Basin Flows”, dated January 2002, providing applicable mathematical methods for calculating flow rates through water management structures.

~~(7)(6)~~ “Appendix B3.1 – Permittee Annual Phosphorus Load Determination Based on Sub-basin Monitoring and the Optional Permit Basin Discharge Monitoring Plan Program”, dated January 2002, setting forth the procedures the District will follow to calculate a permittee’s proportional share of phosphorus load in order to determine eligibility for release from implementation of additional BMPs when the permittee has elected to implement the optional discharge monitoring plan and the C-139 Basin is out of compliance.

~~(8)~~ “Appendix B3.2 – Criteria for Required Phosphorus Reductions”, dated \_\_\_\_\_.

~~(9)~~ “Flow Calibration Guidelines Developed in Support of Chapter 40E-63, F.A.C., Everglades BMP Permit Program”, amended July 24, 1997.

~~(7)~~ The documents listed in subsections (1) through (6) are hereby incorporated by reference, are published by the District, and are available on the District’s website ([www.sfwmd.gov](http://www.sfwmd.gov)) or from the District at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)686-8800, upon request.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended \_\_\_\_\_.

#### 40E-63.406 Delegation.

(1) The Governing Board delegates to and appoints the Executive Director and his or her designated agents to review and take final action on BMP Plan pre-approvals, applications to ~~modify or transfer existing Individual Permits and all applications for General pPermits issued under Chapter 40E-63, F.A.C., including the addition of special conditions as necessary to implement the requirements of Chapter 40E-63, F.A.C., and the Everglades Forever Act, Section 373.4592, F.S., and other applicable provisions of Chapters 373 and 403, F.S., except when the staff recommendation is for denial of such applications.~~

(2) All recommendations for denial ~~of applications and all other applications regarding Individual Permits (new or renewals)~~ shall be considered by the Governing Board.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended \_\_\_\_\_.

#### 40E-63.415 No Notice General Permits.

(1) No Notice General Permits for Use of Works of the District within the C-139 Basin are hereby granted to the ~~landowners of permittees for the surface water system operating permit~~ for parcels of land that connect to or make use of the Works of the District within the C-139 Basin, subject to the requirements of ~~this part IV of this Chapter 40E-63, F.A.C.,~~

including paragraphs 40E-63.444(1)(d), (g), (h), (i), (j), (l), (m), (r), (s), (t), and (u), ~~40E-63.444(1)(e), (f), (g), and (i), F.A.C., and the conditions specified below:~~

(a) The ~~parcel land~~ is not part of the common facilities of a water management system as defined in subsection 40E-63.402(15), F.A.C., of water control districts or drainage districts pursuant to Chapter 298, F.S., or any other entity operating a central drainage system already permitted under Chapter 373, F.S. subject to the agricultural privilege tax, pursuant to the EPA, Section 373.4592(7)(a), F.S.; and

(b) The parcels are inactive, or add up to less than 40 acres under the same ownership. “Inactive” means land parcels that are not used for agriculture, urban, commercial, industrial or other development, as determined by the District. It also includes lands in their undeveloped native state (unless used as pastures). Lands may be determined by the District as temporarily inactive if they are not operated or are vacant due to changes in ownership or land use. The District’s determination applies only to the requirements of this part of Chapter 40E-63, F.A.C. The land is served by a properly permitted and operated surface water management system (Environmental Resource Program, ERP, or Surface Water Management Permit, SWM).

(c) The following BMPs are implemented by the landowner, lessees, and operators, if applicable, and the property must be made available for inspection by District staff or other delegated agents within 14 days after written notice:

1. Phosphorus is only applied to correct phosphorus deficiencies based on soil testing or tissue testing, or for turf and landscape areas, phosphorus is only applied to meet initial establishment and growth needs (fertilizer composition less than 2% for an application rate not to exceed 0.25 lbs  $P_2O_5/1000$  ft<sup>2</sup> per application, nor exceed 0.50 lbs  $P_2O_5/1000$  ft<sup>2</sup> per year.

2. Fertilizer or other soil amendments containing phosphorus are not applied within 10 feet of any pond, stream, lake, water course, or any designated wetland.

3. Spill prevention practices for nutrients are implemented; and

4. Runoff is managed in accordance with surface water or environmental resource permits, if applicable.

(2) No Notice General Permits ~~for Use of Works of the District~~ within the C-139 Basin granted upon adoption of this part ~~IV~~ of Chapter 40E-63, F.A.C., ~~this~~ remain effective for 5 year periods and shall be automatically renewed unless the District notifies a permittee in writing that the permit is revoked.

(3) ~~No Notice General Permits granted upon adoption of this part of Chapter 40E-63, F.A.C., do not relieve the permittee of the responsibility to comply with all other laws or regulations applicable to the use of or discharges from the parcel. In the event the C-139 Basin is determined to be out of~~

~~compliance a fourth time, in accordance with Appendix B2 of Chapter 40E-63, F.A.C., the District shall revoke the No Notice General Permit and initiate rulemaking pursuant to Chapter 120, F.S., to revise this Chapter to ensure that the objectives of the EFA, Section 373.4592(4)(f)5., F.S., are met. Notification shall be by certified mail.~~

~~(4) Landowners meeting the foregoing shall not be obligated to submit a permit application or application fee.~~

~~(5) Notwithstanding the foregoing, the District shall require the submission of applications for General Permits from No Notice General Permit holders if the District determines that the property exceeds its proportional share of phosphorus loading based on representative water quality data for the property, as determined in Appendix B3.1. (incorporated by reference in subsection 40E-63.404(7), F.A.C.). Notice of the requirement shall be provided to parcel owners in writing. Applications for new General Permits shall be submitted to the District within 45 days from the date of the notice.~~

~~Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Amended \_\_\_\_\_.~~

#### 40E-63.420 BMP Plan Pre-approvals.

~~(1) For entities required to obtain a General Permit, a BMP Plan shall be submitted to the District within 30 days after the effective date of this part of Chapter 40E-63, F.A.C. Failure to provide a complete BMP Plan within 30 days from the effective date of this part of Chapter 40E-63, F.A.C., shall not justify a corresponding delay for full implementation of the approved BMP Plan as described in subsection 40E-63.420(2), F.A.C., and will result in enforcement action pursuant to Rule 40E-63.460, F.A.C. In order to begin BMP implementation immediately, the proposed plan for the initial BMPs shall be submitted by the permittee for written pre-approval from the District. This will allow the permittee to initiate implementation of the approved BMP plan prior to the completion of the administrative review and processing of the permit application.~~

~~(2) The approved BMP Plan shall be fully implemented within 90 days of the effective date of this part of Chapter 40E-63, F.A.C., unless the District authorizes a different implementation schedule. A Level I BMP Plan, as described in Appendices B1 and B2, shall be submitted to the District for approval within 30 days of the effective date of Part IV of this Chapter. Failure to provide a complete Level I plan within the 30 days shall not justify a corresponding delay for full implementation of the plan and will result in enforcement action pursuant to Rule 40E-63.470, F.A.C.~~

~~(3) In order to assure that the schedule mandated by subsection 40E-63.420(2), F.A.C., is met, the District may pre-approve a BMP Plan by letter, as long as the BMP Plan is complete and meets the criteria required under Rule 40E-63.435 or 40E-63.437, F.A.C., as applicable. The District~~

will attempt to make a final determination on the BMP Plan within 10 days of receipt of a complete plan and the applicant shall begin implementation in accordance with the approved implementation schedule. The District shall make a final determination on the Level I BMP Plan within 10 days of receipt of a complete plan.

(4) Implementation of Level I BMPs shall be initiated within 45 days and fully implemented within 90 days of the effective date of Part IV of this Chapter.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Amended \_\_\_\_\_.

#### 40E-63.430 General Permit Applications.

(1) A General Permit is required for parcels of land that connect to or make use of the Works of the District within the C-139 Basin that have not been issued a waiver pursuant to Rule 40E-63.410, F.A.C., or do not qualify for a No Notice General Permit pursuant to Rule 40E-63.415, F.A.C. Applications for Works of the District Permits, including General Permits pursuant to Rule 40E-63.440, F.A.C., and Individual Permits pursuant to Rule 40E-63.450, F.A.C., shall be submitted to the District within 45 days of the effective date of this Part IV of Chapter 40E-63, F.A.C., and shall be made using Form 1045.

(2) Within 45 days after the effective date of this part of Chapter 40E-63, F.A.C., applications for new General Permits or General Permit Renewals shall be submitted to the District. Applicants shall use Form 1045 (incorporated by reference in subsection 40E-63.404(1), F.A.C.), or the equivalent electronic permitting application (e-permitting) tool, with all required supporting documentation.

(3)(2) Landowners, lessees and/or operators of a parcel or parcels may submit applications for General Permits as an applicant or co-applicant. Works of the District Permits: A lessee or operator may submit an application provided the lease (or equivalent contract) is for no less than five years, is in writing, and reasonable assurance is provided that the lessee/operator has the legal and financial capability of implementing and complying with the BMP Plan and other permit conditions.

(4)(3) All General or Individual Permit applications shall include the following:

(a) Date, signature, title and authority of the person, persons or entity submitting the application;

(b) For each applicant, information that demonstrates that the applicant possesses the legal and financial authority and ability to carry out all acts necessary to implement the terms and conditions of the permit, including, at a minimum:

1. For individual applicants, recorded deeds, contracts, leases, property tax record of ownership, or other evidence of ownership or authority are required.

2. For co-applicants, a description of the legally responsible entity or cooperating group of entities together with copies of documents demonstrating its legal authority, such as enabling legislation and articles of incorporation; completed and signed Certificates of Participation indicating the individual applicant's consent and intent to participate in the General Permit; and written contracts or agreements with co-applicants indicating their consent and agreement to comply with the permit and specifying the terms of participation, where applicable.

(c)(a) A clear delineation of the boundaries area and acreage contained in the permit application, including a map which is correlated with a list of all parcel owners and corresponding county tax identification numbers, and operators or lessees associated with the acreage contained in the application. The delineation should also include drainage features depicting the permit basin, general direction of flow, inflow points, and discharge points off-site for delineation of permit basins, as defined in subsection 40E-63.402(10), F.A.C., operators, and lessees with tributary discharge water and county tax identification numbers.

(b) Copies of existing contracts, agreements, or equivalent regarding use or operation of the property or control structure between the entity responsible for operation and the parcel owners included in the application, where applicable.

(d)(e) A list of all existing and pending District permits for the application area and their status.

(e) A BMP Plan.

(f) For General Permit applications encompassing water management systems or portions thereof that serve multiple entities, an executed legally binding written agreement or contract between the owners, operators, and or users of the system, as applicable, regarding construction, use, maintenance and operational criteria, and BMP implementation requirements for the system shall be provided. Specifically, the written agreement or contract shall identify the entities and their authority and responsibility for use and operation of the system (e.g. a shared canal or off-site discharge structure).

(d) A completed copy of Form 1045, entitled "Application for a C-139 Basin Works of the District Permit".

(e) All of the information necessary to satisfy the Basis for Issuance, including information as specified in the application Form 1045 and the Guidebook.

(5)(4) If activities proposed in the permit application submitted pursuant to Part IV of this part of Chapter 40E-63, F.A.C., rule will affect water management systems or activities regulated pursuant to other rules (e.g. Surface Water Management, Environmental Resource Permit, Consumptive Water Use, Well Construction, Right-of-Way, or Lake Okeechobee SWIM), then the Applicant shall also submit applications for new permits or modifications to existing permits, as appropriate.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended \_\_\_\_\_.

40E-63.432 Permit Modifications, Transfers and Renewals.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended 6-20-07, Repealed \_\_\_\_\_.

40E-63.434 Permit Duration.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History–New 1-24-02, Amended 6-20-07, Repealed \_\_\_\_\_.

40E-63.435 BMP Plans.

In order to obtain a General Permit, applicants shall submit a BMP Plan that includes a multi-level approach to implementation and operation including the following: for each crop or land use within each permit basin. A BMP Plan shall take into account site-specific conditions, potential phosphorus sources, primary phosphorus species, and transport mechanisms based on available data; and ensure that a thorough approach to implementation and maintenance will be implemented. If a water management system is shared by multiple operating entities, each entity shall submit a separate BMP Plan for their land but the water management operational plan shall be consistent. The BMP Plan shall include the following:

(1) A description of a BMP Plan, including specific methods for implementation and maintenance, based on the BMPs described in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.). To ensure that approved BMP plans have a comparable level of effort among permittees, the BMP Plan shall propose a minimum of 35 BMP equivalent points.

(2) Of the 35 BMP equivalent points, a minimum of 20 BMP equivalent points shall meet the following criteria:

(a) A minimum of 10 BMP equivalent points in nutrient control practices.

(b) A minimum of 5 BMP equivalent points in water management practices.

(c) A minimum of 5 BMP equivalent points in particulate matter and sediment control practices Pasture management BMPs, as described in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.), can provide equivalent points towards this category, if applicable.

(3) If at the time a BMP Plan is proposed for approval, the District has previously determined the C-139 Basin to be out compliance, and the permit basin has an approved BMP Plan including water quality improvement activities, the proposed BMP Plan shall include continuation of the approved BMP Plan and water quality improvement activities; or propose an equivalent alternative for District consideration. The applicant

shall provide reasonable assurance that the alternative contains the equivalent or greater phosphorus reduction effectiveness of the approved BMP Plan and water quality improvement activities. The proposal must provide the basis that the BMP Plan and water quality improvement activities would have met the criteria indicated in subsections 40E-63.460(3) and (4), F.A.C., as applicable, for the years when the C-139 Basin was determined by the District to be out of compliance and water quality improvement activities were required.

(4) An education and training program for the management and operation staff responsible for implementing and monitoring the approved BMP Plan. The training may be provided in-house or arranged by the permittee or other educational resources.

(5) A description of records and documentation to be maintained on-site or at a suitable location that is readily available for District review. The records and documentation shall be sufficient to verify BMP implementation, maintenance, and training, as described in the post-permit compliance section, Appendix C of the Guidebook (incorporated by reference in subsection 40E-63.404(2), F.A.C.), on the form entitled "C-139 Basin Annual Report – Certification of BMP Implementation".

(6) A proposed implementation schedule. Except for BMP Plans required immediately upon amendment of this part of Chapter 40E-63, F.A.C., as described in Rule 40E-63.420, F.A.C., implementation of new BMPs shall be completed within 90 days after the date of District approval. Alternate implementation schedules may be considered by the District if the applicant demonstrates through reasonable assurance that an equivalent level of phosphorus source control is provided.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New

See 40E-63.442, F.A.C.

#### 40E-63.436 Permit Application Processing Fees.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed

#### 40E-63.437 Alternative BMP Plans.

Applicants who propose to satisfy the water quality requirements of this part of Chapter 40E-63, F.A.C., by employing a BMP Plan other than those described in subsections 40E-63.435(1) and (2), F.A.C., may seek approval for an equivalent alternative through the District permit process. The applicant shall provide reasonable assurance, through the information required below and the requirements indicated in subsections 40E-63.435 (4), (5), and (6), F.A.C., that the alternative contains the equivalent or greater phosphorus reduction effectiveness of a 35-point BMP plan. A BMP Plan shall take into account site-specific conditions,

potential phosphorus sources, primary phosphorus species, and transport mechanisms; and ensure that a thorough approach to implementation and maintenance will be implemented. In order to seek approval of an alternative BMP Plan, applicants must submit the information specified for the applicable alternative as part of the permit application process.

(1) Alternative Type BMP. If an application proposes BMPs not listed in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.), as required in subsection 40E-63.435(1), F.A.C., the application shall also include the following information for District approval:

(a) A description of the best management practice rationale for the BMP selected;

(b) A detailed explanation of the proposed BMP;

(c) A schedule for implementation of the BMP;

(d) Sample documentation of the BMP implementation, how the BMP will be verified;

(e) Technical basis for the reduction effectiveness of the proposed BMP. The applicant may be required to demonstrate effectiveness through a proposed monitoring program or through representative technical references. If approved, the District will determine the appropriate BMP equivalent point credit consistent with Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.).

(2) Alternative BMP Points per Category. If the BMP Plan does not meet the minimum number of equivalent points per BMP category as required in subsection 40E-63.435(2), F.A.C., the application shall include a site assessment demonstrating that an alternative BMP Plan will provide an equivalent or greater reduction effectiveness using the standard approach.

The site assessment shall evaluate phosphorus imports and transport in discharges; current BMPs and implementation methods; other practices not covered under BMPs (e.g., grazing, irrigation, nutrient and water management); and representative water quality and soil data. Water quality data that can be used for the assessment include those available from the District sub-basin or synoptic (grab) monitoring programs, or properly collected grab samples using field kits of adequate precision by the applicant.

(3) Alternative BMP Demonstration Project. If a demonstration project is proposed to meet the BMP implementation requirements of subsection 40E-63.435(1) or (2), F.A.C., a proposed project scope of work shall be submitted for District review and approval based on the following criteria:

(a) The scope of eligible projects shall include, at a minimum, the demonstration or research hypothesis, a description of implementation, the technical basis and scientific methods that will be employed, the performance indicators that will be measured such as water quality, water quantity, soil testing, or as applicable, the progress and final

reports that will be produced to verify progress and results, and a schedule that details the beginning date, critical milestones and ending date of the project.

(b) The 35 BMP equivalent point requirement shall be met in the permit basin where the project is proposed. The proposed demonstration shall account for no more than 20 BMP equivalent points as approved by the District. The remaining 15 BMP equivalent points shall include 10 BMP equivalent points in the nutrient control practices category and 5 BMP equivalent points in the water management practices category.

(c) The proposed BMP equivalent points for the demonstration project will only be considered for the period of project implementation, the permit basin where the project is located, and for the crops or land uses to which the project applies.

(d) BMP equivalent points shall be initially determined by the District prior to issuance of a permit based on the BMP equivalent points established in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.). Additional BMP equivalent points may be approved by the District, if the applicant provides reasonable assurance through plans, test results, water quality data or other information, that the BMP project will demonstrate improvement in phosphorus removal efficiency in comparison to standard BMP implementation methods.

(e) Once the demonstration project is complete and a final report is submitted in accordance with the approved scope, the permittee shall submit a Letter Modification application requesting that the approved BMP Plan be modified to incorporate the BMP or water quality improvement activity if the District determines that they were successfully developed under the project. The application shall include the information described under Rules 40E-63.430, 40E-63.435, and 40E-63.437, F.A.C., as applicable, and shall describe how the report recommendations for BMP implementation will apply to the applicable crops or land uses for District review. The District shall review the BMP equivalent points initially assigned and may adjust them based on the reported phosphorus reduction levels and approved methods for implementation of the proposed BMP or water quality improvement activity. If the permittee decides that the BMP resulting from the demonstration project is not to be proposed for continued implementation, the permittee is required to submit a permit modification proposing a BMP Plan, as described in Rule 40E-63.435 or 40E-63.437, F.A.C., as applicable. The application for modification of the approved BMP Plan shall be submitted no later than 30 days after the project completion date pursuant to the District-approved scope.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New

#### 40E-63.438 Early Implementation of Water Quality Improvement Activities.

An applicant may request approval for early implementation by opting to submit a proposal for voluntary implementation of additional BMPs (early BMPs), or a voluntary demonstration project that includes a BMP performance verification plan. Based on this early implementation, applicants may qualify for deferral from water quality improvement activities if the C-139 Basin is determined out of compliance in the future. Applicants electing these approaches must submit for District review the following:

(1) Either proposal shall be submitted together with an application for a new permit, permit renewal, or as a Letter Modification.

(a) For optional early BMPs the application shall provide information for meeting the criteria below:

1. A description of the BMP or group of BMPs (early BMPs) that are proposed in addition to those required by rule at the time of application (Rule 40E-63.435 or subsection 40-63E.460(3), F.A.C., as applicable). The proposal shall include the specific methods for implementation and maintenance of the early BMPs.

2. The proposal shall provide reasonable assurance through technical documentation, and the requirements indicated in subsections 40E-63.435(4) and (5), F.A.C., that the combined effect of the optional early BMPs and rule-required BMPs will ensure a phosphorus loading reduction for the identified permit basin or parcels sufficient for the C-139 Basin to consistently achieve compliance with the Target, as described in Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.). The District will review whether the proposed loading reduction levels would be conducive to meeting the Target Unit Area Load (UAL) based on the most recent five years of water quality data.

3. The proposal shall include an implementation schedule. To qualify for deferral, District-approved early BMPs shall be fully implemented during the water year for which the deferral can be applied.

(b) For voluntary demonstration projects, the application shall propose a BMP or water quality improvement measure demonstration project that meets the following:

1. Complies with the criteria described under paragraph 40E-63.437(3)(a), F.A.C.,

2. Projects estimated phosphorus reductions based on available technical references, and

3. Proposes a verification plan through a Permit Discharge Monitoring Program to confirm and quantify the estimated phosphorus reductions. The verification plan shall meet the criteria described in subsection 40E-63.460(4), F.A.C.

(2) Upon District approval of the voluntary early BMP implementation project or demonstration project with a verification plan, the permittee will be subject to the BMP reporting and verification requirements of this Chapter for

those voluntary initiatives, as described in permit conditions. Permittees cannot be deemed out of compliance for failure to implement the early initiatives, however, the District will deem the permittee unable to claim a deferral if:

1. Reporting and verification requirements for the voluntary early implementation projects are not met, as determined by the District.

2. The permittee is not in compliance with the BMP Plan required by the permit.

(3) Early implementation plans that are approved to provide deferral from additional water quality improvement activities for a water year shall become permit requirements and lose their optional status.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New  
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40E-63.439 Permit Modifications, Transfers and Renewals.

(1) Applicants for permit modifications, transfers and renewals must use the appropriate Sections of Form 1045 (incorporated by reference in subsection 40E-63.404(1), F.A.C.), or equivalent electronic permitting application (e-permitting) tool.

(2) Modifications and Letter Modifications: Letter modifications are applicable for requesting approval for demonstration or verification plan projects for phosphorus reduction under Rule 40E-63.437, F.A.C., for early implementation of water quality improvement activities under Rule 40E-63.438, F.A.C., for implementing or modifying a voluntary Permit Basin Discharge Monitoring Program under Rule 40E-63.462, F.A.C., and for water quality improvement activities in accordance with subsection 40E-63.460(3) or (4), F.A.C. Applications for modifications are applicable to any other changes except for clerical changes as indicated in subsection 40E-63.443(3), F.A.C.

A permittee may apply for a modification or a letter modification to an existing General Permit issued under this part of Chapter 40E-63, F.A.C., unless the permit has expired or has been otherwise revoked or suspended. An application for modification or letter modification will not be processed as a complete application if the permit is not in compliance with applicable permit conditions, unless the permit modification is required to bring the permit into compliance. Modifications and letter modifications will be evaluated based on the criteria in effect at the time that the application to modify is submitted. Applications for permit modifications and letter modifications shall be subject to the following requirements and limitations:

(a) Applications to modify an existing permit shall contain the same information required in a new application, as applicable, and shall identify the portion of the existing authorization for which the modification is requested.

(b) Modifications to existing permits are acknowledged and approved by letter with an accompanying Permit Review Summary (Staff Report) from the District through correspondence to the permittee.

(3) Transfers: A permittee shall notify the District within 90 days after any transfer, sale or conveyance of land or works permitted under this part of Chapter 40E-63, F.A.C., to allow time for processing the application. The permittee remains responsible for the requirements of the permit until the permit is transferred or closed at the request of the permit holder at the time the property is sold. A permittee or transferee may apply for a permit transfer, conveying responsibility for permit compliance. If an application for permit transfer is not received within 90 days after the sale or conveyance of the property, the permit will become nontransferable and the transferee will be required to apply for a new permit. Permit transfers shall be subject to the following requirements and limitations:

(a) A permit may only be transferred if the land practice, total acreage, and approved BMP Plan remain the same and the permittee is in compliance with all conditions of the permit.

(b) All conditions of the existing permit will remain applicable to the new permittee.

(c) Any other changes or additions will require a permit modification in accordance with subsection 40E-63.439(2), F.A.C.

(4) Renewal: A permittee shall apply for a permit renewal prior to the expiration of an existing permit, subject to the following requirements and limitations:

(a) Applications for renewals must contain all information required for new applications and will be evaluated based on the criteria in effect at the time the application is filed.

(b) If the permittee allows the permit to expire prior to applying for a permit renewal, an application for a new permit shall be required.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New  
\_\_\_\_\_.

See Rule 40E-63.432, F.A.C.

40E-63.440 General Permit Application Requirements in the C-139 Basin.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed  
\_\_\_\_\_.

40E-63.441 Permit Duration.

Pursuant to the EFA, Section 373.4592(4)(f)2., F.S., permit renewals issued pursuant to this part of Chapter 40E-63, F.A.C., are valid for a 5-year term, beginning 90 days after the effective date of this rule amendment. Subsequent permit renewals are effective for 5-year renewal cycles from the previous expiration date, unless:

(1) The permit is automatically inactivated at the expiration of the permittee's lease or contract (where the permittee is the lessee or equivalent) that authorized the permittee to control operations (and permit compliance) on the permitted land; or

(2) The permit is otherwise modified by enforcement actions pursuant to subsection 40E-63.460(1), F.A.C.; or

(3) The permit is otherwise renewed pursuant to subsection 40E-63.439(2), F.A.C.; or

(4) A permit application for a new permit or a permit renewal has been filed by a permittee on a timely basis prior to the expiration date of a previously-issued permit, and the District has not completed review of the application, in which case the previously-issued permit will remain effective until final agency action is taken by the District on the application; or

(5) A new permit has been issued within one year of the permit renewal cycle begin date. In that case, the new permit duration will be greater than five years, but no more than six years to align its expiration date with the expiration date of the basin's five-year renewal cycle.

(6) Permit duration will not be affected by permit transfers or modifications of any kind.

(7) All previously issued permits shall expire 90 days after the effective date of this part of Chapter 40E-63, F.A.C., unless a permit application for renewal or for a new permit has been received by the District within that period.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.434, F.A.C.

40E-63.442 Basis for Issuance of General Permits in the C-139 Basin.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed \_\_\_\_\_.

40E-63.443 Permit Application Processing Fees.

(1) The following permit application processing fees shall be paid to the District at the time the permit applications are filed.

Permit Type	New	Renewal	Modification	Letter Modification	Transfer
General Permit	\$250	\$250	\$100	\$0	\$100

(2) Without the proper fee, the application shall be considered incomplete and will result in denial of the application if the fee is not paid upon notice.

(3) Notwithstanding the table above, no fees shall be charged for clerical modifications that do not alter the approved BMP Plan or monitoring requirements of the underlying permit.

(4) In cases where more than one permit application type applies, the application shall be submitted as the permit type with the higher application fee.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.436, F.A.C.

40E-63.444 Limiting Conditions for General Permits in the C-139 Basin.

(1) All of the following standard limiting conditions (a) through (u) shall be attached to all General Permits:

(a) The permittee shall implement all elements and requirements of the approved BMP Plan according to schedule, including documentation of implementation, operation, and rationale where applicable. At no time shall BMP implementation be less than the required 35 BMP equivalent points using the criteria in Rule 40E-63.435 or 40E-63.437, F.A.C., as applicable 15 points in the Level I Plan requirements.

(b) Each applicant to which a General Permit is issued is a co-permittee and is jointly and severally liable for implementing the requirements of the General Permit. This includes non-compliance with permit conditions caused by lessees or operators that are not co-permittees.

(c) ~~(b)~~ The permittee shall submit to the District an annual report certifying BMP implementation in accordance with the permit. The report is due February 1 of each year. ~~The first report is due February 1, 2003, and annually thereafter.~~ Failure to submit the report by February 1, will result in onsite verification of BMP implementation by District staff ~~and~~ ~~or~~ the requirement for the permittee to submit a detailed report documenting implementation of each BMP in the approved BMP Plan for the previous calendar year. Failure to submit the required annual report ~~provide documentation of BMP implementation~~ by April 30 of each year ~~may will~~ result in revocation of the General Permit. The notification will be sent by certified mail and indicate that the permit will be revoked within 30 days after the date of the certified mailing unless the annual report is received within those 30 days. If the permit is revoked, the permittee shall be required to apply for a new ~~General Individual~~ Permit and shall be subject to enforcement under subsection ~~40E-63.460(1) 40E-63.470(+)~~, F.A.C. The new permit will include special conditions requiring that documentation certifying BMP implementation is submitted quarterly, at a minimum.

(d) ~~(c)~~ The permittee shall allow District staff and designated agents reasonable access to the permitted property at any time to verify compliance with the rule and the permit. Since it is not possible to predict precisely when discharges will occur or problems will arise resulting in the need for a site visit, the District may not be able to provide a lengthy period of notice to the designated person in advance of a visit. However,



at a minimum, the District will provide notice at least 24 hours prior to a site visit for verifying best management practice installation and operation.

~~(d)~~ The permittee shall notify the District in writing within 30 days of any:

1. ~~Significant change in land practice, as described in subsection 40E-63.402(6), F.A.C.; or~~

2. ~~Change in the approved BMP Plan for the permitted parcel; or~~

3. ~~Transfer, sale or conveyance of land or works described in the permit.~~

(e) The permittee shall notify the District in writing within 30 days after any changes in permit basin acreage.

(f) The permittee shall notify the District in writing within 90 days of any transfer, sale or conveyance of land or works described in the permit.

~~(g)~~(e) This permit does not relieve the permittee of the responsibility to comply with all other laws or regulations applicable to the use of or discharges from the parcel.

~~(h)~~(f) The permit does not convey to the permittee any property right or any rights or privileges other than those specified in the permit.

~~(i)~~(g) This permit does not relieve the permittee from liability from harm or injury to human health or welfare; animal, plant or aquatic life; or property.

~~(j)~~(h) The surface water management and monitoring system must be effectively operated and maintained in accordance with the Environmental Resource/Surface Water Management Permit. Any changes in drainage, ~~land use or operations not identified previously~~ that could affect the surface water management system BMP Plan or water quality of the discharge, must be reported in writing in advance to the District to determine if an Environmental Resource/Surface Water Management Permit is required.

(k) If not previously authorized by a District permit under this part of Chapter 40E-63, F.A.C., the permittee shall submit a permit modification application 30 days in advance of conducting any:

1. Changes in BMPs; or

2. Changes in land practice affecting the approved BMP Plan; or

3. Changes in water management that may affect the Sub-basin Monitoring Program (e.g., resulting from completing Environmental Resource/Surface Water Management Permit authorized water management system changes).

(l)~~(i)~~ The permitted discharge shall not otherwise be harmful, or adversely affect proper use and operation of the Works of the District.

~~(m)~~(j) The C-139 Basin is required to achieve compliance with the phosphorus load limitation requirement and performance measures as specified in Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.).

(n) Legal entities or groups of cooperating owners or operators (co-permittees) responsible for implementing a General Permit shall remain legally and financially capable of performing their responsibilities required by the permits issued pursuant to this section.

(o) Within 30 days of issuance of the permit, as of the effective date of the amendments to this part of Chapter 40E-63, F.A.C., for lessees that are not co-applicants, the permittee shall provide written certification that the lessees have received a copy of the permit and agree to implement the BMP Plan and be bound by the terms and conditions of the permit, including any amendments thereto.

(p) For leases executed after the effective date of the amendments to this part of Chapter 40E-63, F.A.C. (in which the lessee is not a co-applicant), within 30 days of its date of execution, the permittee shall provide written certification by the lessee or a copy of the lease indicating the lessee's agreement to implement the BMP Plan and be bound by the terms and conditions of the permit, including any amendments thereto.

~~(q)~~(z) ~~If in the event that~~ the District determines that any ~~permittee participant~~ in a General Permit is not complying with the specific terms and conditions of the General Permit, or the water quality performance measures (including proportional share, in accordance with Chapter 40E-63, F.A.C.), the District will institute enforcement or corrective proceedings against the ~~permittee, any co-permittees, Permit holder, the landowner, or both,~~ as applicable pursuant to Rules 40E-63.450 and 40E-63.460 and 40E-63.470, F.A.C. ~~If additional specific conditions become necessary, the District shall also require the Permit holder to apply for an Individual Permit.~~

(r) Authorizations from other agencies for disposal or application of wastewater residuals (biosolids), animal manure, solid waste, fill material, or other materials containing phosphorus within the C-139 Basin, shall not relieve permittees from complying with the provisions of this Rule. Water quality monitoring data may be required by the District to demonstrate no potential impacts on phosphorus loading.

(s) The permitted discharge shall not cause adverse water quality impacts of receiving water and adjacent lands regulated by Chapter 373, F.S.

(t) The permitted discharge shall not cause adverse environmental impacts.

(u) The permitted discharge shall be consistent with State Water Policy, Chapter 62-40, F.A.C.

(2) General permits shall be subject to other reasonable conditions as necessary to assure that proposed BMP and Permit Discharge Monitoring Plans meet the conditions for issuance in Rules 40E-63.435, 40E-63.437 and 40E-63.462, F.A.C.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Amended \_\_\_\_\_.

#### 40E-63.446 C-139 Basin Compliance.

(1) If the C-139 Basin is determined to not meet the performance measures developed in accordance with Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.), the basin as a whole will be deemed out of compliance with the water quality requirements of this part of Chapter 40E-63, F.A.C.

(2) If the C-139 Basin is out of compliance, water quality improvement activities will be required for permit basins to achieve their proportional share of the basin-wide loading phosphorus load, as indicated in Appendices B3.1, and B3.2 (incorporated by reference in subsections 40E-63.404(7) and (8), F.A.C.). Exceptions are provided below in subsection (3).

(3) Upon the effective date of the amendments to this part of Chapter 40E-63, F.A.C., the first water year of compliance determination for which water quality improvement activities can be required is WY2013. The requirement for water quality improvement activities in a permit basin will be deferred for one water year if the District determines that one or more of following conditions exist.

(a) The permit basin is located in a sub-basin that is determined to not exceed its proportional share of the basin-wide loading based on District-collected data for the sub-basin or, if applicable, its Permit Basin Discharge Monitoring Program results are determined not to exceed the proportional share in accordance with Appendix B3.1 (incorporated by reference in subsection 40E-63.404(7), F.A.C.).

(b) District approved early BMPs, as described in paragraph 40E-63.438(1)(a), F.A.C., were fully implemented in the permit basin during a water year that was used to deem the C-139 Basin out of compliance, providing deferral only to the parcels where the early BMPs apply.

(c) A District approved demonstration project including a verification plan, as described in paragraph 40E-63.438(1)(b), F.A.C., was conducted within the permit basin during a water year that was used to deem the basin out of compliance, providing deferral only to the land uses or crops to which the project applies.

(d) The permit basin, or portion thereof, has been issued and meets the conditions of a determination of impracticability as described in subsection 40E-63.460(6), F.A.C., providing deferral to the lands where the determination applies, or

(e) The performance measure determination includes the permit basin UAL from either of the two water years immediately following a water year for which the permit basin was required to implement water quality improvement activities.

(4) If the C-139 Basin is deemed out of compliance, the District will evaluate BMP program performance at the sub-basin level in accordance with Appendix B3.1 (incorporated by reference in subsection 40E-63.404(7), F.A.C.).

(5) The District will determine annual phosphorus discharge performance for permit basins that have an individual discharge monitoring plan in accordance with Appendix B3.1 (incorporated by reference in subsection 40E-63.404(7), F.A.C.).

(6) The District will provide written notice to the C-139 Basin permittees on the C-139 Basin compliance results (Appendix B2, incorporated by reference in subsection 40E-63.404(4), F.A.C.), and the sub-basin and permit basin performance results (Appendix B3.1, incorporated by reference in subsection 40E-63.404(7), F.A.C.) and whether water quality improvement activities are required. The District shall attempt to transmit the written notices by August of each year. The notices shall describe permittees' required actions for proposing water quality improvement activities based on these assessments including required total phosphorus reduction levels in accordance with Appendix B3.2 (incorporated by reference in subsection 40E-63.404(8), F.A.C.). These actions are described in subsection 40E-63.460(2), F.A.C.

(7) In accordance with Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.), the District shall continue collecting monitoring data from the C-139 Basin for the purpose of determining compliance.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.460, F.A.C.

40E-63.450 Individual Permit Application Requirements in the C-139 Basin.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed \_\_\_\_\_.

40E-63.452 Basis for Issuance of Individual Permits in the C-139 Basin.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed \_\_\_\_\_.

40E-63.454 Limiting Conditions for Individual Permits in the C-139 Basin.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed \_\_\_\_\_.

## 40E-63.456 Optional Discharge Monitoring Program.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History--New 1-24-02, Repealed \_\_\_\_\_.

## 40E-63.458 Limiting Conditions for the Optional Discharge Monitoring Program.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History--New 1-24-02, Repealed \_\_\_\_\_.

## 40E-63.460 C-139 Basin Compliance.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History--New 1-24-02, Repealed \_\_\_\_\_.

## 40E-63.461 C-139 Basin Permit Compliance.

The District is authorized to seek any enforcement or corrective action available under Florida law for permittees out of compliance with the provisions of this Chapter, pursuant to Chapter 373, F.S., and rules adopted thereunder.

(1) If an individual permittee is determined to be out of compliance with permit conditions the following applies:

(a) The District shall begin reviewing "permit compliance" with BMP implementation, documentation, and operation by permittees in the C-139 Basin immediately upon the effective date of this part of Chapter 40E-63, F.A.C.

(b) All permittees who are not in compliance with their permit are subject to notification and enforcement actions by the District.

(c) All permittees who receive notice of non-compliance with their permit from the District must submit to the District, within 10 business days of receipt of the notice, a plan and schedule for achieving permit compliance within 60 days after transmittal of the District notice.

(d) Compliance with the permit includes timely submittal and implementation of any additional water quality improvement activities if required by rule. Delay by permittees in fulfilling the BMP implementation requirements will not extend the timeline for determining the need for additional water quality improvement activities at the sub-basin or permit basin level.

(2) If the C-139 Basin is determined to be out of compliance with the water quality requirements of this part of Chapter 40E-63, F.A.C., pursuant to Rule 40E-63.450, F.A.C., the permittee shall propose water quality improvement activities in accordance with the following:

(a) The permittee shall submit a letter modification application for the District's consideration, within 120 days of the District's transmittal of the notice that the C-139 Basin is not in compliance. The submittal shall include the section entitled "Water Quality Improvement Activities" of Form 1045 dated \_\_\_\_\_.

(b) The submittal shall include a proposal for water quality improvement activities along with the estimated phosphorus reductions to be achieved in accordance with subsection 40E-63.460(3), F.A.C., or a verification plan in accordance with subsection 40E-63.460(4), F.A.C. The phosphorus reductions shall be the minimum levels necessary to meet the permit basin's proportional share of required total phosphorus reductions as determined by the District (Appendices B3.1 and B3.2, incorporated by reference in subsections 40E-63.404(7) and (8), F.A.C.). The proposal shall include a schedule to ensure that full implementation of an approved BMP Plan incorporating any proposed water quality improvement activities is in effect as soon as feasible and no later than April 30 following the District's transmittal of the notice that the C-139 Basin is not in compliance, unless otherwise approved by the District. An alternate implementation schedule, may be approved by the District with justification based on the scope of the proposed activities. A permittee shall be required to implement intermediate water quality improvement activities or BMPs, as applicable, if an alternate implementation schedule is approved.

(3) All proposals for water quality improvement activities shall meet the following criteria for District review and approval:

(a) Include a detailed description of the proposed improvements to the approved BMP Plan in comparison to the current implementation practices. The basis for the proposed BMP improvements shall consider pre-improvement conditions (e.g., current levels of BMP implementation, pre-BMP improvement water quality data) and the parameters affecting BMP performance and total phosphorus load (site-specific conditions, phosphorus speciation, flow). If the proposal includes implementation of additional BMPs not listed in Appendix B1 (incorporated by reference in subsection 40E-63.404(3), F.A.C.), the proposal shall also include the information indicated in subsection 40E-63.437(1), F.A.C. Note that in contrast with BMP Plans, additional improvements to an approved BMP Plan do not need to be proposed for each land use or crop within a permit basin if it is demonstrated that focus on selected land uses, crops, or acreage will be sufficient to achieve the required total phosphorus reduction of the basin wide load.

(b) Indicate the expected range of percent total phosphorus removal efficiency resulting from the proposal as follows:

1. The expected or assumed range of percent total phosphorus removal efficiency shall equal or exceed the percent required total phosphorus reduction applicable to the permit basin.

2. The expected or assumed total phosphorus removal efficiency shall be based on data from the most current representative technical references including peer reviewed or published BMP research and demonstration projects, with

consideration of permit basin specific conditions such as indentified when a site-assessment is completed pursuant to subsection 40E-63.437(2), F.A.C.

3. Each proposal shall include a detailed description of the technical basis and copies of documents as applicable. All proposed total phosphorus reductions shall be based on scientific studies, calibrated models, or data collection representative of the C-139 Basin for District approval.

(c) If the permittee is unable to demonstrate that the required total phosphorus reductions can be achieved in accordance with paragraph (b) above, a verification plan shall be required.

(d) If the proposal includes a verification plan, it shall meet the criteria for approval described below. The proposal and monitoring plan shall aim to demonstrate the ability to achieve the total phosphorus reduction levels that would be necessary to meet the overall required total phosphorus reduction levels.

(4) If a permittee selects to or is required to conduct a monitoring program to confirm that required total phosphorus reductions will be achieved, a permittee shall propose a verification plan in addition to the proposal for improvements to an approved BMP Plan or water quality improvement activities. All verification plan proposals shall meet the following criteria for District review and approval:

(a) The description of who will be responsible for project implementation.

(b) The proposed reporting procedures during and at completion of the project.

(c) A Final report at completion that describes how the recommendations for BMP implementation will be applicable to the crops or land uses to meet the required total phosphorus reduction.

(d) The tools that will be used to verify total phosphorus reduction levels such as water quality and quantity monitoring to determine total phosphorus loading pre- and post-BMP improvement and to estimate total phosphorus reduction efficiency. Total phosphorus and phosphorus speciation data collected at the District sub-basin monitoring locations may serve as representative monitoring.

(e) The parameters under which total phosphorus reduction levels will be measured and verified so that findings are repeatable and applicable within the C-139 Basin conditions (climatic conditions, soils, geology, etc.).

(f) A schedule not to exceed three calendar years from the date of District approval of the proposal. Once the confirmatory verification is completed and a final report is submitted in accordance with the approved scope, the permittee shall either submit a Letter Modification application in accordance with Rule 40E-63.439, F.A.C., and subsections 40E-63.460(2) and (3), F.A.C., to either:

a. modify the approved BMP Plan to incorporate changes based on the final report recommendations for the District's consideration, or

b. propose other water quality improvement activities consistent with the requirements of this rule.

(5) The District shall repeat the procedures specified in Rule 40E-63.446, F.A.C., above as many times as required to achieve C-139 Basin compliance, and seek corrective action as appropriate against entities within the C-139 Basin, as applicable.

(6) Permittees may elect to demonstrate that water quality improvement activities are impracticable. Any such request for determination of impracticability must be submitted to the District under a permit modification application. For the District to consider the application for approval, the submittal shall:

(a) Specify all of the BMPs and activities that were implemented previously and provide evidence to show that no additional BMPs and activities or refinements for the reduction of phosphorus can be reasonably accomplished at the site or sites of operation.

(b) Propose the expected amount of phosphorus discharge in comparison to the C-139 Basin's phosphorus load targets and limits, calculated in accordance with Appendices B3.1 and B3.2 (incorporated by reference in subsections 40E-63.404(7) and (8), F.A.C.), for the range of historic rainfall conditions in accordance with Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.). No increasing trend in phosphorus from the property, as determined by the District, will be allowed under any scenario. The District will review the proposed performance level in reference to available representative historic data.

(c) Propose a discharge monitoring plan in accordance with Rule 40E-63.462, F.A.C., to verify that the proposed performance level is met. In the event that the farm configuration is not conducive to a discharge monitoring program, the District may consider requests for the use of alternate representative locations or monitoring for concentration only. Upon District approval of the monitoring plan, special limiting conditions (such as applicable conditions from Rule 40E-63.464, F.A.C.) will be incorporated in the permit.

(d) Such requests shall apply only to the permit basin or portion thereof (e.g., land use, crop or acreage) which demonstrated further activities are impracticable.

(e) The District shall send a copy of each such request to the Department of Environmental Protection.

(f) Determinations of impracticability will be valid until the next permit renewal cycle. Permittees shall re-apply for a permit in accordance with Rule 40E-63.439, F.A.C. A previously permitted impracticability status shall not be automatically renewed. The District will review each request as a new request. All requests shall be reviewed to verify that

there have been no increasing trends in phosphorus discharges in the previous 5 years and that the proposed levels of BMP implementation are in accordance with improved BMP implementation techniques based on the latest technical information, as described in Appendix B3.2 (incorporated by reference in subsection 40E-63.404(8), F.A.C.).

Rulemaking Authority 373.044, 373.083, 373.085, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.470, F.A.C.

40E-63.462 Permit Basin Discharge Monitoring Program.

(1) In addition to implementing an approved BMP Plan, permittees may elect or be required to participate in a discharge monitoring program pursuant to Rules 40E-63.437, 40E-63.438, paragraph 40E-63.449(1)(r), subsection 40E-63.460(4) or 40E-63.460(6), F.A.C., and be subject to:

(a) For permittees electing a discharge monitoring program or permittees required to implement a monitoring program pursuant to subsection 40E-63.460(6), F.A.C.: alternative, site-specific evaluations of compliance with phosphorus load targets and limits for the areas represented by the monitoring plan when the C-139 Basin is collectively determined to be out of compliance in accordance with Chapter 40E-63, F.A.C., Appendix B2 (incorporated by reference in subsection 40E-63.404(4), F.A.C.); and

(b) Compliance with permit conditions in accordance with Rule 40E-63.444, F.A.C.

(2) To implement a discharge monitoring program, permittees must submit a permit application with the following information:

(a) An acceptable discharge (quantity and quality) monitoring plan that provides reasonable assurance that annual water discharge and total phosphorus load are accurately documented.

(b) All flow quantity discharge from the property shall be calculated using a proposed method by a Florida-Registered Professional Engineer in a flow calibration report approved by the District. A calibration report shall be required for each pump, culvert or other discharge structure. Uncontrolled off-site discharges, such as overland sheet flow, shall also be quantified in the report. Each calibration report shall contain, at a minimum: data collection methodology, instrumentation and procedures; the actual field data collected; the basis for the full operating range represented by the data; the methodology for development of the calibration equation; operational information needed to calculate flow with a temporary backup methodology to be used if the primary equipment becomes inoperable; and the final calibration equation and primary method for calculating the flow. A plan that includes the items specified in the “Flow Calibration Guidelines Developed in Support of Chapter 40E-63, F.A.C. Everglades BMP Permit Program” (incorporated by reference in subsection

40E-63.404(9), F.A.C.), generally provides reasonable assurance that methods to measure water quantity will be reasonably accurate, however, other alternatives may be proposed by the applicant and authorized by the District;

(c) A schedule to install equipment and implement the monitoring plan no later than 30 days after issuance of the permit; and

(d) Other site specific information required by Appendix B3.1 (incorporated by reference in subsection 40E-63.404(7), F.A.C.).

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.456, F.A.C.

40E-63.464 Limiting Conditions for the Permit Basin Discharge Monitoring Program.

For those applicants proposing to implement the Permit Basin Discharge Monitoring Program, the District-approved monitoring plan will be incorporated into an amended General Permit and the following limiting conditions shall be met in addition to the conditions indicated in Rule 40E-63.444, F.A.C. These limiting conditions will be attached to the General Permit.

(1) The discharge (quantity and quality) monitoring plan shall provide reasonable assurance that the annual water discharge and total phosphorus load are accurately documented.

(2) The approved discharge monitoring plan shall be incorporated by reference and made part of this permit;

(3) The equipment shall be installed and the monitoring shall start no later than 30 days after the permit issuance date. Within 60 days after the permit issuance date, the permittee shall contact the District to verify that installation of the monitoring equipment is complete and to schedule an inspection;

(4) The permittee shall implement the discharge monitoring plan in accordance with the permit and shall submit to the District any proposed modification of the plan by submitting an application to modify the permit for review and approval prior to implementation.

(5) The location of sample collection shall be such that water sampled is representative of all water from the monitored area that discharges off-site.

(6) All water quality sample collection, preservation, handling, transport, and chain-of-custody documentation shall be conducted in accordance with an approved Comprehensive Quality Assurance Plan as specified in the approved discharge monitoring plan. All laboratory analyses shall be conducted by a laboratory with proper certification for the specified parameter (e.g. phosphorus);

(7) In the event that water quality automatic sampling equipment becomes inoperable for any reason, grab samples shall be temporarily taken on a daily basis during flow events and composited for a maximum of 14 days for total phosphorus analysis. Reasonable effort must be made to render the automatic sampling equipment operable within 14 days;

(8) Monitoring conditions may be reduced or adjusted upon submission of data and/or studies that provide the basis for such, reasonably demonstrating that equivalent data will be obtained with the reduction or adjustment in monitoring;

(9) The District will provide at least one week notice to the permittee of the intent to conduct a quality assurance field audit of the sampling collection procedures;

(10) The water quantity and quality data shall be submitted to the District no later than 60 days from the last day of the sampling period being reported. Water quantity and quality data shall be submitted to the District in an approved electronic format on a monthly basis.

(11) All flow quantity discharged from the property shall be calculated using a method proposed by a Florida-registered Professional Engineer in a Calibration Report approved by the District. A Calibration Report shall be required for each pump, culvert or other discharge structure. The report shall also quantified uncontrolled off-site discharges, such as overland sheet flow. Each Calibration Report shall contain, at a minimum: data collection methodology, instrumentation and procedures; the actual field data collected; the basis for the full operating range represented by the data; the methodology for development of the calibration equation; operational information needed to calculate flow with a temporary backup methodology to be used if the primary equipment becomes inoperable; and the final calibration equation and primary method for calculating the flow. Any modification to the approved calibration shall require an application to modify the existing permit.

(12) During periods of off-site discharge, water quality composite samples shall be collected by automatic sampler, preserved, and the composite sample shall be: a) removed from the sample collection site and delivered to the laboratory no later than 21 days from the time the first individual sample was taken and, b) analyzed for total phosphorus no later than 28 days from the time the first individual sample was taken.

Rulemaking Authority 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New \_\_\_\_\_.

See Rule 40E-63.458, F.A.C.

40E-63.470 C-139 Basin Works of the District Permit Compliance.

Rulemaking Specific Authority 373.044, 373.083, 373.085, 373.113, 373.4592 FS. Law Implemented 373.085, 373.4592 FS. History—New 1-24-02, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela Wade, Division Director, Everglades Regulation Division

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NOS.:	RULE TITLES:
59G-11.001	Purpose
59G-11.002	Definitions
59G-11.003	Agency Certification Process and Requirements
59G-11.004	Revocation of a 211 Number

PURPOSE AND EFFECT: Repeal of an obsolete Rule

SUMMARY: Section 408.918, Florida Statutes was amended in 2009 to transfer regulatory responsibility for the Florida 211 Network Provider Certification Program to the private sector. This action made Rules 59G-11.001, .002, .003, and .004, Florida Administrative Code obsolete.

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.

RULEMAKING AUTHORITY: 408.918 FS.

LAW IMPLEMENTED: 408.918 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Stephen Bradley at (850)412-4675, or by emailing Stephen.Bradley@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

59G-11.001 Purpose.

Rulemaking Specific Authority 408.918 FS. Law Implemented 408.918 FS. History—New 4-24-03, Repealed \_\_\_\_\_.

59G-11.002 Definitions.

Rulemaking Specific Authority 408.918 FS. Law Implemented 408.918 FS. History—New 4-24-03, Repealed \_\_\_\_\_.

59G-11.003 Agency Certification Process and Requirements.

Rulemaking Specific Authority 408.918 FS. Law Implemented 408.918 FS. History–New 4-24-03, Repealed.

59G-11.004 Revocation of a 211 Number.

Rulemaking Specific Authority 408.918 FS. Law Implemented 408.918 FS. History–New 4-24-03, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephen Bradley

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Deborah McNamara

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NOS.:	RULE TITLES:
61B-20.004	Definitions and Purpose
61B-20.005	Educational Resolution
61B-20.006	Enforcement Resolution and Penalty Guidelines

PURPOSE AND EFFECT: The amendments are intended to make the condominium developer resolution guidelines consistent with the 2009 revised legislation affecting the division’s jurisdiction and the experience gained in applying the rules since their adoption in 1998.

SUMMARY: The amendments clarify the definition of an accepted complaint; who has standing to file a complaint; provide point values for calculating aggravating and mitigating factors; change the beginning range of penalties to a set point; re-word descriptions for clarity; increase some minor violations to major violations; add new statutory citations to the list of described violations; remove some statutory citations from the list of described violations; and increase the penalties for violations.

Other rules incorporating these rules: 61B-21.001 and 61B-41.002, F.A.C. The amendments to these rules will have no significant impact on the referenced rules.

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.

RULEMAKING AUTHORITY: 718.301, 718.501 FS.

LAW IMPLEMENTED: 455.2273, 718.301, 718.501 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 28, 2010, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-20.004 Definitions and Purpose.

(1) Definitions. For the purposes of this rule chapter Rules 61B-20.004, 61B-20.005 and 62B-20.006, F.A.C., the following definitions shall apply:

(a) “Accepted complaint” means a complaint received by the division from someone with standing to file a complaint, which addresses containing sufficient documentation and addressing a subject within the jurisdiction of the division under, pursuant to Section 718.501(1), F.S., and which meets the following criteria:

1. It must allege a violation of Chapter 718, F.S., or the division’s rules;

2. It must contain a plain statement of specific facts upon which the complainant bases the allegation that a violation of Chapter 718, F.S., or a rule occurred. A complaint that merely recites the statutes or is based on mere suspicion or speculation, without a plain statement of facts clearly describing what is alleged to have occurred, will not be accepted; and

3. It must contain sufficient evidentiary documentation to support the complaint. A complaint received by the division that fails to meet the above criteria will be returned to the complainant with an explanation as to why it was not accepted and suggestions as to how the complaint may be made acceptable, and resubmitted.

(b) “Affirmative or corrective action” means putting remedial procedures in place to ensure that the violation does not recur, making any injured person whole as to the harm suffered in relation to the violation, or taking any other appropriate measures to redress the harm caused.

(c) “Alleged repeated violation” means the same or substantially similar recurring violation cited in an accepted complaint received by the division within two years from the resolution of a previous complaint regarding the same or substantially similar violation. A violation is a repeated violation if the same alleged statutory or rule violation was charged in an arbitration in which an enforceable order of an arbitrator was entered finding it a violation, or if the division entered a final enforceable order finding it a violation.

(d)(e) “Bad check” means any worthless check, draft, or order of payment identified under Section 68.065, F.S.

(e)(d) “Developer” for purposes of these guidelines, shall have the same meaning as stated in Section 718.103(16), F.S.

(2) Purpose.

(a) The purpose of the ~~penalty resolution~~ guidelines is to implement the division’s responsibility to ensure compliance with the provisions of Chapter 718, F.S., and the division’s administrative rules. For those statutory or rule violations identified as minor in these rules, the division will first and foremost attempt to seek compliance through an educational resolution. For repeated statutory or rule violations, where the violations have not been corrected or otherwise resolved by the developer, or for violations identified as major in these rules, the division will seek statutory or rule compliance through an enforcement resolution. The guidelines detail the educational and enforcement procedures the division will use to seek statutory or rule compliance. The guidelines are also intended to implement the division’s statutory authority to give reasonable and meaningful notice to persons regulated by Chapter 718, F.S., and the administrative rules of the range of penalties that normally will be imposed if an enforcement resolution is taken by the division. Finally, the rules are intended, pursuant to statutory mandate, to distinguish between minor and major violations based upon the potential harm that the violation may cause.

(b)(3) The division shall apply these ~~penalty~~ guidelines against the developer pursuant to the division’s authority in Section 718.301(5), F.S. Therefore, the developer is responsible for the cost of affirmative or corrective action, or assessed penalties imposed under these guidelines ~~for violations that occurred prior to turnover~~, regardless of whether turnover has since occurred. The developer shall not pass the cost of such affirmative or corrective action or penalties on to the unit owners.

(c)(4) These penalty guidelines are adopted under promulgated pursuant to the division’s authority in Section 718.501(1)(d), (f), and (m)(4), F.S. These rules do not preclude the division from imposing affirmative or corrective action under Sections pursuant to Section 718.501(1)(d)2-, and (r), F.S. Nothing in these rules shall limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, settlement agreement, or consent order. Rules 61B-20.004, 61B-20.005, and 61B-20.006, F.A.C., are

necessary to ~~explain~~ explicate the division’s education and enforcement ~~policies~~ policy. These rules are not intended to cover, or be applied to, willful and knowing violations of Chapter 718, F.S., or the administrative rules by an officer or association board member, pursuant to Section 718.501(1)(d) 4., F.S. Such violations shall be strictly governed by the provisions of Section 718.501(1)(d) 4., F.S. These rules are not intended to cover, or be applied to violations of Chapter 718, F.S., or the administrative rules by a unit owner controlled association. Such violations shall be strictly governed by the provisions of Chapter 61B-21, F.A.C.

Rulemaking Specific Authority 718.301, 718.501(1)(d)4., (f) FS. Law Implemented 718.301, 718.501(1)(d)4. FS. History–New 6-4-98, Amended \_\_\_\_\_.

61B-20.005 Educational Resolution.

(1) An initial accepted complaint, directed at a developer and involving a possible violation identified as minor in these guidelines, will be resolved as follows:

(a) If, based on the complaint, the division has reasonable cause to believe that a statutory or rule violation may have occurred, a Warning Letter will be sent to the developer. The Warning Letter will give the developer 14 calendar 15 business days in which to address, correct, or dispute the violation. The Warning Letter will identify the violation, and provide a contact telephone number and an investigator’s name so that the developer may contact the division for educational assistance or an educational conference in obtaining compliance. However, it is solely the responsibility of the developer to take action, when applicable, to achieve statutory or rule compliance. Failure to respond to a Warning Letter, or take affirmative or corrective action as requested by the division, may result in the division proceeding with enforcement resolution will lead to further investigation. The Warning Letter shall not be considered final agency action.

(b) If the division proceeds with enforcement resolution by issuing a notice to show cause, the division will notify the developer of its right to a hearing under Chapter 120, F.S.

(c) The division will notify the complainant of the ~~educational~~ resolution of the complaint, or if applicable, alternative dispute resolution options.

Rulemaking Specific Authority 718.501(1)(d)4., (f) FS. Law Implemented 718.501(1)(d)4., (4) FS. History–New 6-4-98, Amended \_\_\_\_\_.

61B-20.006 Enforcement Resolution and Penalty Guidelines Civil Penalties.

(1) The division will seek compliance through ~~an~~ enforcement ~~resolution~~ for major violations or repeated minor violations, or for the failure to correct or address a violation or provide unit owner redress as requested by the division, or for a major violation. If the division seeks compliance through enforcement, the division will issue a notice to show cause and notify the developer of its right to a hearing under Chapter 120,



F.S. These guidelines list aggravating and mitigating factors that will ~~reduce or increase the listed penalty amounts within the specified range and those circumstances that justify a~~ departure from the guideline range. No aggravating factors will be applied to increase a penalty for a single violation above the statutory maximum of \$5,000. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty. Nothing in this rule chapter ~~these rules~~ shall limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, settlement agreement, or consent order. Nothing in this rule chapter shall limit the division's ability to seek judicial enforcement and remedies through the courts.

(2) General Provisions.

(a) No change.

<u>No.</u>	<u>Description</u>	<u>Value</u>
1.	Filing or causing to be filed any materially incorrect document in response to any division request or subpoena.	<u>3</u>
2.	Financial loss to parties or persons affected by the violation.	<u>3</u>
3.	Financial gain to parties or persons <u>responsible for who perpetrated the violation.</u>	<u>3</u>
<del>4.</del>	<del>The same violation was committed after a Notice of Deficiency was issued.</del>	
<del>4.5.</del>	The disciplinary history of the developer, including <del>such actions resulting in enforcement as detailed in Rule 61B-20.006, F.A.C., or Section 718.501, F.S settlement or pending resolution.</del>	<u>2</u>
<del>5.6.</del>	<u>Substantial</u> <del>The violation caused substantial harm, or has potential to cause substantial harm caused to unit owners condominium residents or other persons or entities.</del>	<u>2</u>
7.	<del>Undue delay in initiating or completing, or failure to take affirmative or corrective action after the developer received the division's written notifications of the violation.</del>	
<del>6.8.</del>	The violation <del>had</del> occurred for a long period of time.	<u>2</u>
<del>7.9.</del>	The violation was repeated within <u>2 years a short period of time.</u>	<u>2</u>
<del>8.10.</del>	The developer impeded the division's investigation or authority.	<u>1</u>
<del>11.</del>	<del>The investigation involved the issuance of a notice to show cause, or other proceeding.</del>	

(b) Mitigating Factors:

<u>No.</u>	<u>Description</u>	<u>Value</u>
<del>1.</del>	<del>Reliance on written professional or expert counsel and advice.</del>	
<del>1.2.</del>	<del>The violation or harm was related to a natural or manmade disaster(s). Acts of God or nature.</del>	<u>3</u>
<del>2.</del>	<u>Financial hardship to respondent.</u>	<u>3</u>
3.	The violation caused no harm to <u>unit owners condominium residents</u> or other persons or <u>entities.</u>	<u>3</u>
<del>4.</del>	<u>The violation occurred despite reliance on written professional or expert counsel and advice.</u>	<u>2</u>
<del>5.4.</del>	The developer took affirmative or corrective action before it received the division's written notification of the violation.	<u>2</u>
<del>6.5.</del>	The developer expeditiously took affirmative or corrective action after it received the division's written notification of the violation.	<u>1</u>
<del>7.6.</del>	The developer cooperated with the division during the investigation.	<u>1</u>
7.	<del>The investigation was concluded through consent proceedings.</del>	

(c) Application. When applying aggravating or mitigating factors, the value of each applicable factor shall be multiplied by one tenth (1/10) of the specified penalty for the violation. In the case of a mitigating factor, the resulting product shall be subtracted from the specified penalty. In the case of an aggravating factor, the resulting product shall be added to the specified penalty. However, the maximum calculated penalty

(b) Violations Included. This rule chapter applies to all statutory and rule violations subject to a penalty authorized by Chapter 718, F.S. An enforceable arbitration order or consent order finding a statutory or rule violation constitutes a violation for purposes of this rule chapter and shall count as a violation when determining whether a violation has been repeated.

(c) through (d) No change.

(3) Aggravating and Mitigating Factors. The division will consider aggravating and mitigating factors in determining penalties for both minor and major violations listed in this rule section. The factors ~~are not necessarily listed in order of importance, and they~~ shall be applied against each single count of the listed violation.

(a) Aggravating Factors:

for a single violation may not exceed \$5,000, and the minimum calculated penalty for a single violation shall not be less than one tenth (1/10) of the specified penalty for that violation. For example: if the specified penalty for a violation were \$1,000, and the developer had relied on written professional or expert counsel and advice, then two tenths would be subtracted in mitigation, and the resulting penalty would be \$800.

(4) through (6) No change.

(7) Penalties.

(a) Minor Violations. The following violations shall be considered minor due to their lower potential for public consumer harm. If an enforcement resolution is utilized, the division shall impose a civil penalty of \$7.50 ~~between \$1 and \$5~~, per unit, for each minor violation. The total penalty or per unit penalty will be assessed beginning with the middle of the specified range and adjusted either up or down based upon any accepted aggravating or mitigating factors submitted with

documentation that demonstrates the factors. ~~An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range.~~ The total minimum penalty to be assessed shall be calculated according to these guidelines or \$500, whichever amount is greater. In Finally, ~~in~~ no event shall a penalty of more than \$5,000 be imposed for a single violation. The following are identified as minor violations:

No.	Category	Statute or Rule Cite	Description of Conduct/Violation
1.	<u>Assessments</u>	718.116(8), F.S.	<u>Failure to provide or timely provide a certificate stating assessments owed by the unit.</u>
2.	Board	718.110(1)(b), F.S. 718.112(2)(h)2., F.S.	<u>Proposed amendment to declaration failed to contain full text showing underlined or strikethrough language; etc. Failure of amendment to declaration or bylaws to contain full text showing underlined or language; etc.</u>
3.	<u>Board</u>	718.112(2)(h)2., F.S.	<u>Proposed amendment to bylaws failed to contain full text showing underlined or strikethrough language; etc.</u>
4.	Board Board	718.111(1)(a), F.S. 718.111(1)(b), F.S.	<u>Failure to obtain or maintain corporate status of association. Improper use of secret ballots, or use of proxy, by board members at a board meeting.</u>
5.	Board	718.112(2)(a)2., F.S.	<u>Failure to provide a timely or substantive response to a written inquiry received by certified mail.</u>
6.	Board	718.112(2)(b)1., F.S.	<u>Action taken at unit owner meeting without quorum. Improper quorum at unit owner meeting.</u>
7.	Board	718.112(2)(b)2., F.S. 718.112(2)(c), F.S. 61B-23.002(9), F.A.C.	<u>Failure of proxy to contain required elements.</u> <u>Failure to properly notice and conduct board of administration or committee meetings; Notice notice failed to indicate assessment would be considered; Failure failure to maintain affidavit by person who gave notice of special assessment meeting; Failure failure to ratify emergency action at next meeting; Failure failure to adopt a rule regarding posting of notices; Failure failure to notice meeting; Non-emergency action taken at board meeting, not on agenda; No meeting agenda; Failure to allow unit owners to speak at meeting or speech is limited with unreasonable restrictions to less than three minutes.</u>
8.	Board	718.112(2)(d)2., F.S.	<u>Failure to provide notice of the annual meeting not less than 14 days prior to the meeting. Failure to include agenda. Failure to maintain affidavit by person who gave notice of annual meeting. Failure to adopt a rule designating a specific place for posting notice of unit owner meetings.</u>
9.	Board	718.112(2)(d)4., F.S.	<u>Permitting unit owner action by written agreement without express documentary or statutory authority. Failure to hold a unit owner meeting to obtain unit owners' approval when written agreements are not authorized.</u>
	Board	718.112(2)(i), F.S.	<u>Failure to have the authority in the documents when levying transfer fees or security deposits.</u>
	Board	718.113(5), F.S.	<u>Failure to comply with hurricane shutter requirements.</u>
	Board	718.116(3), F.S.	<u>Failure to have the authority in the documents when levying late fees.</u>
10.	Board	718.3026(1), F.S.	<u>Failure to obtain competitive bids on contracts that exceed five percent of the association's budget.</u>

	Board	718.303(3), F.S.	<del>Failure to have the authority in the documents when levying fines.</del>
	Board	61B-23.001(2), F.A.C.	<del>Failure to provide proper notice of fines.</del>
11.	Board	718.112(2)(b)5., F.S.	<del>Failure to allow unit owners to attend board or committee meetings.</del>
	Board	61B-23.001(4), F.A.C.	<del>Failure to provide a speaker phone for board or committee meetings held by teleconference.</del>
12.	Board	718.112(2)(c), F.S.	<del>Failure to employ a licensed manager when licensure is required.</del>
	Board	61B-23.002(10), F.A.C.	<del>Not allowing a unit owner to tape record or video tape meetings.</del>
	Board	61B-23.0021(1)(d)2., F.A.C.	<del>Failure to permit a unit owner to tape record or video tape meetings.</del>
13.	Budgets	718.112(2)(e), F.S.	<del>Failure to fill vacancy properly.</del>
	Budgets	718.112(2)(f)1., F.S.	Failure to timely notice budget meeting. Failure to timely deliver proposed budget. <del>Failure of board to call a unit owners' meeting to consider alternate budget.</del>
14.	Budgets	718.504(21)(c), F.S.	Failure to include applicable line items in proposed budget.
15.	Budgets	718.112(2)(f)1., F.S.	<del>Failure to include a schedule of limited common element expenses in proposed budget.</del>
	Budgets	61B-22.003(5), F.A.C.	<del>Failure to show limited common element expenses in proposed budget.</del>
16.	Budgets	61B-22.003(1)(b), F.A.C.	Failure to disclose the beginning and ending dates of the period covered by the proposed budget.
17.	Budgets	61B-22.003(1)(c), F.A.C.	Failure to disclose periodic assessments for each unit type in the proposed budget.
	Budgets	61B-22.003(1)(d), F.A.C.	<del>Failure to propose full reserve funding in proposed budget.</del>
	Budgets	61B-22.003(1)(e), (f), (g), F.A.C.	<del>Failure to provide for funding of one or more reserve fund categories in the proposed budget</del>
	Budgets	61B-22.005(1), F.A.C.	
	Budgets	61B-22.003(4)(a), F.A.C.	<del>Failure to prepare a separate budget for each condominium operated by the association. Failure to provide the required separate proposed budget for each condominium operated by the association.</del>
18.	Development	61B-23.003(6), F.A.C.	<del>Developer failed to keep a copy of the receipt for delivery of association records upon transfer of control.</del>
19.	Development	61B-23.003(5), F.A.C.	<del>Developer failed to file name and address of first non-developer board member.</del>
20.	Development	718.301(4)(a)1., F.S.	<del>Failure to deliver a copy of the declaration and all amendments thereto upon transfer of association control.</del>
21.	Development	718.301(4)(a)2., F.S.	<del>Failure to deliver a copy of the articles of incorporation and all amendments upon transfer of association control.</del>
22.	Development	718.301(4)(a)3., F.S.	<del>Failure to deliver a copy of the bylaws and all amendments thereto upon transfer of association control.</del>
23.	Development	718.301(4)(a)5., F.S.	<del>Failure to deliver a copy of any house rules upon transfer of association control.</del>
24.	Development	718.301(4)(b), F.S.	<del>Failure to deliver resignations of officers and board members upon transfer of association control.</del>
25.	Development	718.301(4)(i), F.S.	<del>Failure to deliver copies of certificates of occupancy for the condominium property upon transfer of association control.</del>
26.	Development	718.301(4)(j), F.S.	<del>Failure to deliver copies of permits upon transfer of association control.</del>
27.	Development	718.301(4)(l), F.S.	<del>Failure to deliver a copy of the unit owner roster upon transfer of association control.</del>
	Elections	718.112(2)(d)3., F.S.	<del>Improper nomination procedures in election.</del>
	Elections	61B-23.0021(3), F.A.C.	
	Elections	718.112(2)(d)3., F.S.	<del>Including candidate who did not submit timely notice of candidacy.</del>
	Elections	61B-23.0021(5), F.A.C.	
	Elections	61B-23.0021(6), F.A.C.	<del>Failure to provide candidate a receipt for written notice of intent to be a candidate.</del>
28.	Elections	61B-23.0021(8), (10), F.A.C.	<del>Counting ballots not cast in inner and outer envelopes. Failure to provide space for name, unit number, and signature on outer envelope.</del>

	Elections	61B-23.0021(10)(c), F.A.C.	<del>Failure to timely hold runoff election.</del>
<u>29.</u>	<u>Elections</u>	<u>61B-23.0021(9), F.A.C.</u>	<u>Ballot does not list candidates alphabetically.</u>
<u>30.</u>	<u>Elections</u>	<u>61B-23.0021(10)(b), F.A.C.</u>	<u>Improper verification of outer envelopes.</u>
<u>31.</u>	Records	718.111(1)(b), F.S.	<del>Failure of minutes to reflect how board members voted at board meeting.</del> Failure to record a vote or an abstention in the minutes for each board member present at the board meeting.
<u>32.</u>	Records	718.111(12)(a)2., F.S.	Failure to maintain a copy of recorded declaration and amendments.
<u>33.</u>	Records	718.111(12)(a)3., F.S.	Failure to maintain a copy of recorded bylaws and amendments.
<u>34.</u>	Records	718.111(12)(a)4., F.S.	Failure to maintain a certified copy of articles of incorporation and amendments.
<u>35.</u>	Records	718.111(12)(a)7., F.S.	Failure to maintain a current, <u>complete</u> unit owner roster. <del>Failure of roster to include all elements.</del>
<u>36.</u>	Records	718.111(12)(a)14., F.S.	Failure to maintain or annually update the question and answer sheet.
<u>37.</u>	Records	61B-23.002(7)(a), F.A.C. 718.111(12)(a)15., F.S.	Failure to maintain other association records related to the operation of the association.
<u>38.</u>	<del>Records</del> Records	<del>718.111(12)(b),(c), F.S.</del> 61B-22.003(3), F.A.C.	<del>Failure to provide access to records.</del> <u>Failure to reflect adoption of budget in meeting minutes.</u> <del>Failure of budget meeting minutes to reflect adoption of the proposed budget.</del>
	Records	61B-23.003(6), F.A.C.	<del>Failure to maintain a copy of the receipt for delivery of association records upon transfer of control.</del>
<u>39.</u>	<del>Reporting</del> Reporting	<del>718.111(13), F.S.</del> 61B-22.006(3)(a) <u>6.5.</u> , F.A.C.	<del>Failure to timely provide the annual financial report.</del> <u>Failure to disclose the manner by which reserve items were estimated and/or the date the estimates were last made in the annual financial statements or turnover audit.</u> <del>Failure to disclose in the year-end financial statements the manner by which reserve items were estimated and/or the date the estimates were last made.</del>
	Reporting	61B-22.006(3)(b),(c), F.A.C.	<del>Improper disclosure in the year-end financial statements of method of allocating revenues and expenses. Improper special assessment disclosures in the year-end financial statements.</del>
<u>40.</u>	<u>Reporting</u>	<u>61B-22.006(3)(b), F.A.C.</u>	<u>Failure to disclose the method of allocating income and expenses in the annual financial statements or turnover audit.</u>
	Reporting	61B-22.006(3)(d), F.A.C.	<del>Improper disclosure in the year-end financial statements of revenues and expenses related to limited common elements.</del>
	Reporting	61B-22.006(4), F.A.C.	<del>Improper multi-condominium reserve fund disclosures in the year-end financial statements. Multi-condominium revenues, expenses, and changes in fund balance not shown for each condominium in the year-end financial statements. Disclosure of multi-condominium revenues/expenses for the association not specific to a condominium, is omitted, or is incomplete in the year-end financial statements.</del>
<u>41.</u>	Reporting	61B-22.006(5), F.A.C.	<u>Failure to show developer assessments separately from other assessment revenues in the annual financial report (statements).</u>
	Reporting	61B-22.006(3)(a), F.A.C.	<del>Failure to show developer assessments separately from non-developer owners in the year-end financial statements or annual financial report.</del>
	Reporting	61B-22.006(6)(b), F.A.C.	<del>Failure to include the required reserve fund disclosures in the annual financial report.</del>
	Reporting	61B-22.006(2)(b), F.A.C.	<del>Improper disclosure of receipts and expenditures in the annual financial report in a multi-condominium association.</del> <del>Failure to include in the turnover financial statements a statement of total cash payments made by the developer to the association.</del>

(b) Major Violations. The following violations shall be considered major due to their increased potential for public consumer harm. If an enforcement resolution is utilized, the penalty will be assessed beginning with the middle of the specified range and adjusted either up or down based upon any

accepted aggravating or mitigating factors submitted with documentation that demonstrates the factors. ~~An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range.~~ The total minimum penalty to be assessed

shall be calculated according to these guidelines or \$500, whichever amount is greater. ~~In Finally, in~~ no event shall a penalty of more than \$5,000 be imposed for a single violation. The penalties are set forth in levels categories 1, 2, and 3, for each violation as follows:

~~Level Category 1: \$30 \$10—\$18 per unit.~~  
~~Level Category 2: \$75 \$20—\$50 per unit.~~  
~~Level Category 3: \$400 \$100—\$300 for each unit offered/created; deposit or contract.~~

No.	Category	Statute or Rule Cite	Description of Conduct/Violation	Suggested Penalty Level
1.	Accounting Records	718.111(12)(a)11F.S. 61B-22.002, F.A.C.	<del>Insufficient or incomplete accounting records. Insufficient detail in the accounting records. Failure to maintain sufficient accounting records.</del>	2
2.	Accounting Records	718.111(12)(a)11., FS.	Failure to maintain separate accounting records for each condominium.	2
3.	Assessing	718.112(2)(g), FS.	<u>Assessments not sufficient to meet expenses.</u> <del>Failure to assess at sufficient amounts.</del>	1
4.	Assessing	718.112(2)(g), F.S.	<u>Collecting assessments less frequently than quarterly</u>	1
5.	Assessing	718.115(2), F.S.	<u>Assessments not based upon the shares stated in the declaration of condominium. Failure to assess based upon proportionate share or as stated in the declaration of condominium.</u>	2
6.	Assessing	718.115(4), F.S.	Assessments not properly apportioned among multiple condominiums.	2
7.	Assessing	718.116(3), F.S.	<u>Failure to charge interest on past-due assessments.</u>	1
8.	Assessing	718.116(4), (9), F.S.	<u>Developer or other owner improperly excused from paying assessments. Failure by developer to pay assessments or to pay in timely manner.</u>	2
9.	Board Board	718.110, 718.112, F.S. 718.106(3), F.S. 718.123(1), F.S.	<u>Failure to follow method of amendment.</u> <u>Unit owner denied access to unit or to common elements.</u>	2 1
10.	Board	718.110, F.S.	<u>Improperly amending the declaration of condominium.</u>	2
11.	Board	718.111(1)(b), F.S.	<u>Improper use of secret ballots, or use of proxies, by board members at a board meeting.</u>	1
12.	Board	718.111(4), F.S.	<u>Improper use fee.</u>	1
13.	Board	718.111(7)(a), F.S.	<u>Mortgaging or conveying association property without unit-owner approval.</u>	2
14.	Board	718.111(11), F.S.	<u>Failure to exercise best effort to insure the common elements and association property.</u>	2
15.	Board	718.111(11)(h)(4), F.S.	<u>Failure to maintain adequate fidelity bonding.</u>	2
16.	Board	718.112(2)(b)2., F.S.	<u>Improper use of general proxies. Use of non-conforming limited proxies.</u>	1
17.	Board	718.112(2)(h), F.S.	<u>Improperly amending the association bylaws.</u>	2
18.	Board	718.112(2)(a)1., F.S.	<u>Compensating officers or members of the board without documentary authority. Improper compensation of officers or directors.</u>	1
19.	Board	718.112(2)(d)1., F.S.	<u>Allowing ineligible person to serve on the board.</u>	2
20.	Board	718.112(2)(d)1., F.S.	<u>Failure to hold annual meeting.</u>	2
21.	Board	718.112(2)(d)8., F.S. 61B-23.0021(1)(d)2., F.A.C.	<u>Improperly filling a vacancy of an unexpired term on the board.</u>	1
22.	Board	718.112(2)(j), F.S.	<u>Improper removal of board member.</u>	1
23.	Board	718.112(2)(i), F.S.	<u>Improperly requiring transfer fees or security deposits.</u> <u>Requiring excessive transfer fees or security deposits.</u>	1
24.	Board	718.113(1), F.S.	<u>Failure to maintain common elements.</u>	1
25.	Board	718.113(2), F.S.	<u>Material alteration without unit-owner approval where required.</u>	1
26.	Board	718.113(5), F.S.	<u>Failure to adopt hurricane shutter specifications. Failure to approve hurricane shutters that meet specifications.</u>	1

<u>27.</u>	<u>Board</u>	<u>718.116(3), F.S.</u>	<u>Levying late fees without documentary authority.</u>	<u>1</u>
<u>28.</u>	<u>Board</u>	<u>718.303(3), F.S.</u>	<u>Imposing fines without documentary authority. Imposing fines without proper notice and hearing. Imposing excessive fines.</u>	<u>1</u>
	<u>Board</u>	<u>718.501(2)(a), F.S.</u>	<u>Failure to pay annual fees to the division.</u>	<u>2</u>
<u>29.</u>	<u>Board</u>	<u>718.112(c), F.S.</u>	<u>Excluding unit owners from board or committee meetings.</u>	<u>1</u>
		<u>61B-23.001(2), F.A.C.</u>		
<u>30.</u>	<u>Board</u>	<u>61B-23.001(4), F.A.C.</u>	<u>Employing an unlicensed manager when licensure is required.</u>	<u>2</u>
<u>31.</u>	<u>Budgets</u>	<u>718.112(2)(e), F.S.</u>	<u>Failure to propose/adopt budget for a given year.</u>	<u>2</u>
<u>32.</u>	<u>Budgets</u>	<u>61B-22.003(4)(a), F.A.C.</u>	<u>Failure to prepare a separate budget for each condominium operated by the association as well as for the association.</u>	<u>1</u>
<u>33.</u>	<u>Budgets</u>	<u>718.112(2)(e)2.c., F.S.</u>	<u>Developer increased assessments more than 115% without approval.</u>	<u>1</u>
<u>34.</u>	<u>Budgets</u>	<u>61B-22.003(1)(d), F.A.C.</u>	<u>Failure to provide for full funding of reserves in proposed budget.</u>	<u>1</u>
<u>35.</u>	<u>Budgets</u>	<u>61B-22.003(1)(e), (f), (g), F.A.C.</u>	<u>Failure to include reserve schedule in the proposed budget.</u>	<u>1</u>
<u>36.</u>	<u>Budgets</u>	<u>61B-22.003(1)(e), (f), (g), F.A.C.</u>	<u>Failure to include a required reserve item in proposed budget.</u>	<u>1</u>
		<u>61B-22.005(1), F.A.C.</u>		
<u>37.</u>	<u>Budgets</u>	<u>718.112(2)(f)2., F.S.</u>	<u>Improper calculation of reserve requirements.</u>	<u>1</u>
		<u>61B-22.005(3)(5), F.A.C.</u>		
<u>38.</u>	<u>Commingle</u>	<u>718.111(14), F.S.</u>	<u>Commingling association funds with non-association funds.</u>	<u>2</u>
<u>39.</u>	<u>Commingle</u>	<u>718.111(14), F.S.</u>	<u>Association funds deposited in account not in association's name.</u>	<u>1</u>
<u>40.</u>	<u>Commingle</u>	<u>718.111(14), F.S.</u>	<u>Commingling reserve funds with operating funds.</u>	<u>1</u>
		<u>61B-22.005(2), F.A.C.</u>		
<u>41.</u>	<u>Common Expenses</u>	<u>718.103(9), F.S.</u>	<u>Using association funds for other than common expenses.</u>	<u>2</u>
		<u>718.115(1), F.S.</u>		
		<u>61B-23.003(3), F.A.C.</u>		
	<u>Converter Reserves</u>	<u>718.618(1), F.S.</u>	<u>Failure to calculate converter reserves properly.</u>	<u>2</u>
	<u>Converter Reserves</u>	<u>61B-24.007, F.A.C.</u>		
		<u>718.618(2)(a), F.S.</u>	<u>Failure to fund converter reserves in a timely manner.</u>	<u>2</u>
<u>42.</u>	<u>Converter Reserves</u>	<u>718.618(3)(b), F.S.</u>	<u>Improper use of converter reserves.</u>	<u>1</u>
		<u>61B-22.003(1)(e)5., F.A.C.</u>		
		<u>61B-22.006(3)(a)6., F.A.C.</u>	<u>Failure to include converter reserve disclosures in the proposed budget, year-end financial statements, or annual financial report.</u>	<u>4</u>
		<u>61B-22.006(6)(e), F.A.C.</u>		
<u>43.</u>	<u>Development</u>	<u>718.202(1), F.S.</u>	<u>Developer using alternative assurance, such as a Letter of Credit or Surety Bond, in lieu of escrow account, without prior approval of the director.</u>	<u>3</u>
		<u>61B-17.009(1), F.A.C.</u>	<u>Director.</u>	
	<u>Development</u>	<u>718.202(1) or (6), F.S.</u>	<u>Failure to establish an escrow account or place funds therein.</u>	<u>3</u>
<u>44.</u>	<u>Development</u>	<u>718.202(1), F.S.</u>	<u>Failure to place purchase deposits in escrow.</u>	<u>3</u>
<u>45.</u>	<u>Development</u>	<u>718.202(6), F.S.</u>	<u>Failure to place reservation deposits in escrow.</u>	<u>3</u>
<u>46.</u>	<u>Development</u>	<u>718.301(1), (2), (4), F.S.</u>	<u>Failure to transfer association control.</u>	<u>2</u>
<u>47.</u>	<u>Development</u>	<u>718.301(4)(a)4., F.S.</u>	<u>Failure to deliver the minute books upon transfer of association control.</u>	<u>2</u>

<u>48.</u>	<u>Development</u>	<u>718.301(4)(c), F.S.</u>	<u>Failure to deliver the financial records (other than the audit) within 90 days of transfer of association control.</u>	<u>2</u>
<u>49.</u>	<u>Development</u>	<u>718.301(4)(d), F.S.</u>	<u>Failure to deliver the association funds upon transfer of association control.</u>	<u>2</u>
<u>50.</u>	<u>Development</u>	<u>718.301(4)(e), F.S.</u>	<u>Failure to deliver all tangible personal property of the association upon transfer of association control.</u>	<u>2</u>
<u>51.</u>	<u>Development</u>	<u>718.301(4)(f), F.S.</u>	<u>Failure to deliver the plans, specifications and affidavit upon transfer of association control.</u>	<u>1</u>
<u>52.</u>	<u>Development</u>	<u>718.301(4)(g), F.S.</u>	<u>Failure to deliver the list of contractors upon transfer of association control.</u>	<u>1</u>
<u>53.</u>	<u>Development</u>	<u>718.301(4)(h), F.S.</u>	<u>Failure to deliver copies of insurance policies upon transfer of association control.</u>	<u>1</u>
<u>54.</u>	<u>Development</u>	<u>718.301(4)(k), F.S.</u>	<u>Failure to deliver copies of all warranties upon transfer of association control.</u>	<u>1</u>
<u>55.</u>	<u>Development</u>	<u>718.301(4)(m), F.S.</u>	<u>Failure to deliver copies of all leases to which the association is a party upon transfer of association control.</u>	<u>1</u>
<u>56.</u>	<u>Development</u>	<u>718.301(4)(n), (o), F.S.</u>	<u>Failure to deliver copies of all contracts involving the association upon transfer of association control.</u>	<u>1</u>
<u>57.</u>	<u>Development</u>	<u>718.403(1), F.S.</u>	<u>Continuing to develop phases after expiration of phase deadline.</u>	<u>3</u>
	<u>Development</u>	<u>718.403(1),(2), F.S.</u>	<u>Failure to follow proper method to amend documents to alter phase development plan.</u>	<u>3</u>
<u>58.</u>	<u>Development</u>	<u>61B-17.003(9), F.A.C.</u>	<u>Improperly amending declaration to provide for phased development.</u>	<u>2</u>
<u>59.</u>	<u>Development</u>	<u>718.403(1), (2), F.S.</u>	<u>Improperly amending declaration to alter phased development plan.</u>	<u>2</u>
<u>60.</u>	<u>Development</u>	<u>61B-17.003, F.A.C.</u>	<u>Accepting reservation deposits prior to filing reservation program with the division. Accepting deposits prior to filing reservation and escrow agreements with the division.</u>	<u>3</u>
<u>61.</u>	<u>Development</u>	<u>718.502(2)(a), F.S.</u>	<u>Offering sales contracts prior to initial filing with division and acceptance for form.</u>	<u>3</u>
		<u>61B-17.001(1)(b), F.A.C.</u>		
<u>62.</u>	<u>Development</u>	<u>718.502(3), F.S.</u>	<u>Failure to file amendments to documents previously filed with the division.</u>	<u>1</u>
<u>63.</u>	<u>Development</u>	<u>61B-17.006(2), F.A.C.</u>	<u>Using sales contracts without required disclosures.</u>	<u>3</u>
		<u>718.503(1), (3), 718.618(10), F.S.</u>		
		<u>61B-18.001(10), F.A.C.</u>		
<u>64.</u>	<u>Development</u>	<u>718.503(1)(b), (3), F.S.</u>	<u>Failure to allow purchaser to rescind contract upon receipt of timely notice from purchaser. provide documents to purchasers.</u>	<u>3</u>
<u>65.</u>	<u>Development</u>	<u>718.503(3), F.S.</u>	<u>Closing on sales of units prior to the division's approval of the filing with division and acceptance for content.</u>	<u>3</u>
		<u>61B-17.001(6), F.A.C.</u>		
<u>66.</u>	<u>Development</u>	<u>61B-17.001(3), F.A.C.</u>	<u>Failure to provide recording information to the division.</u>	<u>1</u>
<u>67.</u>	<u>Development</u>	<u>718.502(3), F.S.</u>	<u>Offering sales contracts on units within a phase prior to filing phase documents with the division.</u>	<u>3</u>
		<u>61B-17.003(3), F.A.C.</u>		
<u>68.</u>	<u>Development</u>	<u>718.504(10), F.S.</u>	<u>Rental program not disclosed in prospectus or amendment.</u>	<u>1</u>
		<u>61B-18.008(4), F.A.C.</u>		
<u>69.</u>	<u>Elections</u>	<u>718.112(2)(d), F.S.</u>	<u>Failure to hold election to permit participation on board by non-developer owners. Failure to permit participation on board by non-developer owners after 15 percent of units have been sold.</u>	<u>2</u>
		<u>718.301(1), (2), F.S.</u>		
		<u>61B-23.0021(2), F.A.C.</u>		
<u>70.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S., 61B-23.0021(3), F.A.C.</u>	<u>Improper nomination procedures in election.</u>	<u>2</u>

<u>71.</u>	Elections	718.112(2)(d)3., F.S. 61B-23.0021(4), F.A.C.	Failure to provide, or timely provide, first notice of election.	<u>2+</u>
<u>72.</u>	Elections	61B-23.0021(6), F.A.C.	Failure to provide candidate a receipt for written notice of candidacy.	1
<u>73.</u>	Elections	61B-23.0021(8), F.A.C.	Second notice of election included comments by board about candidates.	<u>2</u>
<u>74.</u>	Elections	718.301(2), F.S.	Failure to provide, or timely provide, first notice of turnover election.	<u>2</u>
<u>75.</u>	Elections	718.112(2)(d)3., F.S. 61B-23.0021(7), (8), F.A.C.	Failure to provide, or timely provide, second notice of election or omitting materials such as ballots, envelopes, and candidate information sheets.	<u>2+</u>
<u>76.</u>	Elections	61B-23.0021(8), F.A.C.	Voters allowed to rescind or change their previously cast ballots.	1
<u>77.</u>	Elections	718.112(2)(d)3., F.S.; 61B-23.0021(7); F.A.C.	Association altered or edited candidate information sheets.	<u>2</u>
<u>78.</u>	Elections	61B-23.0021(2), F.A.C.	Election not held at time and place of annual meeting.	1
<u>79.</u>	Elections	718.112(2)(d)3., F.S.	Failure to use ballots or voting machines.	2
<u>80.</u>	Elections	718.112(2)(d)3., F.S. 61B-23.0021(5), F.A.C.	Ballot included candidate who did not submit timely notice of candidacy.	<u>2</u>
<u>81.</u>	Elections	61B-23.0021(7), F.A.C.	Distributing candidate information sheets consisting of more than one page.	1
<u>82.</u>	Elections	61B-23.0021(10)(a), F.A.C.	Inner envelopes not placed in separate receptacle before being opened.	<u>2</u>
<u>83.</u>	Elections	718.112(2)(d)3., F.S. 61B-23.0021(9), F.A.C.	Failure to include all timely submitted names of eligible candidates on the ballot.	<u>2+</u>
<u>84.</u>	Elections	61B-23.0021(9), F.A.C.	Ballots not uniform. Ballots identify voter. Ballot contained space for write-in candidate.	<u>2</u>
<u>85.</u>	Elections	61B-23.0021(10), F.A.C.	Outer envelopes not checked against list of eligible voters.	1
<u>86.</u>	Elections	61B-23.0021(10)(a), (b), F.A.C.	Counting ineligible ballots. <del>Not counting ballots in the presence of unit owners.</del>	1
<u>87.</u>	Elections	61B-23.0021(10), F.A.C.	Failure to count properly cast ballots.	1
<u>88.</u>	Elections	61B-23.0021(10), F.A.C.	Outer envelopes opened prior to election meeting. Outer envelopes not opened in presence of unit owners.	<u>2</u>
<u>89.</u>	Elections	61B-23.0021(10)(a), F.A.C.	Not counting ballots in the presence of unit owners.	<u>2</u>
<u>90.</u>	Elections	61B-23.0021(10)(a), F.A.C.	Ballots not counted by impartial committee.	1
<u>91.</u>	Elections	61B-23.0021(10)(b), F.A.C.	Failure to notice meeting to verify outer envelope information.	1
<u>92.</u>	Elections	61B-23.0021(10)(c), F.A.C.	Failure to hold or timely hold runoff election.	2
<u>93.</u>	Elections	61B-23.003(7)(f), F.A.C.	Developer improperly voted for a majority of the board. <del>Improperly permitting a developer to vote for a majority of the board.</del>	2
<u>94.</u>	Elections	61B-23.0021(10)(a), F.A.C.	No blank ballots available at election meeting.	<u>2</u>
<u>95.</u>	Final Order	718.501(1)(d)64., F.S.	Failure to comply with final order of the division.	2
<u>96.</u>	Guarantee	718.116(9), F.S. 61B-22.004(1), F.A.C.	Guarantee not properly established.	2



<u>97.</u>	Guarantee	718.116(9)(a), F.S. 61B-22.004(3), F.A.C.	Improperly assessing unit owners.	2
<u>98.</u>	Guarantee	718.116(9)(a), F.S. 61B-22.004(4)(5), F.A.C.	<del>Failure to advance sufficient cash. Guarantee deficit not funded.</del>	2
<u>99.</u>	Guarantee	<u>718.116(9)(b), F.S.</u> <u>61B-22.004(4), F.A.C.</u>	<u>Expending capital contributions or special assessment funds during guarantee period.</u>	<u>2</u>
<u>100.</u>	Guarantee	61B-22.004(2), F.A.C.	Guarantee period unclear/not specified, not properly extended.	2
	Guarantee	61B-22.004(4)(a), F.A.C.	<del>Not providing sufficient cash/resources to provide payment on a timely basis of all common expenses including full funding of reserves.</del>	2
	Guarantee	61B-22.004(4)(b), F.A.C.	<del>Amount owed by the guarantor for the guarantee period not properly calculated.</del>	2
		61B-22.004(5), F.A.C.		
<u>101.</u>	Records	718.111(12)(a)12., F.S.	Failure to maintain election <u>or voting</u> materials <del>for one year.</del>	1
<u>102.</u>	Records	718.111(12)(a)6., F.S.	Failure to maintain minutes of meetings.	1
<u>103.</u>	Records	718.111(12)(a)8., F.S.	<u>Failure to maintain a copy of a current insurance policy.</u>	<u>1</u>
<u>104.</u>	Records	718.111(12)(a)9., F.S.	<u>Failure to maintain copy of management agreement or other contract under which the association has obligations.</u>	<u>1</u>
<u>105.</u>	Records	718.111(12)(a)10. F.S.	<u>Failure to maintain bills of sale or transfer.</u>	<u>1</u>
<u>106.</u>	Records	718.111(12)(a)13. F.S.	<u>Failure to maintain rental records.</u>	<u>1</u>
<u>107.</u>	Records	718.111(12)(c), F.S.	<u>Requiring a unit owner to pay a fee for access to association records.</u>	<u>1</u>
		718.115(1)(a), F.S.		
<u>108.</u>	Records	718.111(12)(b), F.S.	Failure to maintain records within Florida.	2
<u>109.</u>	Records	718.111(12)(b), (c), F.S.	<u>Failure to provide access to records. Failure to allow copying of records.</u>	<u>1</u>
	Records	718.301(4), F.S.	<del>Failure to deliver one or more association records upon transfer of association control.</del>	2
<u>110.</u>	Reporting	718.111(13), F.S.	Failure to provide, <u>or timely provide,</u> the annual financial report <u>or statements.</u>	2
	Reporting	718.111(13), F.S.	<del>Failure to provide year-end financial statements in a timely manner.</del>	1
	Reporting	718.111(13), F.S.	<del>Failure to provide year-end financial statements.</del>	2
<u>111.</u>	Reporting	718.111(13)(d), F.S.	Prior to turnover of control of the association, developer was included in vote to <u>lower reporting waive audit</u> requirement after the first two years of operation.	2
	Reporting	718.301(4)(c), F.S.	<del>Failure to provide turnover financial statements in a timely manner.</del>	1
	Reporting	718.301(4)(c), F.S.	<del>Failure to provide turnover financial statements. Turnover financial statements not audited. Failure of turnover financial statements to cover entire period.</del>	2
		61B-22.0062(1), F.A.C.		
<u>112.</u>	Reporting	718.301(4)(c), F.S. 61B-22.0062(1), F.A.C.	<u>Failure to provide, or timely provide, turnover financial statements. Turnover financial statements not audited.</u> <u>Failure of turnover financial statements to cover entire period of control.</u>	<u>2</u>
<u>113.</u>	Reporting	61B-22.0062(2)(b), F.A.C.	<u>Failure to state the total cash payments made by the developer to the association in the turnover audit.</u>	<u>1</u>
<u>114.</u>	Reporting	61B-22.006(1), F.A.C.	Failure to prepare <u>annual/turnover year-end</u> financial statements using fund accounting. Failure to prepare <u>annual/turnover year-end</u> financial statements on accrual basis.	1
<u>115.</u>	Reporting	61B-22.006(1), F.A.C.	Failure to prepare <u>annual/turnover year-end</u> financial statements in accordance with Generally Accepted Accounting Principles (GAAP). Failure to have reviewed or audited <u>annual/turnover year-end</u> financial statements prepared by a Florida-licensed CPA.	2

<u>116.</u>	Reporting	61B-22.006(2), F.A.C.	Failure to include one or more components of the <u>annual/turnover year-end</u> financial statements (incomplete).	<u>1</u>
<u>117.</u>	Reporting	61B-22.006(3)(a)1.- <del>6.</del> , (6), F.A.C.	Failure to make significant reserve fund disclosures in <u>annual/turnover year-end</u> financial statements <u>or annual financial report or annual financial report.</u>	<u>1</u>
<u>118.</u>	Reporting	61B-22.006(4), F.A.C.	Failure to include reserve fund disclosures and/or revenues, expenses, and changes in fund balances for each condominium and the association in the <u>annual financial statements.</u>	<u>1</u>
<u>119.</u>	Reporting	61B-22.006(3)(a)7 <del>6.</del> , (6), F.A.C.	Failure to include converter-reserve disclosures in the <u>annual financial statements or annual financial report.</u>	<u>1</u>
<u>120.</u>	Reporting	61B-22.006(4), F.A.C.	Failure to include reserve fund disclosures and/or revenues, expenses, and changes in fund balances for each condominium and the association in the <u>annual financial statements of a multi-condominium association.</u>	<u>1</u>
<u>121.</u>	Reporting	61B-22.006(3)(c), (6)(c), F.A.C.	Failure to include the special assessments disclosures in the <u>annual financial statements or annual financial report.</u>	<u>1</u>
<u>122.</u>	Reporting	61B-22.006(6)(e), F.A.C.	Failure to separately present revenues and expenses for each condominium and the association in the <u>annual financial report of a multi-condominium association.</u>	<u>1</u>
	Reporting	61B-22.006(3)(e), F.A.C. 61B-22.0062(2)(d), F.A.C.	<del>Guarantee disclosures incomplete in, or missing from, turnover financial statements or year end financial statements.</del>	<del>+</del>
<u>123.</u>	Reporting	61B-22.006(3)(e), F.A.C.	<u>Guarantee disclosures incomplete in, or missing from, annual financial statements.</u>	<u>1</u>
<u>124.</u>	Reporting	61B-22.0062(2)(d), F.A.C.	<u>Guarantee disclosures incomplete in, or missing from, turnover financial statements.</u>	<u>2</u>
<u>125.</u>	Reporting	61B-22.004(5), F.A.C.	<u>Improper calculation of guarantor's final obligation.</u>	<u>2</u>
	Reporting	61B-22.006(6)(a),(b), F.A.C 718.111(13)(b), F.S.	<del>Failure to prepare the annual financial report on a cash basis. Failure to include in the annual financial report specified receipt or expenditure line items, or disclosures on limited common elements.</del>	<del>+</del>
<u>126.</u>	Reporting	718.111(13)(b), F.S. 61B-22.006(6)(a), F.A.C.	<u>Annual financial report not prepared on a cash basis.</u>	<u>1</u>
<u>127.</u>	Reporting	718.111(13)(b)3., F.S.	<u>Annual financial report does not include specified receipt or expenditure items.</u>	<u>1</u>
<u>128.</u>	Reporting	61B-22.006(3)(d), (6)(d), F.A.C.	<u>Annual/turnover financial statements or annual financial report do not disclose revenues and expenses related to limited common elements.</u>	<u>1</u>
	Reporting	718.111(13)(d), F.S.	<del>Providing lower level of reporting for year-end financial statements than required.</del>	<del>2</del>
<u>129.</u>	Reporting	718.111(13)(a), F.S.	<u>Providing lower level of annual financial reporting than required based on number of units and annual revenues.</u>	<u>2</u>
<u>130.</u>	Reporting	61B-22.0062(2), F.A.C.	<u>Turnover Failure of turnover</u> financial statements <u>fail</u> to present revenues and expenses for each fiscal year and interim period.	<u>2</u>
<u>131.</u>	Reporting	61B-22.0062(2)(a)-(c), F.A.C.	Turnover financial statements <u>fail to include required disclosures</u> <del>omit disclosure of common expenses paid by the developer.</del>	<u>12</u>
	Reserves	718.112(2)(f)2., F.S.	<del>Failure to calculate reserve funds properly.</del>	<del>+</del>
<u>132.</u>	Reserves	61B-22.005(3), F.A.C. 718.112(2)(f)2., F.S. 61B-22.005(6), F.A.C.	Failure to fund reserves in a timely manner. Failure to fully fund reserves.	<u>1</u>

<u>133.</u>	Reserves	718.112(2)(f)2., F.S. 61B-22.005(6), (8), F.A.C.	Failure to follow proper method to waive or reduce reserve funding.	1
<u>134.</u>	Reserves	718.112(2)(f)2., F.S.	Prior to turnover of control of the association, developer included in vote to waive/reduce reserve funding after first two years of operation.	1
<u>135.</u>	Reserves	718.112(2)(f)3., F.S. 61B-22.005(7), F.A.C.	<u>Using reserve funds for other purposes without proper unit owner approval. Failure to obtain unit owner approval prior to using reserve funds for other purposes.</u>	2
<u>136.</u>	Special Assessment	718.116(10), F.S.	<u>Using special assessment funds for other purposes. Failure to use special assessment funds for intended purposes.</u>	1
<u>137.</u>	Special Assessment	718.116(10), F.S.	<u>Special assessment notice does not state purpose of assessment.</u>	1

Rulemaking Specific Authority 718.501(1)(d)4., ~~(f)~~ FS. Law Implemented 718.301, 718.501(1)(d)4. FS. History—New 6-4-98, Amended \_\_\_\_\_.

Other rules incorporating these rules: 61B-41.002, F.A.C. The amendments to these rules will have no significant impact on the referenced rule.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Cochran, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Interim Secretary, Department of Business and Professional Regulation  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

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.

RULEMAKING AUTHORITY: 718.301, 718.501 FS.  
LAW IMPLEMENTED: 455.2273, 718.501 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 28, 2010, 9:00 a.m.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NOS.:	RULE TITLES:
61B-21.001	Definitions and Purpose
61B-21.002	Educational Resolution
61B-21.003	Enforcement Resolution and Penalty Guidelines

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II 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).

PURPOSE AND EFFECT: The amendments are intended to make the condominium association resolution guidelines consistent with the 2009 revised legislation affecting the division’s jurisdiction and the experience gained in applying the rules since their adoption in 1998.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, (850)488-1631

SUMMARY: The amendments clarify the definition of an accepted complaint; who has standing to file a complaint; provide point values for calculating aggravating and mitigating factors; change the beginning range of penalties to a set point; re-word descriptions for clarity; increase some minor violations to major violations; add new statutory citations to the list of described violations; remove some statutory citations from the list of described violations; and increase the penalties for violations.

THE FULL TEXT OF THE PROPOSED RULES IS:

- 61B-21.001 Definitions and Purpose.
- (1) Definitions. For the purposes of this rule chapter, the following definitions shall apply:
  - (a) “Accepted complaint” means a complaint received by the division from someone with standing to file a complaint, which addresses containing sufficient documentation and

~~addressing~~ a subject within the jurisdiction of the division, ~~under pursuant to~~ Section 718.501(1), F.S., ~~and which meets the following criteria:~~

1. It must allege a violation of Chapter 718, F.S., or the division's rules;

2. It must contain a plain statement of specific facts upon which the complainant bases the allegation that a violation of Chapter 718, F.S. or a rule occurred. A complaint that merely recites the statutes or is based on mere suspicion or speculation, without a plain statement of facts clearly describing what is alleged to have occurred, will not be accepted; and

3. It must contain sufficient evidentiary documentation to support the complaint. A complaint received by the division that fails to meet the above criteria will be returned to the complainant with an explanation as to why it was not accepted with suggestions as to how the complaint may be made acceptable, and resubmitted.

(b) No change.

(c) ~~“Alleged repeated violation” means any accepted complaint for the same or substantially similar recurring violation cited in an accepted complaint conduct received by the division within two years from the resolution of a previous complaint regarding the same or substantially similar violation that conduct. A violation is a repeated violation if the same alleged statutory or rule violation was charged in an arbitration in which an enforceable order of an arbitrator was entered finding it a violation, or if the division entered a final enforceable order finding it a violation.~~

(d) through (e) No change.

(f) “Jurisdiction” means that the division has complete authority to investigate complaints and enforce compliance with the provisions of Chapter 718, F.S., with respect to associations that are still under developer control and complaints against developers involving improper turnover or failure to turnover, under Section 718.301, F.S. However, under subsection 718.501(1), F.S., after turnover has occurred, the division shall only have authority to investigate complaints related to financial issues, elections, and unit owner access to association records under subsection 718.111(12), F.S. Issues related to access to records include association maintenance of records. A financial issue means an alleged violation that: involves accounting records, including the maintenance or accuracy thereof; assessments, including the amount of the assessments and the process by which assessments are imposed; budgets, including the budget preparation and adoption process; reserves including the amounts and the use of such reserves for their proper purpose; financial reporting; and use of association funds.

(2) Purpose. The purpose of the ~~penalty resolution~~ guidelines is to implement the division's responsibility to ensure compliance with the provisions of Chapter 718, F.S., and the division's administrative rules. The division recognizes

that unit owner controlled associations are comprised of volunteer members who, in most circumstances, are lay people without specialized knowledge of the complex statutory and administrative rule structure of Chapter 718, F.S. Based upon this understanding, the division, as set forth in these rules, will first and foremost attempt to seek statutory and rule compliance through an educational resolution. For repeated statutory or rule violations, where the violations have not been corrected or otherwise resolved by the association, the division will seek statutory or rule compliance through an enforcement resolution. The guidelines are also intended to implement the division's statutory authority to give reasonable and meaningful notice to persons regulated by Chapter 718, F.S., and the administrative rules of the range of penalties that normally will be imposed if an enforcement resolution is taken by the division. Finally, the rules are intended, pursuant to statutory mandate, to distinguish between minor and major violations based upon the potential harm that the violation may cause.

(3) These penalty guidelines are adopted under promulgated pursuant to the division's authority in Section 718.501(1)(d), ~~and (f), and (m),~~ F.S. This rule chapter does not preclude the division from imposing affirmative or corrective action under Sections pursuant to Section 718.501(1)(d)2, ~~and (r),~~ F.S. Nothing in this rule chapter shall limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, settlement agreement, or consent order. Rules 61B-21.001, and 61B-21.002, and 61B-21.003, F.A.C., are necessary to explain explicate the division's education and enforcement policies policy. ~~This rule chapter is not intended to cover, or be applied to, willful and knowing violations of Chapter 718, F.S., or the administrative rules by an officer or association board member, pursuant to Section 718.501(1)(d)4., F.S. Such violations shall be strictly governed by the provisions of Section 718.501(1)(d)4., F.S. These rules are This rule chapter is not intended to cover, or be applied to, violations of Chapter 718, F.S., or the administrative rules by a condominium developer as defined by Section 718.103(16), F.S. Such violations shall be strictly governed by the provisions of Rules 61B-20.004, 61B-20.005, and 61B-20.006, F.A.C., and Section 718.301(5), F.S.~~

Rulemaking Specific Authority 718.501(1)(d)4., ~~(f)~~ FS. Law Implemented 718.501(1)(d)4. FS. History--New 6-4-98, Amended \_\_\_\_\_.

61B-21.002 Educational Resolution.

(1) through (2) No change.

(3) Alleged Repeated Minor Violations. A subsequent accepted complaint directed at the same association involving a possible violation identified as minor in these guidelines, will be resolved as follows:

(a) If, based on the complaint, the division has reasonable cause to believe that a statutory or rule violation may have occurred, a Warning Letter will be sent to the association. The

Warning Letter will give the association 14 calendar days a ~~reasonable period of time~~ in which to address, correct, or dispute the violation. The Warning Letter will identify the violation, and provide a contact telephone number and an investigator's name so that the association may contact the division for educational assistance or an educational conference in obtaining compliance. However, it is solely the responsibility of the association to take action, when applicable, to achieve statutory or rule compliance. Failure to respond to a Warning Letter, or take affirmative or corrective action as requested by the division, may will lead to enforcement resolution ~~further investigation~~. The Warning Letter shall not be considered final agency action.

(b) If the division, through enforcement resolution, issues a notice to show cause, the division will notify the association of its right to a hearing under Chapter 120, F.S.

(c) The division will notify the complainant of the educational resolution of the complaint, or if applicable, alternative dispute resolution options.

(4) Alleged Major Violations. An initial accepted complaint, directed at an association and involving a possible violation identified as major in these guidelines, will be resolved as follows:

(a) If based on the complaint, the division has reasonable cause to believe that a statutory or rule violation may have occurred, a Warning Letter will be sent to the association. The Warning Letter will give the association 14 calendar days a reasonable period of time in which to address, correct, or dispute the violation. The Warning Letter will identify the violation, and provide a contact telephone number and an investigator's name so that the association may contact the division for educational assistance or an educational conference in obtaining compliance. However, it is solely the responsibility of the association to take action, when applicable, to achieve statutory or rule compliance. Failure to respond to a Warning Letter, or take affirmative or corrective action as requested by the division, may will lead to enforcement resolution ~~further investigation~~. The Warning Letter shall not be considered final agency action.

(b) If the division, through enforcement resolution, issues a notice to show cause, the division will notify the association of its right to a hearing under Chapter 120, F.S.

(c) The division will notify the complainant of the educational resolution of the complaint, or if applicable, alternative dispute resolution options.

Rulemaking Specific Authority 718.501(1)(d)6.4., (f) FS. Law Implemented 718.501(1)(a), (d)6.4., (j)6.4. FS. History--New 6-4-98, Amended \_\_\_\_\_.

61B-21.003 Enforcement Resolution and Penalty Guidelines Civil Penalties.

(1) The division will seek compliance through ~~an enforcement resolution~~ for major violations or repeated minor ~~or major~~ violations, or for the failure to correct or address a violation or provide unit owner redress as requested by the division. If the division seeks compliance through enforcement, the division will issue a notice to show cause and notify the association of its right to a hearing under Chapter 120, F.S. These guidelines list aggravating and mitigating factors that will ~~reduce or increase the listed penalty amounts within the specified range and those circumstances that justify a departure from the guideline range.~~ No aggravating factors will be applied to increase a penalty for a single violation above the statutory maximum of \$5,000. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty. Nothing in this rule chapter shall limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, settlement agreement, or consent order. Nothing in this rule chapter shall limit the division's ability to seek judicial enforcement and remedies through the courts.

(2) General Provisions.

(a) No change.

(b) Violations Included. This rule chapter applies to all statutory and rule violations subject to a penalty authorized by Chapter 718, F.S. An enforceable arbitration order or consent order finding a statutory or rule violation constitutes a violation for purposes of this rule chapter and shall count as a violation when determining whether a violation has been repeated.

(c) through (d) No change.

(3) Aggravating and Mitigating Factors. The division will consider aggravating and mitigating factors in determining penalties for both minor and major violations listed in this rule chapter. The factors ~~are not necessarily listed in order of importance, and they~~ shall be applied against each single count of the listed violation.

(a) Aggravating factors:

No.	Description	Value
1.	Filing or causing to be filed any materially incorrect document in response to any division request or subpoena.	3
2.	Financial loss to parties or persons affected by the violation.	3
3.	Financial gain to parties or persons <del>responsible for who perpetrated the violation</del>	3
4.	The disciplinary history of the association, including <u>actions such action</u> resulting in an enforcement resolution as detailed in Rule 61B-21.003, F.A.C., or Section 718.501, F.S.	2
5.	<u>Substantial</u> <del>The violation caused substantial harm caused, or has potential to cause substantial harm,</del> to <u>unit owners condominium residents</u> or other persons <u>or entities.</u>	2

- 6. ~~Undue delay in initiating or completing, or failure to take, affirmative or corrective action after the association received the division's written notifications of the violation.~~
- 6.7. The violation ~~had~~ occurred for a long period of time. 2
- 7.8. The violation was repeated within 2 years ~~a short period of time.~~ 2
- 8.9. The association impeded the division's investigation or authority. 1
- 10. ~~The investigation involved the issuance of a notice to show cause or other proceeding.~~

(b) Mitigating factors:

<u>No.</u>	<u>Description</u>	<u>Value</u>
1.	<del>Whether current members of the association board have sought and received educational training, other than information provided pursuant to Rule 61B-21.002, F.A.C., on the requirements of Chapter 718, F.S., within the past two years.</del>	
2.	<del>Reliance on written professional or expert counsel and advice.</del>	
1.3.	<del>The violation or harm was related to a natural or manmade disaster(s). Acts of God or nature.</del>	3
2.	<u>Financial hardship to respondent.</u>	3
3.4.	<del>The violation caused no harm to <u>unit owners condominium residents</u> or other persons or entities.</del>	3
4.	<u>The violation occurred despite reliance on written professional or expert counsel and advice.</u>	2
5.	The association took affirmative or corrective action before it received the division's written notification of the violation. <span style="float: right;">2</span>	
6.	The association expeditiously took affirmative or corrective action after it received the division's written notification of the violation. <span style="float: right;">1</span>	
7.	The association cooperated with the division during the investigation. <span style="float: right;">1</span>	
8.	<del>The investigation was concluded through consent proceedings.</del>	

(c) Application. When applying aggravating or mitigating factors, the value of each applicable factor shall be multiplied by one tenth (1/10) of the specified penalty for the violation. In the case of a mitigating factor, the resulting product shall be subtracted from the specified penalty. In the case of an aggravating factor, the resulting product shall be added to the specified penalty. However, the maximum calculated penalty for a single violation may not exceed \$5,000, and the minimum calculated penalty for a single violation shall not be less than one tenth (1/10) of the specified penalty for that violation. For example: if the specified penalty for a violation were \$1,000, and the association had relied on written professional or expert counsel and advice, then two tenths would be subtracted in mitigation and the resulting penalty would be \$800.

- (4) through (6) No change.
- (7) Penalties.

(a) Minor Violations. The following violations shall be considered minor due to their lower potential for public consumer harm. If an enforcement resolution is utilized, the division shall impose a civil penalty of \$2.50 ~~between \$1 and \$5~~, per unit, for each minor violation. The total penalty will be assessed ~~beginning with the middle of the specified range and~~ adjusted ~~either~~ up or down based upon any accepted aggravating or mitigating factors submitted with documentation that demonstrates the factors. ~~An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range.~~ The total minimum penalty to be assessed shall be calculated according to these guidelines or \$100, whichever amount is greater. In Finally, in no event shall a penalty of more than \$2,500 be imposed for a single violation. The following are identified as minor violations:

<u>No.</u>	<u>Category</u>	<u>Statute or Rule Cite</u>	<u>Description of Conduct/Violation</u>
1.	<u>Assessments</u>	<u>718.116(8), F.S.</u>	<u>Failure to provide or timely provide a certificate stating assessments owed by the unit.</u>
	<u>Board</u>	<u>718.110(1)(b), FS. 718.112(2)(h)2., F.S.</u>	<u>Failure of amendment to declaration or bylaws to contain full text showing underlined or language; etc.</u>
	<u>Board</u>	<u>718.111(1)(a), F.S.</u>	<u>Failure to maintain corporate status of association.</u>
	<u>Board</u>	<u>718.111(1)(b), F.S.</u>	<u>Improper use of secret ballot, or use of proxy, by board members at a board meeting.</u>
	<u>Board</u>	<u>718.112(2)(a)2., F.S.</u>	<u>Failure to provide a timely or substantive response to a written inquiry received by certified mail.</u>
	<u>Board</u>	<u>718.112(2)(b)1., F.S.</u>	<u>Improper quorum at unit owner meeting.</u>
	<u>Board</u>	<u>718.112(2)(b)2., F.S.</u>	<u>Failure of proxy to contain required elements.</u>

<u>2.</u>	Board	718.112(2)(c), F.S. <del>61B-23.002(9), F.A.C.</del>	<del>Failure to properly notice and conduct board of administration or committee meetings.; <u>Notice</u> <del>notice</del> failed to indicate assessment would be considered.; <u>Failure</u> <del>failure</del> to maintain affidavit by person who gave notice of special assessment meeting.; <u>Failure</u> <del>failure</del> to ratify emergency action at next meeting; failure to adopt a rule regarding posting of notices; <u>Failure</u> <del>failure</del> to notice meeting.; non-emergency action taken at board meeting; not on agenda; no meeting agenda; failure to allow unit owners to speak at meeting or speech is limited to less than three minutes.</del>
	Board	718.112(2)(d)2., F.S.	<del>Failure to provide notice of the annual meeting not less than 14 days prior to the meeting. Failure to include agenda. Failure to maintain affidavit by person who gave notice of annual meeting. Failure to adopt a rule designating a specific place for posting notice of unit owner meetings.</del>
	Board	718.112(2)(d)4., F.S.	<del>Failure to hold a unit owner meeting to obtain unit owners' approval when written agreements are not authorized.</del>
	Board	718.112(2)(i), F.S.	<del>Failure to have the authority in the documents when levying transfer fees or security deposits.</del>
	Board	718.113(5), F.S.	<del>Failure to comply with hurricane shutter requirements.</del>
	Board	718.116(3), F.S.	<del>Failure to have the authority in the documents when levying late fees.</del>
<u>3.</u>	Board	718.3026(1), F.S.	<del>Failure to obtain competitive bids on contracts that exceed five percent of the association's budget.</del>
	Board	718.303(3), F.S.	<del>Failure to have the authority in the documents when levying fines. Failure to provide proper notice of fines.</del>
	Board	61B-23.001(2), F.A.C.	<del>Failure to allow unit owners to attend board or committee meetings.</del>
	Board	718.112(2)(b)5., F.S.	<del>Failure to provide a speaker phone for board or committee meetings held by teleconference.</del>
	Board	61B-23.001(4), F.A.C.	<del>Failure to employ a licensed manager when licensure is required.</del>
	Board	61B-23.002(10), F.A.C.	<del>Failure to permit a unit owner to tape record or video tape meetings.</del>
	Board	61B-23.0021(1)(d), F.A.C. 718.112(2)(D)(8); F.S.	<del>Failure to fill vacancy properly.</del>
<u>4.</u>	Budgets	718.112(2)(e), F.S.	<del>Failure to timely notice budget meeting. Failure to timely deliver proposed budget. <u>Failure of board to call a unit owners' meeting to consider alternate budget.</u></del>
	Budgets	718.112(2)(f)1., F.S.	<del>Failure to include applicable line items in proposed budget.</del>
<u>5.</u>	Budgets	718.112(2)(f)1., F.S. 61B-22.003(5), F.A.C.	<del><u>Failure to include a schedule of limited common element expenses in budget.</u> Failure to show limited common element expenses in proposed budget.</del>
<u>6.</u>	Budgets	61B-22.003(1)(b), F.A.C.	<del>Failure to disclose the beginning and ending dates of the period covered by the proposed budget.</del>
<u>7.</u>	Budgets	61B-22.003(1)(c), F.A.C.	<del>Failure to disclose periodic assessments for each unit <u>type</u> in the proposed budget.</del>
	Budgets	61B-22.003(1)(d), F.A.C.	<del>Failure to propose full reserve funding in proposed budget.</del>
	Budgets	61B-22.003(1)(e), — (f), (g), F.A.C.	<del>Failure to provide for funding of one or more reserve fund categories in the proposed budget</del>
	Budgets	61B-22.005(1), F.A.C. 61B-22.003(4)(a); F.A.C.	<del>Failure to provide the required separate proposed budget for each condominium operated by the association.</del>
	Elections	718.112(2)(d)3., F.S. 61B-23.0021(3), F.A.C.	<del>Improper nomination procedures in election.</del>

	Elections	718.112(2)(d)3., F.S. 61B-23.0021(5), F.A.C. 61B-23.0021(6), F.A.C.	<del>Including candidate who did not submit timely notice of candidacy.</del>
	Elections		<del>Failure to provide candidate a receipt for written notice of intent to be a candidate.</del>
8.	Elections	61B-23.0021(8), (10), F.A.C.	<del>Counting ballots not cast in inner and outer envelopes. Failure to provide space for name, <u>unit number</u>, and signature on outer envelope.</del>
	Elections	61B-23.0021(10)(e), F.A.C.	<del>Failure to timely hold runoff election.</del>
9.	Elections	61B-23.0021(9), F.A.C.	<del>Ballot does not list candidates alphabetically.</del>
10.	Elections	61B-23.0021(10)(b), F.A.C.	<del>Outer envelope information verified before the date of the election.</del>
	Records	718.111(1)(b), F.S.	<del>Failure of minutes to reflect how board members voted at board meeting. Failure to record a vote or an abstention in the minutes for each board member present at the board meeting.</del>
11.	Records	718.111(12)(a)2., F.S.	<del>Failure to maintain a copy of recorded declaration and amendments.</del>
12.	Records	718.111(12)(a)3., F.S.	<del>Failure to maintain a copy of recorded bylaws and amendments.</del>
13.	Records	718.111(12)(a)4., F.S.	<del>Failure to maintain a certified copy of articles of incorporation and amendments.</del>
14.	Records	718.111(12)(a)7., F.S.	<del>Failure to maintain a current, <u>complete</u> unit owner roster. Failure of roster to include all elements.</del>
15.	Records	718.111(12)(a)14., F.S. 61B-23.002(7)(a), F.A.C.	<del>Failure to maintain or annually update the question and answer sheet.</del>
16.	Records	718.111(12)(a)15., F.S.	<del>Failure to maintain other association records related to the operation of the association.</del>
	Records	718.111(12)(b),(c), F.S.	<del>Failure to provide access to records.</del>
	Records	61B-22.003(3), F.A.C.	<del>Failure of budget meeting minutes to reflect adoption of the proposed budget.</del>
17.	Records	61B-23.003(6), F.A.C.	<del>Failure to maintain copy of the receipt for delivery of association records by the developer upon transfer of control.</del>
18.	Reporting	718.111(13), F.S.	<del>Failure to timely provide the annual financial report.</del>
	Reporting	61B-22.006(3)(a)5., 6., F.A.C.	<del>Failure to disclose the amount required to fully fund each reserve account as of the end of the fiscal period covered by the annual financial statements; and the manner by which reserve items were estimated and/or the date the estimates were last made in the annual financial statements or turnover audit.</del>
			<del>Failure to disclose in the year end financial statements the manner by which reserve items were estimated and/or the date the estimates were last made.</del>
19.	Reporting	61B-22.006(3)(b),(e), F.A.C.	<del>Failure to disclose improper disclosure in the year end financial statements of method of allocating <u>income</u> revenues and expenses in the annual financial statements or turnover audit.</del>
	Reporting	61B-22.006(3)(d), F.A.C.	<del>Improper special assessment disclosures in the year-end financial statements.</del>
	Reporting	61B-22.006(4), F.A.C.	<del>Improper disclosure in the year-end financial statements of revenues and expenses related to limited common elements.</del>
			<del>Improper multi-condominium reserve fund disclosures in the year-end financial statements. Multi-condominium revenues, expenses, and changes in fund balance not shown for each condominium in the year end financial statements. Disclosure of multi-condominium revenues/expenses for the association not specific to a condominium, is omitted, or is incomplete in the year end financial statements.</del>
20.	Reporting	61B-22.006(5), F.A.C.	<del>Failure to show developer assessments separately from other assessment revenues in the annual financial report (statement).</del>



Reporting	61B-22.006(3)(a), F.A.C.	Failure to include the required reserve fund disclosures in the annual financial report.
Reporting	61B-22.006(6)(b), F.A.C.	Improper disclosure of receipts and expenditures in the annual financial report in a multi-condominium association.

(b) Major Violations. The following violations shall be considered major due to their increased potential for public harm. If an enforcement resolution is utilized, the penalty will be assessed beginning with the middle of the specified range and adjusted either up or down based upon any accepted aggravating or mitigating factors submitted with documentation that demonstrates the factors. ~~An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range.~~ The total minimum penalty to be assessed

shall be calculated according to these guidelines or \$100, whichever amount is greater. ~~In Finally, in~~ no event shall a penalty of more than \$5,000 be imposed for a single violation. The penalties are set forth in levels ~~categories~~ 1 and 2, for each violation as follows:

- Level Category 1: \$8 \$6—\$10 per unit.
- Level Category 2: \$16 \$12—\$20 per unit.

<u>No.</u>	<u>Category</u>	<u>Statute or Rule Cite</u>	<u>Description of Conduct/Violation</u>	<u>Suggested Penalty Level</u>
<u>1.</u>	Accounting Records	718.111(12)(a)11., F.S. 61B-22.002, F.A.C.	<u>Insufficient or incomplete accounting records.</u> <del>Insufficient detail in the accounting records. Failure to maintain sufficient accounting records.</del>	<u>2</u>
<u>2.</u>	<u>Accounting Records</u>	<u>718.111(12)(a)11., F.S.</u>	<u>Failure to maintain separate accounting records for each condominium.</u>	<u>2</u>
<u>3.</u>	Assessing	718.112(2)(g), F.S.	<del>Assessments not sufficient to meet expenses. Failure to assess at sufficient amounts.</del>	1
<u>4.</u>	<u>Assessing</u>	<u>718.112(2)(g), F.S.</u>	<u>Collecting assessments less frequently than quarterly.</u>	<u>1</u>
<u>5.</u>	Assessing	718.115(2), F.S.	<del>Assessments not based upon the shares stated in the declaration of condominium. Failure to assess based upon proportionate share or as stated in the declaration of condominium.</del>	2
<u>6.</u>	<u>Assessing</u>	<u>718.115(4), F.S.</u>	<u>Assessments not properly apportioned among multiple condominiums.</u>	<u>2</u>
<u>7.</u>	<u>Assessing</u>	<u>718.116(3), F.S.</u>	<u>Failure to charge interest on past-due assessments.</u>	<u>1</u>
<u>8.</u>	<u>Assessing</u>	<u>718.116(9), F.S.</u>	<u>Developer or other owner improperly excused from paying assessments.</u>	<u>2</u>
	<u>Board</u>	<u>718.110, F.S.</u>	<u>Failure to follow method of amendment.</u>	<u>2</u>
		<u>718.112, F.S.</u>		
<u>9.</u>	<u>Board</u>	<u>718.110(4), F.S.</u>	<u>Improperly amending the declaration of condominium to change the proportion or percentage by which the unit owner shares the common expenses of the condominium and owns the common surplus of the condominium.</u>	<u>2</u>
<u>10.</u>	<u>Board</u>	<u>718.111(4), F.S.</u>	<u>Improper use fee.</u>	<u>1</u>
<u>11.</u>	<u>Board</u>	<u>718.111(7)(a), F.S.</u>	<u>Mortgaging or conveying association property without unit-owner approval.</u>	<u>2</u>
<u>12.</u>	<u>Board</u>	<u>718.111(11), F.S.</u>	<u>Failure to exercise best efforts to insure the common elements and association property.</u>	<u>2</u>
<u>13.</u>	<u>Board</u>	<u>718.111(11)(h), F.S.</u>	<u>Failure to maintain adequate fidelity bonding for all persons who control or distribute association funds.</u>	<u>2</u>
<u>14.</u>	<u>Board</u>	<u>718.112(2)(a)1., F.S.</u>	<u>Compensating officers or members of the board without documentary authority. Improper compensation of officers or directors.</u>	<u>1</u>
<u>15.</u>	<u>Board</u>	<u>718.112(2)(b)2., F.S.</u>	<u>Improper use of general proxies. Use of non-conforming limited proxies regarding voting on financial issues.</u>	<u>1</u>
	<u>Board</u>	<u>718.112(2)(d)1., F.S.</u>	<u>Failure to hold annual meeting.</u>	<u>2</u>

<u>16.</u>	<u>Board</u>	<u>718.112(2)(j), F.S.</u>	<u>Improper removal of board member.</u>	<u>1</u>
<u>17.</u>	<u>Board</u>	<u>718.112(2)(i), F.S.</u>	<u>Improperly requiring transfer fees or security deposits. Requiring excessive transfer fees or security deposits.</u>	<u>1</u>
<u>18.</u>	<u>Board</u>	<u>718.116(3), F.S.</u>	<u>Levying late fees without documentary authority.</u>	<u>1</u>
<u>19.</u>	<u>Board</u>	<u>718.303(3), F.S.</u>	<u>Imposing fines without documentary authority.</u>	<u>1</u>
			<u>Imposing fines without proper notice and hearing.</u>	
			<u>Imposing excessive fines.</u>	
<u>20.</u>	<u>Board</u>	<u>718.112(2)(d)1., F.S.</u>	<u>Allowing ineligible person to serve on board of administration.</u>	<u>1</u>
<u>21.</u>	<u>Board</u>	<u>718.112(2)(d)8., F.S.</u>	<u>Improperly filling a vacancy of an unexpired term on the board.</u>	<u>1</u>
		<u>61B-23.0021(1)(d)2., F.A.C.</u>		
<u>22.</u>	<u>Board</u>	<u>718.501(2)(a), F.S.</u>	<u>Failure to pay annual fees to the division.</u>	<u>2</u>
<u>23.</u>	<u>Budgets</u>	<u>718.112(2)(e), F.S.</u>	<u>Failure to propose/adopt budget for a given year.</u>	<u>2</u>
	<u>Budgets</u>	<u>61B-22.003(4)(a), F.A.C.</u>	<u>Failure to prepare a separate budget for each condominium operated by the association as well as for the association.</u>	<u>1</u>
<u>24.</u>	<u>Budgets</u>	<u>61B-22.003(1)(e), (f), (g), F.A.C.</u>	<u>Failure to include reserve schedule in the proposed budget. Failure to disclose converter-reserve funding.</u>	<u>1</u>
<u>25.</u>	<u>Budgets</u>	<u>718.112(2)(f)2., F.S.</u>	<u>Improper calculation of reserve requirements.</u>	<u>1</u>
		<u>61B-22.005(3),(5), F.A.C.</u>		
<u>26.</u>	<u>Commingle</u>	<u>718.111(14), F.S.</u>	<u>Commingle association funds with non-association funds.</u>	<u>2</u>
<u>27.</u>	<u>Commingle</u>	<u>718.111(14), F.S.</u>	<u>Commingle reserve funds with operating funds.</u>	<u>1</u>
		<u>61B-22.005(2), F.A.C.</u>		
<u>28.</u>	<u>Common Expenses</u>	<u>718.103(9), 718.115(1), F.S., 61B-23.003(3), F.A.C.</u>	<u>Using association funds for other than common expenses.</u>	<u>2</u>
<u>29.</u>	<u>Converter Reserves</u>	<u>718.618(3)(b), F.S.</u>	<u>Improper use of converter reserves.</u>	<u>1</u>
	<u>Converter Reserves</u>	<u>61B-22.003(1)(e)5., F.A.C.</u>	<u>Failure to include converter reserve disclosures in the proposed budget, year end financial statements, or annual financial report.</u>	<u>4</u>
		<u>61B-22.006(3)(a)6., F.A.C.</u>		
<u>30.</u>	<u>Elections</u>	<u>718.112(2)(d), F.S.</u>	<u>Failure to hold election.</u>	<u>2</u>
		<u>61B-23.0021(2), F.A.C.</u>		
<u>31.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Failure to use ballots or voting machines.</u>	<u>2</u>
<u>32.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Failure to provide, or timely provide, first notice of election.</u>	<u>2+</u>
		<u>61B-23.0021(4), F.A.C.</u>		
<u>33.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Improper nomination procedures in election.</u>	<u>2</u>
		<u>61B-23.0021(3), F.A.C.</u>		
<u>34.</u>	<u>Elections</u>	<u>61B-23.0021(2), F.S.</u>	<u>Election not held at time and place of annual meeting.</u>	<u>1</u>
<u>35.</u>	<u>Elections</u>	<u>61B-23.0021(6), F.A.C.</u>	<u>Failure to provide candidate with a receipt for written notice of candidacy.</u>	<u>1</u>
<u>36.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Failure to provide, or timely provide, second notice of election or omitting materials such as ballots, envelopes, and candidate information sheets.</u>	<u>2+</u>
		<u>61B-23.0021(7), (8), F.A.C.</u>		
<u>37.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Ballot included candidate who did not submit timely notice of candidacy.</u>	<u>2</u>
		<u>61B-23.0021(5), F.A.C.</u>		
<u>38.</u>	<u>Elections</u>	<u>61B-23.0021(7), F.A.C.</u>	<u>Distributing candidate information sheets consisting of more than one page.</u>	<u>1</u>
<u>39.</u>	<u>Elections</u>	<u>61B-23.0021(8), F.A.C.</u>	<u>Voters allowed to rescind or change their previously cast ballots.</u>	<u>1</u>

<u>40.</u>	<u>Elections</u>	<u>61B-23.0021(8), F.A.C.</u>	<u>Second notice of election included comments by board about candidates.</u>	<u>2</u>
<u>41.</u>	<u>Elections</u>	<u>61B-23.0021(10)(a), F.A.C.</u>	<u>Ballots not counted by impartial committee.</u>	<u>1</u>
<u>42.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.;</u> <u>61B-23.0021(7), F.A.C.</u>	<u>Association altered or edited candidate-information sheets.</u>	<u>2</u>
<u>43.</u>	<u>Elections</u>	<u>61B-23.0021(10)(a), F.A.C.</u>	<u>Inner envelopes not placed in separate receptacle before being opened.</u>	<u>2</u>
<u>44.</u>	<u>Elections</u>	<u>718.112(2)(d)3., F.S.</u>	<u>Failure to include all timely submitted names of eligible candidates on the ballot.</u>	<u>2</u>
<u>45.</u>	<u>Elections</u>	<u>61B-23.0021(9), F.A.C.</u> <u>61B-23.0021(9), F.A.C.</u>	<u>Ballots not uniform. Ballots identify voter. Ballot contained space for write-in candidate.</u>	<u>2</u>
<u>46.</u>	<u>Elections</u>	<u>61B-23.0021(10), F.A.C.</u>	<u>Outer envelopes not checked against list of eligible voters.</u>	<u>1</u>
<u>47.</u>	<u>Elections</u>	<u>61B-23.0021(10)(a), (b), F.A.C.</u>	<u>Counting ineligible ballots. <del>Not counting ballots in the presence of unit owners.</del></u>	<u>1</u>
<u>48.</u>	<u>Elections</u>	<u>61B-23.0021(10), F.A.C.</u>	<u>Failure to count properly cast ballots.</u>	<u>1</u>
<u>49.</u>	<u>Elections</u>	<u>61B-23.0021(10), F.A.C.</u>	<u>Outer envelopes opened prior to election meeting. Outer envelopes not opened in presence of unit owners.</u>	<u>2</u>
<u>50.</u>	<u>Elections</u>	<u>61B-23.0021(10)(a), F.A.C.</u>	<u>Not counting ballots in the presence of unit owners.</u>	<u>2</u>
<u>51.</u>	<u>Elections</u>	<u>61B-23.0021(10)(b), F.A.C.</u>	<u>Failure to notice meeting to verify outer envelope information.</u>	<u>1</u>
<u>52.</u>	<u>Elections</u>	<u>61B-23.0021(10)(c), F.A.C.</u>	<u>Failure to hold <u>or timely hold</u> runoff election.</u>	<u>2</u>
<u>53.</u>	<u>Elections</u>	<u>61B-23.003(7)(f), F.A.C.</u>	<u>Improperly permitting a developer to vote for a majority of the board.</u>	<u>2</u>
<u>54.</u>	<u>Elections</u>	<u>61B-23.0021(10)(a), F.A.C.</u>	<u>No blank ballots available at election meeting.</u>	<u>2</u>
<u>55.</u>	<u>Final Order</u>	<u>718.501(1)(d)6.4., F.S.</u>	<u>Failure to comply with final order of the division.</u>	<u>2</u>
<u>56.</u>	<u>Records</u>	<u>718.111(12)(a)6., F.S.</u>	<u>Failure to maintain minutes of meetings.</u>	<u>1</u>
<u>57.</u>	<u>Records</u>	<u>718.111(12)(a)8., F.S.</u>	<u>Failure to maintain a copy of a current insurance policy.</u>	<u>1</u>
<u>58.</u>	<u>Records</u>	<u>718.111(12)(a)9., F.S.</u>	<u>Failure to maintain copy of management agreement or other contract under which the association has obligations.</u>	<u>1</u>
<u>59.</u>	<u>Records</u>	<u>718.111(12)(a)10., F.S.</u>	<u>Failure to maintain bills of sale or transfer.</u>	<u>1</u>
<u>60.</u>	<u>Records</u>	<u>718.111(12)(a)12., F.S.</u>	<u>Failure to maintain election or voting materials <del>for one year.</del></u>	<u>1</u>
<u>61.</u>	<u>Records</u>	<u>718.111(12)(a)13., F.S.</u>	<u>Failure to maintain rental records.</u>	<u>1</u>
<u>62.</u>	<u>Records</u>	<u>718.111(12)(c), F.S.</u> <u>718.115(1)(a), F.S.</u>	<u>Requiring a unit owner to pay a fee for access to association records.</u>	<u>1</u>
<u>63.</u>	<u>Records</u>	<u>718.111(12)(b), F.S.</u>	<u>Failure to maintain records within Florida.</u>	<u>2</u>
<u>64.</u>	<u>Records</u>	<u>718.111(12)(b), (c), F.S.</u>	<u>Failure to provide access to records. Failure to allow copying of records.</u>	<u>1</u>
<u>65.</u>	<u>Reporting</u>	<u>718.111(13), F.S.</u>	<u>Failure to provide, <del>or timely provide,</del> the annual financial report <del>or statements.</del></u>	<u>2</u>
	<u>Reporting</u>	<u>718.111(13), F.S.</u> <u>61B-22.006(7)(b), F.A.C.</u>	<u>Failure to provide year-end financial statements in a timely manner.</u>	<u>4</u>
	<u>Reporting</u>	<u>718.111(13), F.S.</u>	<u>Failure to provide year-end financial statements.</u>	<u>2</u>
<u>66.</u>	<u>Reporting</u>	<u>61B-22.006(1), F.A.C.</u>	<u>Failure to prepare <u>annual year-end</u> financial statements using fund accounting. Failure to prepare <u>annual year-end</u> financial statements on accrual basis.</u>	<u>1</u>

<u>67.</u>	Reporting	61B-22.006(1), F.A.C.	Failure to prepare <u>annual year-end</u> financial statements in accordance with Generally Accepted Accounting Principles (GAAP). Failure to have reviewed or audited <u>annual year-end</u> financial statements prepared by a Florida-licensed CPA.	2
<u>68.</u>	Reporting	61B-22.006(2), F.A.C.	Failure to include one or more components of the <u>annual year-end</u> financial statements (incomplete).	1
<u>69.</u>	Reporting	61B-22.006(3)(a)1.-6., (6), F.A.C.	Failure to make significant reserve fund disclosures in <u>annual year-end</u> financial statements or annual financial report.	1
<u>70.</u>	<u>Reporting</u>	<u>61B-22.006(3)(a)7.,(6), F.A.C.</u>	<u>Failure to include converter reserve disclosures in the annual financial statements or annual financial report.</u>	<u>1</u>
<u>71.</u>	<u>Reporting</u>	<u>61B-22.006(4), F.A.C.</u>	<u>Failure to include reserve fund disclosures and/or revenues, expenses, and changes in fund balances for each condominium and the association in the annual financial statements of a multi-condominium association.</u>	<u>1</u>
<u>72.</u>	<u>Reporting</u>	<u>61B-22.006(3)(c), F.A.C.</u>	<u>Failure to include the special assessments disclosures in the annual financial statements or annual financial report.</u>	<u>1</u>
<u>73.</u>	<u>Reporting</u>	<u>61B-22.006(6)(e), F.A.C.</u>	<u>Failure to separately present revenues and expenses for each condominium and the association in the annual financial report of a multi-condominium association.</u>	<u>1</u>
<u>74.</u>	<u>Reporting</u>	<u>61B-22.006(3)(e), F.A.C.</u>	<u>Guarantee disclosures incomplete in, or missing from, annual financial statements.</u>	<u>1</u>
<u>75.</u>	<u>Reporting</u> <u>Reporting</u>	<u>61B-22.004(5), F.A.C.</u> <u>61B-22.006(6)(a),(b), F.A.C.</u>	<u>Improper calculation of guarantor's final obligation.</u> <u>Failure to prepare the annual financial report on a cash basis. Failure to include in the annual financial report specified receipt or expenditure line items, or disclosures on limited common elements.</u>	<u>2</u> <u>4</u>
<u>76.</u>	<u>Reporting</u>	<u>718.111(13)(b), F.S.</u> <u>61B-22.006(6)(a), F.A.C.</u>	<u>Annual financial report not prepared on a cash basis.</u>	<u>1</u>
<u>77.</u>	<u>Reporting</u>	<u>718.111(13)(b)3., F.S.</u>	<u>Annual financial report does not include specified receipt or expenditure items.</u>	<u>1</u>
<u>78.</u>	<u>Reporting</u>	<u>61B-22.006(3)(d), (6)(d), F.A.C.</u>	<u>Annual financial statements or annual financial report does not disclose revenues and expenses related to limited common elements.</u>	<u>1</u>
<u>79.</u>	Reporting	718.111(13)(a)( <del>d</del> ), F.S.	Providing lower level of annual financial reporting than required <u>based on the number of units and annual revenues.</u>	2
	Reserves	718.112(2)(f)2., F.S.	<u>Failure to calculate reserve funds properly.</u>	<u>4</u>
<u>80.</u>	Reserves	<del>61B-22.005(3), F.A.C.</del> 718.112(2)(f)2., F.S.	Failure to fund reserves in a timely manner. Failure to fully fund reserves.	1
<u>81.</u>	Reserves	61B-22.005(6), F.A.C. 718.112(2)(f)2., F.S.	Failure to follow proper method to waive or reduce reserve funding.	1
<u>82.</u>	Reserves	61B-22.005(6), (8), F.A.C. 718.112(2)(f)3., F.S. 61B-22.005(7), F.A.C.	<u>Using reserve funds for other purposes without proper unit owner approval. Failure to obtain unit owner approval prior to using reserve funds for other purposes.</u>	<u>2</u>

<u>83.</u>	Special Assessment	718.116(10), F.S.	<u>Using special assessment funds for other purposes.</u> <del>Failure to use special assessment funds for intended purposes.</del>	1
<u>84.</u>	<u>Special Assessment</u>	<u>718.116(10), F.S.</u>	<u>Special assessment notice does not state purpose of assessment.</u>	1

Rulemaking Specific Authority 718.501(1)(d)4., ~~(f)~~ FS. Law Implemented 718.501(1)(f) FS. History–New 6-4-98, Amended

61J1-8.001 Citation Authority.

(1) Pursuant to Section 455.224, F.S. (1994), the board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the fine to be imposed.

(2) The following violations with accompanying fine may be disposed of by citation:

(a) Section 475.624(4), F.S. – has violated any of the provisions of Chapter 455 or 475, Part II, F.S., by –

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Cochran, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-8.001  
RULE TITLE: Citation Authority

PURPOSE AND EFFECT: The Board proposes to amend the rule to add a violation and fine as required by Section 455.227(1)(t), F.S., for failure to timely report a criminal conviction, or being found guilty or pleading nolo contendere to a crime.

SUMMARY: A fine and violation will be added to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 455.224, 455.275, 475.622(1), 475.6221(1), 475.624(14), (18) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O’Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

1. through 9. No change.	
<u>10. Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (up to 30 days late) as required by Section 455.227(1)(t), F.S.</u>	\$300.00
(3) through (5) No change.	

Rulemaking Specific Authority 475.614 FS. Law Implemented 455.224, 455.275, 475.622(1), 475.6221(1), 475.624(14), (18) FS. History–New 12-4-91, Amended 4-21-92, Formerly 21VV-8.001, Amended 8-8-93, 5-14-95, 3-26-96, 7-23-96, 7-10-97, 11-11-97, 11-20-05, 12-4-06, 11-25-07, \_\_\_\_\_.

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2010

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: 69A-51.060  
RULE TITLE: Requirements for New Installations

PURPOSE AND EFFECT: To remedy a potential conflict within the rule and the referenced adopted boiler code by removing language related to the pressure gage dial range referencing the maximum allowable working pressure, and to harmonize language between the rule and adopted boiler code by changing the term “Steam gauge” to “Pressure gage” within the rule.

SUMMARY: The amendment changes the term “Steam gauge” to “Pressure gage.”

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.

RULEMAKING AUTHORITY: 554.103 FS.

LAW IMPLEMENTED: 554.103, 554.104, 554.105, 554.106, 554.107 FS.

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

DATE AND TIME: Tuesday, July 27, 2010, 10:00 a.m.

PLACE: Third Floor Conference Room, The Atrium, 325 John Knox Road, 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: Mike Burns, Boiler Chief, (850)413-3614, Mike.Burns@myfloridacfo.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: Mike Burns, Boiler Chief, (850)413-3614, Mike.Burns@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-51.060 Requirements for New Installations.

The provisions of this part shall apply to new installations of power boilers, high pressure high temperature hot water boilers, low pressure heating and hot water supply boilers located in places of public assembly.

(1) through (2) No change.

(3) Power boilers.

(a) through (l) No change

(1) Pressure gages. Boiler pressure gages shall conform to the requirements of the A.S.M.E. Boiler and Pressure Vessel Code and to the National Board Inspection Code, adopted herein. Steam gauges.

~~1. Each steam boiler shall have a steam gauge with a dial range not less than 1 1/2 times the maximum allowable working pressure, connected to the steam space or to the steam connection to the water column. The steam gauge shall be connected to a siphon or to an equivalent device of sufficient capacity to develop and maintain a water seal which will prevent steam from entering the gauge tube.~~

~~2. Steam gauges to steam boilers pressure gages shall conform to the requirements of the A.S.M.E. Boiler and Pressure Vessel Code and to the National Board Inspection Code, as adopted herein.~~

(m) through (o) No change.

(4) No change.

Rulemaking Specific Authority 554.103 FS. Law Implemented 554.103, 554.104, 554.105, 554.106, 554.107 FS. History–New 2-27-89, Amended 10-23-00, Formerly 4A-51.060, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Burns, Boiler Chief

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 2010

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:

RULE TITLES:

69B-220.001

Licensure of Emergency Adjusters

69B-220.051

Conduct of Public Adjusters and Public Adjuster Apprentices

69B-220.201

Ethical Requirements for All Adjusters

PURPOSE AND EFFECT: The purpose of the proposed amendments is to update the rules and incorporate recent legislative changes to Part VI of Chapter 626, F.S.

SUMMARY: The proposed amendments to Rule 69B-220.001, F.A.C., define when an “emergency” exists and provide the procedures to obtain an online emergency adjuster license from the Department. The proposed changes to Rule 69B-220.051, F.A.C., clarify the responsibilities and requirements of public adjusters and public adjuster apprentices, specify the terms and conditions of contracts, require the license number on advertisements, and prescribe practices to ensure fair dealing between public adjusters and claimants. The proposed changes to Rule 69B-220.201, F.A.C., update the code of ethics for all adjusters, clarify the ethical responsibilities and requirements of all adjusters, and provide special requirements for public adjusters.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency.

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.

RULEMAKING AUTHORITY: 624.308(1), 626.878, 626.9611(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.501(12), 626.015, 626.112, 626.611, 626.621, 626.852(2), 626.854, 626.8541, 626.855, 626.856, 626.858, 626.8584, 626.859, 626.864, 626.865(2), 626.8695(4), 626.8698, 626.870, 626.8736, 626.874, 626.877, 626.878, 626.8795, 626.8796, 626.9521, 626.9541(1)(b), (i) 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 30, 2010, 10:00 a.m.

PLACE: Room 116, Larson Building, 200 E. 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: Eric Purvis (850)413-5659 or Eric.Purvis@myfloridacfo.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: Eric Purvis, Financial Administrator, Division of Insurance Agent and Agency Services, Room 412C, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0320, (850)413-5659 or Eric.Purvis@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69B-220.001 ~~Pre-Qualification and~~ Licensure of Emergency Adjusters.

(1) Purpose. This rule sets forth Department policy and procedure for licensure of emergency ~~company adjusters and emergency independent adjusters under Section 626.874, Florida Statutes.~~

(2) Scope. Each emergency is unique and the terms, conditions, and other provisions of emergency licensure for particular emergencies must often be tailored by emergency rule to the scope and nature of the particular emergency. This rule sets out what are essentially default licensure provisions which are effective for emergency adjuster licensure unless and to the extent the Department ~~office~~ issues emergency rules

modifying, supplementing, or replacing this rule. Where not expressly modified or replaced by emergency rule regarding a particular emergency, the provisions of this rule shall apply.

(3) Definitions. For purposes of this rule, the following definitions shall apply:

(a) "Department" means the Department of Financial Services.

(b) "Licensed adjuster" ~~means those and similar terms, refer to and include only~~ persons currently licensed in good standing by the Department as a company employee adjuster or independent adjuster, whether the licensure ~~is~~ be permanent resident licensure, permanent nonresident licensure or emergency licensure pursuant to this rule, and whether limited licensure or unlimited licensure. The terms ~~does~~ not include persons licensed as public adjusters or public adjuster apprentices by the Department or persons licensed as any type of adjuster or public adjuster by states other than the State of Florida.

(c) "Emergency" and "Catastrophe." These two terms as used in Section 626.874, Florida Statutes, are synonymous, and no separate treatment is afforded catastrophe over emergency adjusters.

(d) "Emergency adjuster" means a person who is not a licensed adjuster with the Department but who has been designated and certified to the Department by an insurer, an independent resident adjuster, or a licensed general lines agent as qualified to adjust claims, losses, or damages under policies or contracts of insurance issued by such insurer in the event of a catastrophe or emergency when used in this rule without further specification, includes emergency company adjusters and emergency independent adjusters.

(e) "Unlicensed persons" ~~as used in this rule means and refers to persons who are not currently licensed in good standing by the department as an adjuster.~~

(4) General Provisions Applicable to All Emergency Adjusters.

(a) ~~Declaration of Emergency;~~ Determination that Emergency Exists.

~~1. The department does not issue proclamations or other formal declarations of emergency. Instead, any person believing that an emergency exists and desiring licensure under Section 626.874, Florida Statutes, shall apply or cause application to be made to the department for such licensure.~~

~~1.2. For purposes of Section 626.874, Florida Statutes, an emergency or catastrophe exists when, due to a specific, infrequent, and sudden natural or manmade disaster or phenomenon, that has occurred or is imminent, there are have arisen losses or anticipated losses to insured Florida property in Florida that are covered by insurance, and the losses are or likely will be so numerous and severe that resolution of claims related to such covered property losses may will not occur expeditiously without the licensing of emergency adjusters ~~due to the magnitude of the catastrophic damage.~~~~

~~2.3. When the Department determines that an emergency or catastrophe exists or is likely to occur, it shall make available on its website the online emergency adjuster license application. A failure of claims to be resolved expeditiously shall exist upon an insurer's filing with the department a written statement that one of the following conditions exists:~~

~~a. The insurer expects to incur at least 500 claims as a result of the event; or~~

~~b. The magnitude of the event is expected to generate twice the mean number of claims for one month for the affected area.~~

(b) Online applications Requests for emergency adjuster licensure as an independent adjuster must be accompanied by a statement from an insurer, an independent adjusting firm, a licensed independent resident adjuster, or a licensed general lines agent certifying that the emergency adjuster applicant is qualified to act as an adjuster.

(5) Procedures for Licensing and Appointment of Emergency Adjusters; Responsibilities of Appointing Entity.

(a) All Florida-licensed insurers, independent adjusting firms, independent adjusters, and general lines agents, shall use the following procedures to utilize emergency ~~company or independent~~ adjusters. The entities or persons listed in the preceding sentence may immediately and without advance paperwork to this Department, engage and cause commencement of catastrophe adjusting work for themselves, by any persons, whether on their staff, or hired by them, or engaged by them as independent contractors or as employees of a contractor engaged by them, although the person is not currently licensed as an adjuster in Florida, if the Florida-licensed insurer, independent adjusting firm, independent adjuster or general lines agent utilizing these persons as emergency or catastrophe adjusters determines that these persons are qualified to do such adjusting work and provides these persons with proof of authority to represent the insurer. These persons shall present the proof of authority and a photo ID upon demand by the insured or the insured's representative. A person is not qualified to adjust claims for any entity or person who utilizes computer software program(s) in the adjusting process, unless the person has received training in and is capable of correctly utilizing the program(s). Within 7 calendar days after adjusting work has begun, the appropriate official must electronically complete and submit to the Department the Emergency Adjuster Application, "Initial Application for Adjuster License," Form number DFS-H2-495, Rev. 1/2010 ~~7/2006~~, which is hereby ~~adopted and~~ incorporated by reference. All applications shall be submitted through the Department's website at [www.myfloridacfo.com/Agents](http://www.myfloridacfo.com/Agents) ~~https://aalf.fldfs.com/common/com\_index.asp~~. Applicable fees shall be submitted by electronic payment at the time of submission of an online application.

1. The insurance company ~~representative~~, independent adjusting firm, independent adjuster or general lines agent who submits the online application certifies that the emergency adjuster applicant is qualified, thereby appointing ~~appoints~~ the emergency adjuster applicant to represent that company, independent adjusting firm, independent adjuster or general lines agent. ~~The; and once the license is issued, the~~ appointing person or entity is bound by the acts of the emergency adjuster applicant as in the case of any regular ~~licensed~~ (non-temporary or non-catastrophic) adjuster licensed pursuant to Chapter 626, Florida Statutes, appointed by that company, independent adjusting firm, independent adjuster or general lines agent. This responsibility continues until the appointing entity, appointing person or emergency adjuster licensee notifies the Department through the online appointment system, or the emergency adjuster licensee notifies the Department through the online application process, that the appointing entity, appointing person or emergency adjuster licensee desires to terminate the appointment.

2. The insurance company, independent adjusting firm, independent adjuster or general lines agent who certifies to the Department that the emergency adjuster applicant is qualified, is responsible for assuring, by due diligence inquiry, that the emergency adjuster applicant is in fact qualified to adjust claims, has received training in and is capable of correctly utilizing any computer software program(s) utilized by the appointing entity or person to adjust claims, and is of good and honest character.

(b) There is an affirmative duty on the insurance company, independent adjusting firm, independent adjuster or general lines agent, who certifies to the Department that the emergency adjuster applicant is qualified, to provide continuing and significant supervision of the emergency adjuster applicant after licensure.

(c) Emergency adjuster licenses are valid for 180 days from the date of issuance of the emergency license, unless a shorter period of time is specified in the license as issued. Because emergency licensure is an extraordinary deviation from regular licensing procedures, it is Department policy to specify, as the duration of emergency licensure, the shortest possible time in each particular emergency.

(6) Procedures for Extension of an Emergency Adjuster License. The Department shall grant an extension of emergency adjuster licensure if it determines the conditions set forth in subparagraph (4)(a) ~~1.2.~~ of this rule still exist. Each extension will last for a period of up to an additional 180 days.

(a) To apply for an extension of licensure as an emergency ~~company or independent~~ adjuster, the entity requesting a license extension shall electronically complete and submit to the Department the Emergency Adjuster Extension Application, Form DFS-H2-2022, Eff. 1/2010, which is hereby incorporated by reference an application for the extension on the Department's website at [www.fldfs.com](http://www.fldfs.com). All applications



for an extension shall be submitted through the Department's website at [www.myfloridacfo.com/Agents](http://www.myfloridacfo.com/Agents). Applicable fees shall be submitted by electronic payment at the time of submission of an online application for the extension.

(b) Only the licensure type and class that the licensee holds at the time of application for extension shall ~~may~~ be extended.

(c) "Temporary Licenses." The provisions of Section 626.872, Florida Statutes, regarding "Temporary Licenses" are not applicable to licensing persons temporarily for catastrophe or emergency situations.

(d) Emergency-Related Losses Only. Licensure as an emergency adjuster shall ~~may~~ be used only for adjustment of losses directly resulting from the emergency regarding which the license was issued.

(e) Natural Persons Only. The Department issues emergency adjuster licenses only to natural persons.

~~(f) Address and Website for the Department. Unless a different address is specified herein, any notice or other item to be provided to the department, shall be addressed as follows: Bureau of Licensing, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319. The department's website address is [www.fldfs.com](http://www.fldfs.com).~~

~~(f)(g)~~ Administrative and Civil Jurisdiction. By obtaining a license as an emergency adjuster, the licensee agrees that:

1. The licensee is subject to all the disciplinary provisions and penalties of the Florida Insurance Code and the administrative procedures set forth in the Florida Statutes for the routine processing of such charges;

2. The licensee is subject to the jurisdiction of the courts of Florida concerning civil liability for all acts in any way related to the licensee's activities under licensure in Florida;

3. Jurisdiction for acts committed prior to licensure or while licensed continues after the emergency licensure expires or is terminated;

4. If after the license ~~licensure~~ expires or is terminated, the Department has reason to believe there was a violation of any provision of the Florida Insurance Code or Chapter 69B, Florida Administrative Code ~~these rules~~ by the former licensee while licensed, the Department may file ~~is not precluded from filing~~ administrative action against the former licensee, ~~and from serving the charges by certified mail to the licensee, or by publication of notice of action in the legal notices section of a newspaper of general circulation in or near the city or county of permanent residence or place of business as shown on the licensee's application for emergency licensure if certified mail service is unsuccessful;~~

~~5. The licensee or former licensee will respond to and defend the charges in Florida, or be defaulted;~~

~~6. The licensee or former licensee will not assert lack of jurisdiction; and~~

~~7. The licensee or former licensee believes that the preceding provisions satisfy minimum due process requirements of all state and federal constitutions.~~

~~(g)(h)~~ By the act of obtaining licensure as an emergency adjuster, a nonresident licensee irrevocably designates the Chief Financial Officer, and his or her successors in office, as the licensee's attorney to receive ~~agent for~~ service of all process in any way related to the licensee's activities as an emergency adjuster.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.501(12), ~~(5)~~, 624.501(13), 624.501(15), 626.015, 626.112, 626.621, 626.174, 626.855, 626.856, 626.858, 626.8584, 626.859, 626.870, 626.8732, 626.8734, 626.8736, 626.874 837.06 FS. History—New 2-25-93, Amended 8-18-94, 1-7-97, 10-20-97, 1-9-03, Formerly 4-220.001, Amended 9-3-06,\_\_\_\_\_.

69B-220.051 Conduct of Public Adjusters and Public Adjuster Apprentices.

(1) Purpose and Scope. This rule sets forth Department policy as to certain matters generally affecting public adjusters and public adjuster apprentices. Emergency adjuster license procedures are contained in Rule 69B-220.001, F.A.C. ~~Procedures regarding application for licensure are not dealt with in this rule.~~ Ethical requirements for all types of adjusters are contained in Rule 69B-220.201, F.A.C. ~~provisions are not dealt with in this rule.~~

(2) Definitions. The following definitions shall apply for purposes of this rule.

(a) "Compensation" or "remuneration" means anything of value, whether received directly or indirectly, in payment for services performed.

(b) "Department" means Florida Department of Financial Services.

~~(c)~~ "~~Financial Interest~~" means ~~direct or indirect ownership~~.

~~(c)(d)~~ "Licensed public adjuster" and "licensed public adjuster apprentice," hereinafter referred to as "public adjuster," means those refer to and include only persons currently licensed in good standing by the Department as public adjusters and as public adjuster apprentices, whether the licensure is resident licensure under Sections 626.865 and 626.8541, Florida Statutes, or nonresident licensure under Section 626.8732, Florida Statutes. The phrase does not include persons licensed as public adjusters by other states but not by the State of Florida.

~~(d)(e)~~ "Unlicensed persons," means those as used in this rule, means and refers to persons who are not currently licensed and appointed in good standing by the Department as resident or nonresident public adjusters.

(e) "Supplemental claim" or "reopened claim" means a claim that seeks additional payment from an insurer for property damage caused by the same occurrence for which a claim was previously filed by the insured and settled or considered to be paid in full by an insurer.

(3) Communications Concerning Public Adjuster Services.

(a) Solicitation. The solicitation of public adjusting business for compensation is deemed to be a material part of the business of public adjusting and, therefore, requires licensure as a public adjuster under the laws of Florida and the rules of the Department, and shall be engaged in only by persons licensed by the Department as public adjusters. Unlicensed persons shall not engage in such activity even under the supervision of a licensed public adjuster. The phrase “solicitation of public adjusting business” ~~and similar phrases as used in this rule~~ means, for compensation, initiating contact with any person, whether in person, by mail, by telephone, by brochure, by advertisement, or otherwise, and therein seeking, causing, urging, advising, or attempting:

1. To have any person enter into any agreement engaging the services of a public adjuster ~~in any capacity~~; or
2. To have any person describe the benefits, terms or services of a public adjuster; or
- ~~3. To have any person subsequently speak or meet with a licensed public adjuster for the purpose of engaging the services of a public adjuster in any capacity or for the purpose of being advised by a public adjuster in any regard.~~

(b) A public adjuster, public adjusting firm or public adjuster apprentice:

1. May not directly or indirectly through any other person or entity, initiate contact or engage in face-to-face or telephonic solicitation or enter into a contract with any insured or claimant under an insurance policy until at least 48 hours after the occurrence of an event that may be the subject of a claim under the insurance policy.
2. May enter into a contract with an insured or claimant under an insurance policy within 48 hours after the occurrence of an event if the insured or claimant initiates contact with the public adjuster, public adjusting firm or public adjuster apprentice.
3. May initiate contact and solicit business within the 48-hour period of time by means of mail, email or other advertising to the general public, as well as door hangers and other such written flyers left on the damaged property, provided that no further solicitation activity is undertaken by the public adjuster at that time. It is the intent of this provision that the claimant may initiate contact with the public adjuster at a later time in response to such written communications, but the claimant shall not be subjected to face-to-face or telephonic solicitation conduct initiated by the public adjuster prior to the expiration of 48 hours after the occurrence of an event that may become the subject of a claim under under an insurance policy.

~~(c)~~(b) Answering Telephone Calls. The answering of incoming telephone calls by unlicensed persons, at the place of business of a public adjuster, is not violative of this rule so long as the unlicensed persons engage in purely administrative

matters and not in judgment, ~~or~~ interpretation or solicitation with regard to any insurance contract, public adjuster contract, claim, or potential claim.

(4) Advertising.

(a) As with all forms of advertising concerning the business of insurance, public adjusters shall not falsely inform or advertise as set forth in Section 626.9541(1)(b), Florida Statutes, as well as any other section within the Florida Insurance Code that relates to advertising.

~~(b) Only Licensed Adjusters to Advertise.~~ No individual person or entity, with the intent of performing public adjusting services, shall in any way advertise public adjusting services ~~as a public adjuster in this state~~, unless such individual person or entity is licensed as a public adjuster, public adjusting firm or is a member of the Florida Bar.

(c) Advertisements to Show Licensee’s Full Name and License Number. Any advertisement by a public adjuster shall legibly state the full name and license number, as specified in Department records, of the public adjuster who has caused the advertisement to appear. Where a public adjusting firm containing multiple licensed public adjusters is causing the advertisement to appear, the public adjusting firm shall designate one of said licensees whose full name and license number, as specified in Department records, shall appear in the advertisement.

1. Print and Website Advertisements. In print and website advertisements the public adjuster’s full name and license number, as specified in Department records, shall be in typeface no smaller than the typeface of the main body of text in the advertisement. Print advertisements include newspapers, magazines, flyers, brochures, business cards, adhesive and magnetic publication, and similar printed materials. If the material is already printed when this rule takes effect, the required public adjuster’s full name and license number shall be added by means of rubber stamp, adhesive label, or other means.

2. Television Advertisements. In television advertisements the public adjuster’s full name and license number, as specified in Department records, shall be made to appear on the screen for a period reasonably calculated to allow a viewer to write the name and license number down.

3. Radio Advertisements. In radio advertisements, the public adjuster’s full name and license number, as specified in Department records, shall be read during the advertisement, and at a speed reasonably calculated to allow an average listener to note the name of the licensee as it appears on his or her licensure.

(d) Responsibility of Advertising Licensee. The licensed adjuster whose name and license number appears in the advertisement is responsible for personally reviewing the content of the advertisement and assuring that the

advertisement complies with the rules of the Department and the Florida Insurance Code and is in all regards fair, accurate, and in no way untruthful, deceptive or misleading.

(5) It is an affirmative duty of every primary public adjuster, as defined in Section 626.8695, Florida Statutes, to supervise their business affairs and their staff to ensure to the extent it is within the primary public adjuster's supervision or control power that the Florida Insurance Code and Rule Chapter 69B-220, F.A.C., are not violated.

(6) Required Contract Terms. In addition to the contract terms required by Sections 626.854 and 626.8796, Florida Statutes, public Public adjusters shall ensure that all contracts for their services contain the following terms:

(a) The contract shall legibly state the full name, as specified in Department records, of the public adjuster signing the contract.

(b) All public adjuster contracts shall show the public adjuster's:

1. Permanent business address and phone number; and
2. Florida Department license number.

(c) The contract shall show:

1. The insured's full name, and street address, home phone number, business phone number, email address and any other current contact information;

2. Address of loss;

3. A brief description of the loss to include the date, cause and damage;

4. The insured's insurance company name and policy number, if available.

(d) The contract shall show the date the contract with the public adjuster was actually signed by the insured or claimant.

(e)1. The full compensation to the public adjuster shall be stated in the contract.

2. If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified.

3. Any costs to be reimbursed to the public adjuster out of the proceeds shall be specified in either the contract or an addendum to the contract, which shall be signed and dated by the parties.

4. The contract shall contain the following language with a check box to indicate which provision applies to the contract and the insured or claimant shall place his or her initials by the box that is checked:

Claim during a state of emergency:

This contract is subject to Florida law that prohibits a public adjuster from charging, agreeing to, or accepting any compensation, payment, commission, fee, or other thing of value in excess of 10% of the amount of insurance claim payments by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor.

Regular non-emergency claim:

This contract is subject to Florida law that prohibits a public adjuster from charging, agreeing to, or accepting any compensation, payment, commission, fee, or other thing of value in excess of 20% of the amount of all insurance claim payments made by the insurer for this claim.

Reopened claim or supplemental claim:

This is a contract to reopen a claim or file a supplemental claim. It is subject to Florida law that prohibits a public adjuster from charging or accepting any money or other thing of value based on previous payments made to you by the insurer for the same cause of loss. However, if fees under this contract are based on a percentage of claim payments obtained through the work of the public adjuster after entering into this contract, Florida law does not limit the percentage that can be charged.

(f) The Department's toll free Consumer Assistance Helpline telephone number (1(877)MY-FL-CFO or 1(877)693-5236).

(7) All contracts for public adjuster services must be in writing. The contract must be signed by the public adjuster who solicited the contract. A copy of the completed contract shall be provided to the insured or claimant at the time he or she signs the contract.

(8) No public adjuster shall may settle a claim unless the terms and conditions of settlement are approved in writing and dated by the insured.

(9) If a contract between a public adjuster and an insured contains a statement that it is for the purpose of filing a supplemental claim or reopened claim when in fact the claim does not meet the definition of supplemental claim or reopened claim set forth in this rule, the public adjuster shall be subject to the fee restrictions set forth in Section 626.854(11)(b), F.S.

(10) A complete and unaltered copy of each executed contract and addendum for public adjuster services with the insured must be provided to the insured's insurance company within thirty (30) days of execution.

(11) Required disclosure: A legible copy of the full text of Rule 69B-220.051, F.A.C., entitled "Conduct of Public Adjusters and Public Adjuster Apprentices," Rule 69B-220.201, F.A.C., entitled "Ethical Requirements for All Adjusters" and any Department emergency rule then in effect, shall be attached to the signed and dated public adjuster contract that is provided to the insured or claimant. These copies shall be dated and signed by the insured or claimant.

Rulemaking Specific Authority 624.308(1), 626.878, 626.9611(1) FS. Law Implemented 624.307(1), 626.112(1)(a), (3), 626.611, 626.852(2), 626.854, 626.8541, 626.865(2), 626.8695(4), 626.878, 626.8795, 626.8796, 626.874, 626.9541(1)(b), (i) FS. History—New 4-26-94, Amended 12-18-01, Formerly 4-220.051, Amended 3-27-05, 9-3-06,\_\_\_\_\_.

69B-220.201 Ethical Requirements for All Adjusters.

(1) Definitions. The following definitions shall apply for purposes of this rule:

(a) "Adjuster," when used without further specification, includes all types and classes of insurance adjusters, (company employee, independent, and public), subject to Chapter 626, Florida Statutes, regardless of whether resident or nonresident, and whether permanent, temporary, or emergency licensees.

(b) "Client" ~~includes both clients and potential clients; and~~ means any person who ~~consults with or hires or employs~~ an adjuster to provide adjusting services.

(c) "Department" means the Florida Department of Financial Services.

(d) "Person" includes natural persons and legal entities.

(2) Violation.

(a) Violation of any provision of this rule shall constitute grounds for administrative action against the licensee.

(b) A breach of any provision of this rule constitutes an unfair claims settlement practice.

(3) Code of Ethics. The work of adjusting insurance claims engages the public trust. An adjuster shall put the duty for fair and honest treatment of the claimant above the adjuster's own interests in every instance. The following are standards of conduct that define ethical behavior, and shall constitute a code of ethics that shall be binding on all adjusters:

~~(a) An adjuster shall: not directly or indirectly refer or steer any claimant needing repairs or other services in connection with a loss to any person with whom the adjuster has an undisclosed financial interest, or who will or is reasonably anticipated to provide the adjuster any direct or indirect compensation for the referral or for any resulting business.~~

~~(a)(b)~~ An adjuster shall treat all claimants equally.

1. An adjuster shall not provide favored treatment to any claimant.

2. An adjuster shall adjust all claims strictly in accordance with the insurance contract.

~~(b)(e)~~ An adjuster shall not approach investigations, adjustments, and settlements in a manner prejudicial to the insured.

~~(c)(d)~~ An adjuster shall make truthful and unbiased reports of the facts after making a complete investigation.

~~(d)(e)~~ An adjuster shall handle every adjustment and settlement with honesty and integrity, and allow a fair adjustment or settlement to all parties without any remuneration to himself except that to which he is legally entitled.

~~(e)(f)~~ An adjuster, upon undertaking the handling of a claim, shall act with dispatch and due diligence in achieving a proper disposition of the claim. The lack of dispatch and due diligence shall include the failure of the adjuster to perform

services for the client, or where the adjuster engages in a pattern of neglect which causes or could potentially cause injury to the client.

(f) The adjuster shall respond with specific information to a written or electronic request for claims status from a party to the insurance policy or the party's designated representative, in no less than fifteen (15) days from the date of the request and shall document the file accordingly.

(g) An adjuster shall promptly report to the Department any conduct by any licensed insurance representative of this state which violates any provision of the Florida Insurance Code or Department rule or order.

(h) An adjuster shall exercise extraordinary care when dealing with ~~elderly~~ clients 65 years of age and older to assure that they are not disadvantaged in their claims transactions by failing memory or impaired cognitive processes.

(i) An adjuster shall not negotiate or effect settlement directly or indirectly with any third-party claimant represented by an attorney, if the adjuster has knowledge of such representation, except with the consent of the attorney. For purposes of this subsection, the term "third-party claimant" does not include the insured or the insured's resident relatives.

(j) An adjuster is permitted to interview any witness, or prospective witness, without the consent of opposing counsel or party. In doing so, however, the adjuster shall scrupulously avoid any suggestion calculated to induce a witness to suppress or deviate from the truth, or in any degree affect the witness's appearance or testimony during deposition or at the trial. If any witness making or giving a signed or recorded statement so requests, the witness shall be given a copy of the statement.

(k) An adjuster shall not advise a claimant to refrain from seeking legal advice, nor advise against the retention of counsel or the employment of a public adjuster to protect the claimant's interest.

(l) An adjuster shall not attempt to negotiate with or obtain any statement from a claimant or witness at a time that the claimant or witness is, or would reasonably be expected to be, in shock or serious mental or emotional distress as a result of physical, mental, or emotional trauma associated with a loss. The adjuster shall not conclude a settlement when the settlement would be disadvantageous to, or to the detriment of, a claimant who is in the traumatic or distressed state described above.

~~(m) An adjuster shall not knowingly fail to~~ advise a claimant of the claimant's claim rights in accordance with the terms and conditions of the contract and of the existence of applicable laws of this state. An adjuster shall exercise care not to engage in the unlicensed practice of law as prescribed by the Florida Bar.

(n) A company employee adjuster or independent adjuster shall not draft special releases called for by the unusual circumstances of any settlement or otherwise draft any form of release, unless advance written approval by the insurer can be

demonstrated to the Department. Except as provided above, a company employee adjuster or independent adjuster is permitted only to fill in the blanks in a release form approved by the insurer they represent.

(o) An adjuster shall not undertake the adjustment of any claim concerning which the adjuster is not currently competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the adjuster's current expertise.

~~(p) No person shall, as a public adjuster, represent any person or entity whose claim the adjuster has previously adjusted while acting as an adjuster representing any insurer or independent adjusting firm. No person shall, as a company employee adjuster or independent adjuster, represent him or herself or any insurer or independent adjusting firm against any person or entity that the adjuster previously represented as a public adjuster.~~

~~(q) A public adjuster shall not represent or imply to any client or potential client that insurers, company adjusters, or independent adjusters routinely attempt to, or do in fact, deprive claimants of their full rights under an insurance policy. No insurer, independent adjuster, or company employee adjuster shall represent or imply to any claimant that public adjusters are unscrupulous, or that engaging a public adjuster will delay or have other adverse effect upon the settlement of a claim.~~

~~(r) No public adjuster, while so licensed in the Department's records, may represent or act as a company adjuster, independent adjuster, or general lines agent.~~

~~(s) A company employee adjuster, independent adjuster, attorney, investigator, or other persons acting on behalf of an insurer that needs access to an insured or claimant or to the insured property that is the subject of a claim shall provide at least 48 hours notice to the insured, or claimant, public adjuster or legal representative prior to scheduling a meeting with the claimant or an on-site inspection of the insured property. The insured or claimant may deny access to the property if this notice has not been provided. The insured or claimant may waive this 48 hour notice.~~

~~(t) The adjuster shall ensure that if a contractor, architect, engineer, or other professional is used in formulating estimates or otherwise participates in the adjustment of the claim, the individual shall be licensed by the Florida Department of Business and Professional Regulation, if so required by law.~~

(4) Public Adjusters, Other Ethical Constraints. In addition to the considerations set out above for adjusters, the following ethical considerations are specific to public adjusters and shall be binding upon public adjusters:

(a) A public adjuster shall advise the insured ~~or and~~ claimant in writing on or before entering into the public adjuster contract ~~advance~~ of the insured or claimant's right of

counsel, and choice thereof, to represent the insured or claimant, and that such choice is to be made solely by the insured or claimant.

(b) The public adjuster shall notify the insured or claimant in advance of the name and contact information ~~location~~ of any proposed contractor, architect, engineer, or similar professional, before any bid or proposal by any of these persons may be used by the public adjuster in adjusting the insurance claim ~~estimating the loss or negotiating settlement~~. The insured or claimant may exercise veto power of any of these persons, in which case that person shall not be used in estimating costs.

~~(c) The public adjuster shall ensure that if a contractor, architect, engineer, or other professional is used in formulating estimates or otherwise participates in the adjustment of the claim, the professional shall be licensed by the Florida Department of Business and Professional Regulation.~~

~~(c)(d)~~ A public adjuster shall not prevent, or attempt to dissuade or prevent, a claimant from speaking privately with the insurer, company employee adjuster, ~~or~~ independent adjuster, attorney, or any other person, regarding the settlement of the claim.

~~(e) A public adjuster shall not acquire any interest in salvaged property, except with the written consent and permission of the insured.~~

~~(d)(f)~~ A public adjuster shall not accept referrals of business from any person with whom the public adjuster may conduct business where there is any form or manner of agreement to compensate the person, whether directly or indirectly, for referring business to the public adjuster. Except as between licensed public adjusters, no public adjuster, public adjuster apprentice or any other person or entity shall compensate any person, whether directly or indirectly, for the principal purpose of referring business to a the public adjuster or public adjusting firm.

~~(g) A public adjuster's contract with a client shall be revocable or cancellable by the insured or claimant, without penalty or obligation, for at least 3 business days after the contract is executed. The public adjuster shall disclose to the insured that the insured has the right to cancel with prompt notice within the revocation period. If the insured elects to cancel the contract, prompt notice shall be provided to the adjuster. Nothing in the provision shall be construed to prevent an insured from pursuing any civil remedy after the 3-day cancellation period.~~

~~(e)(h)~~ A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall estimate damages, perform testing, or perform repair work, ~~except if the contract or power of attorney is prepared or approved by the insured's attorney.~~

~~(f)(4)~~ A public adjuster shall ensure that all contracts for the public adjuster's services are in writing and set forth all terms and conditions of the engagement, including the terms required by subsection 69B-220.051(6), F.A.C., or as otherwise required by law.

~~(j)~~ A public adjuster shall not restrict or prevent an insurer, company adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to an insured or claimant or to the insured property that is the subject of a claim.

~~(5) Public Adjusters, Ethical Constraints During State of Emergency.~~ In addition to considerations set forth above, the following ethical considerations shall apply to public adjusters in the event that the Governor of the State of Florida issues an Executive Order, by virtue of the authority vested in Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, declaring that a state of emergency exists in the State of Florida:

~~(g)(a)~~ No public adjuster or public adjusting firm shall require, demand, charge or accept any fee, retainer, compensation, commission, deposit, or other thing of value, prior to receipt by the insured or claimant of a payment on the claim by the insurer. No public adjuster or public adjusting firm shall accept any form of payment or remuneration for adjusting services that have not been performed.

~~(b)~~ As to any one insured or claimant, no public adjuster shall charge, agree to, or accept as compensation or reimbursement any payment, commission, fee, or other thing of value equal to more than ten percent of the amount of any insurance settlement or claim payment.

~~(h)(e)~~ No public adjuster shall enter into any contract, agreement or other arrangement with any person, including an attorney, building contractor, architect, appraiser or repairman, by which the person would enter into an agreement to assist a claimant or insured on an insurance claim, utilize the services of the adjuster to carry out the agreement and pay the adjuster an amount that would exceed the limitation of the adjuster's compensation or reimbursement as provided in Section 626.854(11), Florida Statutes paragraph (b) above.

~~(d)~~ This subsection applies to all claims that arise out of the events that created the State of Emergency, whether or not the adjusting contract was entered into while the State of Emergency was in effect and whether or not a claim is settled while the State of Emergency is in effect.

(i) A public adjuster shall not represent to any client or potential client that insurers, company employee adjusters, or independent adjusters attempt to, or do in fact, deprive claimants of their full rights under an insurance policy.

(j) No public adjuster, while so licensed in the Department's records, may represent or act as or be appointed as a company employee adjuster or independent adjuster. A public adjuster may hold a general lines agent license.

However, no public adjuster, while so licensed in the Department's records, may represent or act as both a public adjuster and a general lines agent for the same insurance claim.

(k) A public adjuster shall not restrict or prevent an insurer, company employee adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to an insured or claimant or to the insured property that is the subject of a claim.

(l) No person shall, as a public adjuster, represent any person or entity whose claim the adjuster has previously adjusted while acting as an adjuster representing any insurer or independent adjusting firm.

(m) If the appraisal clause in an insured's insurance policy has been triggered, a public adjuster or public adjusting firm that has entered into a public adjusting contract with the insured or claimant shall not charge an appraisal fee or otherwise receive direct or indirect compensation or remuneration in addition to the statutory compensation limit for the public adjuster contract for acting as the insured's or claimant's appraiser.

Rulemaking Specific Authority 624.308(1), 626.878, 626.9611(1) FS. Law Implemented 624.307(1), 626.015(1), 626.611, 626.621, 626.854, 626.8541, 626.858, 626.859, 626.864, 626.865(2), 626.8695, 626.8698, 626.877, 626.878, 626.8795, 626.9521, 626.9541(1)(i) FS. History—New 6-2-93, Amended 12-18-01, Formerly 4-220.201, Amended 3-27-05, 9-3-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Eric Purvis, Financial Administrator, Division of Insurance Agent and Agency Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-137.001  
RULE TITLE: Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: This rule is being amended to adopt the 2010 NAIC Quarterly Statement Instructions and also adopts the 2010 NAIC accounting practices and procedures manual.

SUMMARY: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By adopting the current versions of these NAIC instructions and manuals, the Office is establishing up-to-date, uniform standards for annual

and quarterly reports which will provide the information necessary for the Office to evaluate insurers' financial conditions.

**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.

**RULEMAKING AUTHORITY:** 624.308(1), 624.424(1) FS.

**LAW IMPLEMENTED:** 624.424(1) 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 27, 2010, 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@flor.com](mailto:kerry.krantz@flor.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:** Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

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

690-137.001 Annual and Quarterly Reporting Requirements.

(1) through (3) No change.

(4) Manuals Adopted

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2010 2009;

2. The NAIC's Annual Statement Instructions, Life, Accident and Health, 2010 2009;

3. The NAIC's Annual Statement Instructions, Health, 2010 2009;

4. The NAIC's Annual Statement Instructions, Title, 2010 2009; and

5. The NAIC's Accounting Practices and Procedures Manual, as of March 2010 2009.

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Quarterly Statement Instructions, Property and Casualty, 2010 2009;

2. The NAIC's Quarterly Statement Instructions, Life, Accident and Health, 2010 2009;

3. The NAIC's Quarterly Statement Instructions, Health, 2010 2009;

4. The NAIC's Quarterly Statement Instructions, Title, 2010 2009; and

5. The NAIC's Accounting Practices and Procedures Manual, as of March 2010 2009.

(c) No change.

**Rulemaking Specific Authority** 624.308(1), 624.424(1) FS. Law Implemented: 624.424(1) FS. History--New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-137.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** The Financial Services Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 8, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** March 12, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

**RULE NO.:** 690-138.001  
**RULE TITLE:** NAIC Financial Condition Examiners Handbook Adopted

**PURPOSE AND EFFECT:** This rule is being amended to adopt the 2010 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2009 version.

**SUMMARY:** Section 624.316, Florida Statutes, requires the Office to examine insurer's financial condition, using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

**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.

RULEMAKING AUTHORITY: 624.308(1), 624.316(1)(c) FS.  
 LAW IMPLEMENTED: 624.316(1)(c) FS.

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

DATE AND TIME: July 27, 2010, 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@flor.com](mailto:kerry.krantz@flor.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: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

690-138.001 NAIC Financial Condition Examiners Handbook Adopted.

~~(1)(a) The National Association of Insurance Commissioners Financial Condition Examiners Handbook (2006) is hereby adopted and incorporated by reference.~~

~~(1)(b) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2010 2009 is hereby adopted and incorporated by reference.~~

(2) through (3) No change.

Rulemaking Specific Authority 624.308(1), 624.316(1)(c) FS. Law Implemented 624.316(1)(c) FS. History--New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-138.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2010

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

#### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE NO.: 6A-1.099811  
 RULE TITLE: Differentiated Accountability State System of School Improvement

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 50, December 18, 2009 issue of the Florida Administrative Weekly.

6A-1.099811 Differentiated Accountability State System of School Improvement.

The purpose of this rule is to set forth the Differentiated Accountability State System of School Improvement, to set forth the framework for categorizing how well schools are meeting Adequate Yearly Progress criteria, to define the level of assistance provided to schools, and to identify the support systems and strategies to be implemented by schools and districts.

(1) Definitions. The following definitions shall be used in this rule:

(a) "Adequate Yearly Progress" or "AYP" means that the AYP criteria for demonstrating progress toward state proficiency goals were met by each subgroup.

(b) "Annual goals" or "state proficiency goals" means the annual targets for the percent of students who meet grade level proficiency in reading and mathematics as established in "Adequate Yearly Progress Benchmarks in Florida" of the 2009 Guide to Calculating Adequate Yearly Progress (AYP), Technical Assistance Paper dated June 2009, which is hereby adopted by reference and made part of this rule and accessible at <http://schoolgrades.fldoe.org/pdf/0809/2009AYPTAP.pdf>. Proficiency on the FCAT is attained at scoring level 3 or higher in reading and mathematics on a 5-level range. Proficiency on the Florida Alternate Assessment is attained at scoring level 4 or higher on a 9-level range.

(c) "AYP Count" means the value assigned to a school that did not achieve AYP for two (2) consecutive years, starting from the 2002-03 school year. The school is assigned a value of one (1) AYP count if the school failed to make AYP for two (2) consecutive years and increases by one (1) for each year that the school fails to achieve AYP.

(d) "Benchmark Baseline Assessment" means a diagnostic assessment given at the beginning of the year to evaluate students' strengths and weaknesses on grade-level skills in reading, mathematics, science, and writing.



(e) “Benchmark Mid-Year Assessment” means a diagnostic assessment given at the mid-point of a school year to evaluate students’ progress on grade-level skills in reading, mathematics, science, and writing.

(f) “Benchmark Mini-Assessments” means diagnostic assessments given at frequent intervals used to monitor student learning of recently taught skills; and to guide teachers’ instructional focus.

(g) “Common planning time” means the time provided to teachers to meet regularly with common grade-level or subject-area teachers to collaborate.

(h) “Community Assessment Team” or “CAT” means a team consisting of stakeholders including, but not limited to, parents, business representatives, teachers, administrators, district level personnel, and Department of Education staff, who advocate for low-performing schools within their community, as set forth in Section 1008.345, Florida Statutes.

~~(i) “D Former F” means a “D” graded school that improved from a grade of “F” the previous academic year.~~

~~(i)(j)~~ “Data chats” means the process of teachers or administrators meeting with students to discuss the results of students’ ~~student’s~~ assessments.

~~(j)(k)~~ “Department” means the Florida Department of Education (FDOE).

~~(k)(l)~~ “Differentiated Accountability State System of School Improvement,” “Differentiated Accountability,” and “DA” mean the accountability system used by Florida to meet conditions for participation in the Elementary and Secondary Education Act, 20 U.S.C. ss 6301 et seq. that requires states to hold public schools and school districts accountable for making adequate yearly progress toward meeting state proficiency goals.

~~(l)(m)~~ “Direct instructional support” means support provided by a district curriculum specialist who visits the school frequently to provide onsite professional development and support to classroom teachers.

~~(m)(n)~~ “District” means the school district responsible for collaborating with the Department and schools to ensure the state system of school improvement is implemented ~~with~~ fidelity.

~~(n)(o)~~ “District Improvement and Assistance Plan” means a district level plan, submitted to the Department, that includes strategies for improving school performance and increasing student achievement (Form DIAP-1, District Improvement and Assistance Plan, effective as of the date of this rule, is incorporated by reference and can be obtained through the Department of Education website [www.flbsi.org/DA/index.htm](http://www.flbsi.org/DA/index.htm) or by contacting the Bureau of School Improvement in the Department).

~~(o)(p)~~ “Florida Continuous Improvement Model” or “FCIM” means a method for effectuating improvement that is based on the principle that student and teacher success requires

a continuous effort. Key elements include analyzing data, developing timelines, quality instruction, and frequently assessing students.

~~(p)(q)~~ “Fully released coach” means a full time reading and mathematics or science coach who is devoted full time to coaching duties.

~~(q)~~ “High school” means a school with grade levels 9-12.

~~(r)~~ “High school combination school” means a school with grade levels K-12 or 6-12.

~~(s)(t)~~ “Individual Professional Development Plan” or “IPDP” means the plan for each instructional employee assigned to a school as set forth in Section 1012.98, Florida Statutes.

~~(t)(u)~~ “Instructional monitoring process” means a process for monitoring instructional programs and practices and ensuring that they are implemented.

~~(u)(v)~~ “Lesson Study Group” or “LSG” means a small group of teachers who collaborate to plan an actual classroom lesson (called a “research lesson”), observe how the lesson works in practice; and report on the results for the benefit of other teachers.

~~(v)~~ “Lowest 5% schools” means the persistently lowest achieving schools identified in Appendix B – Lowest 5% of Title I Schools and Appendix C – Lowest 5% of Title I Eligible Schools, to the document entitled Participating Local Education Agency Memorandum of Understanding, drafted for Florida’s Race to the Top, Phase II Application; these documents are incorporated by reference and can be obtained through the Department of Education website <http://www.fldoe.org/ARRA/pdf/phase2mou.pdf>.

~~(w)~~ “Mid-Year Narrative Report” means a narrative of data analysis of student achievement from the Benchmark Baseline to the Benchmark Mid-Year Assessment

~~(x)(y)~~ “Next Generation Sunshine State Standards” or “NGSSS” means the state’s public K-12 curriculum standards adopted pursuant to Section 1003.41, Florida Statutes.

~~(y)(z)~~ “Peer Review” means the process by which school staff reviews and provides feedback on another school’s improvement plan.

~~(z)(aa)~~ “Response to Intervention” or “RtI” means the practice of providing services and interventions matched to individual student needs as determined by an analysis of student data and feedback from observations.

~~(aa)(ab)~~ “School Advisory Council” means the council set forth in Section 1001.452, Florida Statutes.

~~(bb)(c)~~ “School grade” means the grade assigned to a school pursuant to Section 1008.34, Florida Statutes, and Rule 6A-1.09881, F.A.C., except that a high school’s grade will be established solely by the FCAT scores and AYP for purposes of Differentiated Accountability.

~~(cc)(z)~~ “School improvement plan” or “SIP” means a school level plan, submitted to the district and the Department, that includes strategies for improving school performance and increasing student achievement

~~(dd)(aa)~~ “State adopted material” means textbooks and instructional materials that are aligned to the Next Generation Sunshine State Standards and approved for use in the state’s schools under Section 1006.34, Florida Statutes.

~~(ee)(bb)~~ “Subgroup” means a demographic group whose performance on the state assessment is measured to determine AYP and includes American Indian, Asian, black or African American, Hispanic, white, economically disadvantaged students, English language learners, students with disabilities, and all students.

(2) Adequate Yearly Progress.

(a) Every public school is expected to make adequate yearly progress towards state proficiency goals for each subgroup.

(b) AYP shall be calculated in accordance with Part II, 1.-5. of the 2009 Guide to Calculating Adequate Yearly Progress (AYP) Technical Assistance Paper, June 2009, which is hereby adopted by reference in this rule and accessible at <http://schoolgrades.fldoe.org/pdf/0809/2009AYPTAP.pdf>.

(c) AYP is comprised of thirty-nine (39) criteria as follows:

1. The first nine (9) criteria are met by determining whether the participation rate for each subgroup being evaluated in reading is at least ninety-five (95) percent.

2. The second nine (9) criteria are met by determining whether the participation rate for each subgroup being evaluated in mathematics is at least ninety-five (95) percent.

3. The third nine (9) criteria are met by determining whether the annual goals for reading proficiency are met by each subgroup being evaluated.

4. The fourth nine (9) criteria are met by determining whether the annual goals for mathematics proficiency are met by each subgroup being evaluated;

5. The thirty-seventh criterion is met if school-wide performance in writing improved by at least one (1) percent or is at a rate of ninety (90) percent or higher;

6. The thirty-eighth criterion is met if the school does not earn a grade of D or F; and

7. The thirty-ninth criterion is met if a high school improved its graduation rate or has a graduation rate of eighty-five (85) percent or higher.

(d) If a criterion is not applicable to a school because the subgroup is not of sufficient number to meet the state’s minimum subgroup-size requirement for Adequate Yearly Progress reporting or if the school is not a high school, that criterion will be considered as having been met.

(e) The percentage of AYP criteria met is calculated by determining what percent of the thirty-nine (39) criteria was met by the school.

(3) Categories. The Department shall place each school into one of six categories annually. Beginning with the highest performing, the categories are entitled: Schools Not Required to Participate in Differentiated Accountability Strategies, Prevent I, Correct I, Prevent II, Correct II, and Intervene.

(a) Schools Not Required to Participate in Differentiated Accountability Strategies are schools in the highest-performing school category. A school shall be so categorized when the school:

1. Is an elementary or middle school graded “A”, “B”, “C”, or is ungraded; ~~or and~~

2. Is a high school or high school combination school with FCAT Performance Points of 435 or higher; and

~~3.2-~~ Has not failed to make AYP for two (2) consecutive years.

(b) A school shall be categorized as a Prevent I school when the school:

1. Is an elementary or middle school graded “A”, “B”, “C”, or is ungraded; ~~or and~~

2. Is a high school or high school combination school with FCAT Performance Points of 435 or higher; and

~~3.2-~~ Has an AYP count between one (1) and three (3); and

~~4.3-~~ Has met at least eighty (80) percent of AYP criteria for at least two (2) consecutive years.

(c) A school shall be categorized as a Correct I school when the school:

1. Is an elementary or middle school graded “A”, “B”, “C”, or is ungraded ~~or and~~;

2. Is a high school or high school combination school with FCAT Performance Points of 435 or higher; and

~~3.2-~~ Has an AYP Count of four (4) or greater; and

~~4.3-~~ Has met at least eighty (80) percent of AYP criteria for at least two (2) consecutive years.

(d) A school shall be categorized as a Prevent II school when the school:

1. Is a “D” elementary or middle school with AYP counts less than 4 that failed to meet AYP criteria for fewer than two (2) consecutive years; or

2. Is a high school or combination high school with FCAT performance points of 395 to 434 that failed to meet AYP criteria for at least two (2) consecutive years, with an AYP count of less than four (4) between one (1) and three (3); or

3. Is an elementary or middle school graded “A”, “B”, “C”, or is an ungraded school, or is a high school or high school combination school with FCAT performance points of 435 or higher; and

a. Has an AYP Count between one (1) and three (3); and

b. Has met less than eighty (80) percent of AYP criteria;

(e) A school shall be categorized as a Correct II school when the school:

1. Is an elementary or middle school graded “F” or a high school or high school combination school with FCAT performance points less than 395, regardless of AYP status; or

2. Is an elementary or middle school graded “D” or a high school or high school combination school with FCAT Performance Points from 395-434, and has an AYP Count of four (4) or greater; or

3. Is an elementary or middle school graded “A”, “B”, “C”, or is an ungraded school or is a high school or high school combination school with FCAT Performance Points of 435 or higher; and

a. Has an AYP Count of four (4) or greater; and

b. Has met less than eighty (80) percent of AYP criteria.

(f) A school shall be categorized as an Intervene school when the school:

1. Is graded “F” and has earned at least four (4) “F” grades in the last six (6) school years; or

2. Is graded “D” and meets the criteria for a Correct II school, is graded “F”, and meets the criteria for a Correct II school, and the school also meets at least three (3) of the four (4) following conditions:

a. The percentage of non-proficient students in reading has increased when compared to the percentage attained five (5) years earlier.

b. The percentage of non-proficient students in mathematics has increased when compared to the percentage attained five (5) years earlier.

c. Sixty-five (65) percent or more of the school’s students are not proficient in reading.

d. Sixty-five (65) percent or more of the school’s students are not proficient in mathematics.

3. Alternative schools are exempt from qualifying for the Intervene category.

(4) Notice to District of School Category. The Department shall notify each school district of the category of each school located within the district.

(5) Intervention and Support Strategies. The strategies and support interventions required of schools in need of improvement fall into seven (7) areas: school improvement planning, leadership quality improvement, educator quality improvement, professional development, curriculum alignment and pacing, the Florida Continuous Improvement Model, and monitoring plans and processes. The action required for each school category is set forth in the form entitled, Form DA-3 ~~DA2~~ – Strategies and Support for Differentiated Accountability, effective as of the effective date of this rule. For charter schools and alternative schools the action required for each school category is set forth in the forms entitled DA-4 ~~DA-3, 2009-2010~~ Strategies and Support for Differentiated Accountability – Alternative Schools and DA-5

~~DA-4, 2009-2010~~ Strategies and Support for Differentiated Accountability – Charter Schools as applied to charter schools and alternative schools. School districts are required to report on all schools in DA on the forms entitled DA-1, Baseline and Mid-Year Data Report and DA-2, Mid-Year Narrative Report, effective as of the effective date of this rule. Forms DA-1, DA2, DA-3, and DA-4 and DA-5 are hereby incorporated by reference in this rule and can be obtained through the Department of Education website [www.flbsi.org/DA/index.htm](http://www.flbsi.org/DA/index.htm) or by contacting the Bureau of School Improvement in the Department. ~~Should the implementation of any of the strategies imposed by this rule require collective bargaining, the district must promptly submit the issue for bargaining.~~ The entity responsible for implementing the Differentiated Accountability strategies is as follows:

(a) For Prevent I schools:

1. The school implements interventions.

2. The district monitors progress and provides support to schools.

(b) For Correct I schools:

1. The school implements interventions.

2. The district directs interventions.

3. The district monitors progress and provides support to schools.

4. The district and Department provide intense support to the lowest 5% schools.

(c) For Prevent II schools:

1. The school implements interventions.

2. The district directs school interventions.

3. The district monitors progress and provides support to schools.

4. The Department monitors the district’s support to schools.

(d) For Correct II schools:

1. The school implements interventions.

~~2. The district directs school interventions.~~

2.3. The district and Department monitor progress and support schools.

3.4. Intensive onsite support is provided by the district and the Department for schools graded “F, and the lowest 5% schools,” “D Former F,” and ~~Exiting Intervene schools.~~

(e) For Intervene schools:

1. The school implements interventions.

2. The district and Department conduct onsite monitoring of intervention implementations.

3. The district and Department provide intensive onsite support.

4. In the event the school does not make sufficient progress to exit the Intervene category within one (1) year, the district must choose one (1) of the four (4) reconstitution options described in subsection (8) of this rule.

(6) School Improvement Plan.

(a) Except for a school in the highest performing category, a school's improvement plan shall include the strategies and support activities found in the Department's ~~Form DA-3 DA2-~~Strategies and Support for Differentiated Accountability. The School Improvement Plan template, Form SIP-1, is hereby as incorporated by reference in this rule to become effective with the effective date of this rule and 6A 1.09981, F.A.C., as Form SIP-1, is available at <http://www.flbsi.org>.

(b) ~~Title I and~~ Non-Title I A, B, or C schools may receive a waiver from FDOE if the district<sup>4</sup> or school can demonstrate that their existing template provides strategies for subgroups that did not meet AYP in the area of data analysis, RtI, and increasing student achievement. Applications for waivers are submitted to the Department of Education, K-12 Public Schools, prior to the annual submission deadline of the School Improvement Plan. The Department shall approve or deny the waiver and notify the district.

(7) Progression and exiting from categories other than Intervene. A Prevent I, Correct I, Prevent II, or Correct II school may progress to a School Not Required to Participate in Differentiated Accountability Strategies when it meets AYP criteria for two (2) consecutive years.

(8) Intervene Status; exiting the Intervene category; consequences of failing to exit.

(a) In order to exit the Intervene category a school must make significant progress after one (1) year. Significant progress is defined as:

1. The school's letter grade improves to a "C" or better, and
2. The school's AYP performance improves so that at least one (1) subgroup in reading and at least one (1) subgroup in mathematics that previously did not make AYP has made AYP.

(b) In the event a school in the Intervene category fails to make significant progress within one (1) year and exit the Intervene category, the district and Department will provide assistance with the selection and implementation of one (1) of the four (4) following reconstitution options for the school:

1. Reassign students to another school and monitor the students' progress. This option requires the district to:
  - a. Close the school and assign the students to different locations.
  - b. Follow established procedures for attendance boundary changes and zoning requirements in reassigning students to different locations.
  - c. Ensure that teachers from the closed school who are responsible for teaching reading and mathematics are not assigned to any school where the students from the closed school are assigned unless the teacher is highly qualified as set forth in Section 1012.05, Florida Statutes, and sixty-five (65) percent or more of the teacher's students achieved learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

d. Identify students from the closing school who were reassigned and monitor their academic progress. Progress will be reported annually to the Department for three (3) years.

e. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times ~~for the teacher and parent such as morning, evening, or weekends.~~

2. Convert the school to a district-managed turnaround school. This option requires:

a. The district to assign a district employee who is responsible for managing the turnaround process.

b. The district to replace the principal, all assistant principals, and instructional coaches unless assigned to the school for less than one (1) year ~~and the school's failure to improve cannot be attributed, in whole or in part, to the individual.~~ The Department shall provide recommendations to the superintendent ~~district~~ with respect to replacing the principal, assistant principals, and instructional coaches.

c. The district to employ a fair, consistent, transparent, and reliable system to reassign or replace the majority of the instructional faculty and staff whose students' failure to improve can be attributed to a lack in performance on the part of faculty and staff providing instruction. Reading and mathematics teachers may not be rehired at the school unless they are highly qualified and effective instructors as set forth in Section 1012.05, Florida Statutes, and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

d. The district to undertake a comprehensive search to recruit a new principal with a record of turning around a similar school. The principal's contract must include differentiated pay in the form of a signing bonus and performance pay for raising student achievement. In order to implement differentiated principal pay, the district shall employ a fair, consistent, transparent, and reliable system to determine issues surrounding raising student achievement. The selection of the principal shall be informed by guidance from the Department.

e. The principal and new leadership team to select new faculty and staff with the Department's assistance. Differentiated pay may be offered to faculty through signing bonuses and compensation for mandatory professional development and involvement in additional parent and student functions after school. Performance pay may also be offered to teachers for raising student achievement. In order to implement differentiated faculty pay, the district shall employ a fair, consistent, transparent, and reliable system to determine issues surrounding raising student achievement. The hiring process shall be completed in time to ensure all teachers participate in summer professional development activities.

f. The district to provide the school with a fully released reading coach, ~~and~~ a fully released mathematics coach, ~~and a fully released~~ or science coach, and will provide additional coaches based on enrollment, unless the district provides direct instructional support services.

g. The district to assemble an advisory board comprised of district personnel, teachers, community members, and a representative of the Department. The advisory board shall report monthly to the superintendent regarding its activities, concerns, and recommendations. Only one advisory board is required for a district with more than one school in the Intervene category.

h. The district to make available to the school's administrators and teachers prior to the opening of school a summer professional development academy that is developed in conjunction with the Department.

i. The school to establish common planning time within the master schedule to allow meetings to occur ~~a minimum of two (2) times a week, by grade level in elementary school and by subject area at the secondary level. If the master schedule cannot allow all grade level or subject area teachers to participate at the same time, the district must establish weekly common planning time after school for a minimum of one (1) hour a week.~~

j. The district to enhance its school allocation formula to provide additional funds, resources, and personnel to the school.

~~k. The district to submit to the bargaining process the terms of any provision of a collective bargaining agreement that impede the district's efforts to make gains sufficient for its schools in the Intervene category to exit from that category.~~

~~k.~~ In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent ~~such as morning, evening, or weekends.~~

3. Close the school and reopen the school as a charter school or multiple charter schools. This option requires the district to:

a. Close the school and follow procedures of Section 1002.33, Florida Statutes, to reopen the school as a charter or multiple charters.

b. Reassign students who do not choose to attend the charter to other schools.

c. Ensure that the charter includes the following provisions:

(I) The principal selected must have experience turning around a low-performing school;

(II) The principal, assistant principals, or coaches from the closed school may not be hired at the charter school unless assigned to the school for less than one (1) year and the school's failure to improve cannot be attributed, in whole or in part, to the individual;

(III) Reading and mathematics teachers from the closed school may only be hired if they are highly qualified and effective instructors as set forth in Section 1012.05, Florida Statutes, and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

(IV) The district provides the school with a fully released reading coach, ~~and~~ a fully released mathematics coach, ~~or~~ and a fully released science coach and provides additional coaches based on enrollment, unless the charter provides direct instructional support services.

d. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent ~~such as morning, evening, or weekends.~~

4. Contract with an outside entity to operate the school. This option requires the district to enter into a contract with a management company having a proven success record of improving low-performing schools. The contract must include the following:

a. The principal must have experience turning around a low-performing school.

b. The principal, assistant principals, or coaches from the closed school may not be hired at the new school unless assigned to the school for less than one (1) year and the school's failure to improve cannot be attributed, in whole or in part, to the individual.

c. Reading and mathematics teachers from the closed school may only be hired if they are highly qualified and effective instructors as set forth in Section 1012.05, Florida Statutes, and as evidenced by sixty-five (65) percent or more of their students achieving learning gains on FCAT for reading and mathematics for elementary teachers or the appropriate content area for middle and high school teachers.

d. The district provides the school with a fully released reading coach, ~~and~~ a fully released mathematics coach, ~~or~~ and a fully released science coach and provides additional coaches based on enrollment unless the charter provides direct instructional support services.

e. In addition to open house events, the school must offer a flexible number of meetings to inform parents of their child's performance at school. These meetings shall be held at convenient times for the teacher and parent ~~such as morning, evening, or weekends.~~

(c) If a school does not exit the Intervene category after one (1) year of implementing one (1) of the options for reconstitution, a different option will be selected by the district each year until all options are exhausted, in which case the school will be closed and students reassigned.

(d) If a school does not exit the lowest-performing category during the initial year of implementing one of the reconstitution options, the school district must submit a plan, for State Board of Education approval, that includes details for implementing a different reconstitution option at the beginning of the next school year, unless the provisions of paragraph (8)(e) of this rule apply.

(e) When a school district demonstrates that a school is likely to move from the lowest-performing category if additional time is provided to implement intervention and support strategies, the State Board of Education shall permit continuation of an implementation option beyond one year.

(f) Each year the Department shall publish notice of the deadline for the selection of a reconstitution option, as provided in paragraphs (8)(b) and (8)(d) of this rule and the submission of a plan for implementation of that option. The notice shall provide a district a minimum of thirty (30) days for selection of the implementation option and a minimum forty-five (45) days after that date for the submission of an implementation plan.

(9) Annual update of DA forms. DA forms will be annually updated and submitted for State board approval.

(10) The failure to comply with the requirements of this rule will subject a district to the remedies provided in Section 1008.22, F.S.

Rulemaking Authority 1001.02(1), 1008.33 FS. Law Implemented 1006.40(2), 1008.33 FS. History—New\_\_\_\_\_.

NOTE: Copies of the forms incorporated by reference as amended to be consistent with changes in the rule, may be obtained by contacting lynn.abbott@fldoe.org

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0788  
 RULE TITLE: Notice Requirements for Charter School Performance Data.

**NOTICE OF CONTINUATION**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from June 15, 2010 to September 21, 2010.

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.: 14-10.0011, 14-10.0022, 14-10.003, 14-10.004, 14-10.0041  
 RULE TITLES: General Provisions, Outdoor Advertising Sign Inventory Licenses, Permits, Annual Renewal Billing – Licenses and Permits

14-10.0042 Denial or Revocation of Licenses or Permits  
 14-10.0043 Outdoor Advertising License and Permit Fees  
 14-10.006 Additional Permitting Criteria  
 14-10.007 Maintenance of Nonconforming Signs

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 24, June 18, 2010 issue of the Florida Administrative Weekly.

The hearing on proposed amendments to Rule Chapter 14-10 will be held July 13, 2010. The time and place will remain as noticed.

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.: 14-90.0041, 14-90.007  
 RULE TITLES: Medical Examinations for Bus Transit System Drivers, Vehicle Equipment Standards and Procurement Criteria

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 22, June 4, 2010 issue of the Florida Administrative Weekly.

The term “certificate” will be replaced by “form” in Rule 14-90.0041(3)(b). The proposed language is shown below. Rule 14-90.007 shows revision dates of October 2008, for all CFR standards to be incorporated. The correct revisions dates will be October 2009.

14-90.0041(3)(b)  
 Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination form and maintain the original at his or her office certificate report.

**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-4.160  
 RULE TITLE: Outpatient Hospital Services

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 21, May 28, 2010 issue of the Florida Administrative Weekly.

The amendment to Rule 59G-4.160, F.A.C., Outpatient Hospital Services, incorporates by reference in rule the Florida Medicaid Hospital Services Coverage and Limitations Handbook, January 2010. The following changes have been made to the handbook.

CHAPTER 2

Page 2-2 Medicaid Reimbursement: Insert the following paragraph prior to Note at the bottom of the page:

In the outpatient hospital setting, the federal Emergency Medical Treatment and Labor Act (EMTALA) screening is reimbursed the Medicaid established technical component of \$24, not the line item rate. This service is identified by revenue code 0451 and HCPCS 99281.

APPENDIX B: 045X EMERGENCY ROOM

Page B-7 0450 General Classification: The bullets are changed to read as follows:

- Use General Classification code 0450 when recipients require emergency medical services or emergency treatment beyond the EMTALA emergency medical screening. Code 0450 cannot be used in conjunction with 0451(99281).
- All other appropriate and covered outpatient revenue codes can be billed with 0450 to reflect services rendered to the patient during the course of emergency medical services or emergency treatment.
- No MediPass authorization is required when billing 0450, if the type of admission in Form Locator 14 on the claim is "1" (Emergency). MediPass authorization is required when the condition of the patient is not an emergency.

Page B-8 0451(99281) EMTALA Emergency Medical Screening Services (Effective 7/1/96): The bullets are changed to read as follows:

- Report the EMTALA Medical Screening code 0451 (99281) when no further emergency medical services or emergency treatment are required. If ancillary services are needed to determine if emergency medical services are required, report the ancillary charges using the appropriate revenue center codes in conjunction with code 0451 (99281). Code 0451(99281) cannot be used in conjunction with 0450.
- The federal EMTALA screening is reimbursed the Medicaid established technical component of \$24, not the line item rate.
- Effective 10/16/03, HCPCS code 99281 replaces code W1700, used prior to 10/16/03, when billing revenue code 0451.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.010  
 RULE TITLE: Provider Enrollment  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule is changed as follows:

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-5.010, F.A.C., is to incorporate by reference The Florida Medicaid Provider Enrollment Guide and Forms, August 2010. The amendment updates the fiscal agent information, clarifies background screening procedures and associated fees, and simplifies the overall enrollment process.

SUMMARY: The Guide includes all the instructions and applicable forms necessary to enroll as a provider in Florida Medicaid. The forms are also now aligned with the new Florida Medicaid Management Information System (FMMS). The rule text is changed as follows:

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-5.010 Provider Enrollment.

(1) Unless otherwise specified in Chapter 59G-4, F.A.C., all providers and billing agents are required to enroll in the Medicaid program in accordance with requirements specified in the Florida Medicaid Provider Enrollment Guide and Forms, August 2010 and submit a completed Florida Medicaid Provider Enrollment Application, AHCA Form 2200-0003 (April 2010). ~~AHCA Form 2200-0003 is the application to be completed by applicants and is incorporated by reference in Rule 59G-5.010, F.A.C. The Guide and Forms are AHCA Form 2200-0003 is available from the Medicaid fiscal agent's Web Portal Portal@http://mymedicaid-florida.com. Click on Public Information for Providers, then on Provider Support, and then on Enrollment.~~

(2) through (5) No change.

~~(6) "Approved application" means an accurately and fully completed application with all the requirements which includes background screenings and onsite inspections resolved and completed with approval of the agency or its designee.~~

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.907, 409.9071, 409.908, 409.912, 409.913 FS. History—New 9-22-93, Formerly 10P-5.010, Amended 7-8-97, 9-8-98, 7-5-99, 7-10-00, 5-7-03, 7-7-05, \_\_\_\_\_.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs was prepared for the proposed rule.

The proposed rule applies primarily to persons that enter into voluntary agreements to become Medicaid providers, and violate the laws, rules or regulations governing the Medicaid

program. The proposed rule has limited application to other persons that violate the laws, rules or regulations related to the Medicaid program. Medicaid providers contract with Florida’s Medicaid program to deliver a broad range of goods and services in accordance with the laws, rules and regulations of the Medicaid program. Currently, there are approximately 100,000 Medicaid providers in Florida including businesses and public entities. Small businesses, small counties and small cities may be affected by the proposed rule. If a Medicaid provider, or other person, violates a Medicaid related law, rule or regulation, the proposed rule identifies the sanction applicable to the provider or person resulting from the violation. The sanctions authorized by the proposed rule include corrective actions, monetary penalties, suspension and termination of providers from the Medicaid program.

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.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-1.010  
 RULE TITLE: Approved Advertising and Promotional Gifts  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly.

The following language is inserted immediately following the rule text:

“PROPOSED EFFECTIVE DATE: September 15, 2010.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-1.010  
 RULE TITLE: Approved Advertising and Promotional Gifts  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly.

61A-1.010 Approved Advertising and Promotional Gifts.

(1) Industry members are prohibited from furnishing, supplying, giving, renting, or lending, to a vendor, any equipment, fixtures, furniture, furnishings, signs, supplies, credit, money, compensation, rebates, accumulated rebates, fees of any kind including slotting fees, services, property, or other thing of value of any description not included in the exceptions specified in Title 61, F.A.C., or specifically

authorized by Florida Statutes, to vendors or their employees or agents acting within their scope of employment. In addition, vendors and their employees or agents acting within the scope of employment are prohibited from accepting such forms of assistance. This prohibition against assisting any vendor includes engaging in cooperative advertising – participating in or paying for any advertising in cooperation with a vendor.

(2) As used in Rules 61A-1.010 through 61A-1.0108, F.A.C., “industry member” means manufacturer; distributor; importer; primary American source of supply; brand owner or registrant; and any broker, sales agent, or sales person of any of the aforementioned licensees.

(3) For purposes of Rules 61A-1.010 through 61A-1.0108, F.A.C., a licensee is categorized based on its license, type of beverages it is dealing in, conduct, and the form of assistance being provided. For example, a wine distributor who is selling a malt beverage product must comply with the malt beverage restrictions in Rules 61A-1.010 through 61A-1.0108, F.A.C., and Section 561.42, F.S.

Rulemaking Authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History—Repromulgated 12-19-74, Amended 3-1-76, Formerly 7A-1.10, Formerly, 7A-1.010, Amended 6-5-97, Formerly 61A-1.010, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NOS.: 61A-1.01027  
 61A-1.01028  
 RULE TITLES: Merchandise Exception  
 Recordkeeping

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly.

The following language is inserted immediately following the rule text of each rule:

“PROPOSED EFFECTIVE DATE: September 15, 2010.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NOS.: 61A-1.01027  
 61A-1.01028  
 RULE TITLES: Merchandise Exception  
 Recordkeeping

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly.



61A-1.01027 Merchandise Exception.

If an industry member is a bona fide producer, wholesaler, or retailer of other merchandise, such as groceries or pharmaceuticals, that industry member may sell that merchandise to vendors under the following conditions:

- (1) The merchandise is sold at fair market value, either wholesale or retail;
- (2) The merchandise is not sold in combination with alcoholic beverages except as provided in Rule 61A-1.0108, F.A.C.;
- (3) The industry member's cost for acquiring the merchandise appears in that industry member's invoices or other records;
- (4) The sale of merchandise is itemized separately from the sale of alcoholic beverages; and
- (5) No equipment, as referenced in subsection 61A-1.010(1), F.A.C., or vehicles may be sold as merchandise.

Rulemaking Authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History--New\_\_\_\_\_.

61A-1.01028 Recordkeeping.

~~(1) Industry members must keep and maintain records for a three-year period on their licensed premises, or other division approved location,~~ of all product displays, equipment and supplies, participation in retailer association activities, the acquisition or production cost and selling cost of specialties or any items given, sold, or loaned to vendors, or any other form of assistance limited as to quantity, frequency, or value by Rules 61A-1.010 through 61A-1.0108, F.A.C., or Section 561.42, F.S. These records must be maintained for three years on the industry member's licensed premises or other location so long as the division is notified in writing prior to the use of that location. The division must also be notified in writing of any change in location. The records may be in any format so long as they are available and legible to division personnel when the records are requested for review. A copy of any record produced in compliance with this rule shall be given to the vendor. The copy shall be in a format accessible and readable by the vendor, i.e. not provided in an electronic format that would require proprietary software unavailable to the vendor. These records must show:

- (a) The name and address of the vendor, vendor's employee or agent receiving the assistance;
- (b) The vendor's license number;
- (c) The date furnished, given, rented, loaned, or sold;
- (d) The description and quantity of assistance furnished, given, rented, loaned, or sold;
- (e) The cost of the industry member's assistance determined by the original purchaser's invoice price. This information is not required if no value restrictions exist;
- (f) The charges to the vendor for the assistance, if any; and

(g) The name, license number, and address of the industry member providing the credit, cash, or other form of assistance as described in subsection 61A-1.010(1), F.A.C.

(2) Pursuant to Section 561.42(8), F.S., vendors shall keep and maintain any record provided to the vendor under subsection (1) of this rule for a three-year period on their licensed premises, or other division approved location, of any credits, or any other form of assistance, as described in subsection 61A-1.010(1), F.A.C. limited as to quantity, frequency, or value by Rules 61A-1.010 through 61A-1.0108, F.A.C., or Section 561.42, F.S.

These records must show:

- (a) The name and address of the industry member providing the credit, cash, or other form of assistance as described in subsection 61A-1.010(1), F.A.C.
- (b) A description of the form of assistance received and quantity received, if applicable.

Rulemaking authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History--New\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NOS.:	RULE TITLES:
61A-1.0101	Product Displays
61A-1.01010	Premium Offers
61A-1.01011	Sweepstakes, Drawings, or Contests
61A-1.01012	Vendor's Property Included in Contests or Sweepstakes
61A-1.01013	Vendor-Sponsored Tournaments
61A-1.01014	Gifts to Those Who Are Not Licensed Vendors
61A-1.01015	Private Labels
61A-1.01018	Trade Shows and Conventions
61A-1.0102	Point of Sale Advertising Items
61A-1.01021	Returns of Damaged Products
61A-1.01022	Returns of Undamaged Products
61A-1.01024	Split Cases
61A-1.0103	Consumer Advertising Specialty Items
61A-1.0104	Alcoholic Beverage Samples
61A-1.0105	Brand Images
61A-1.0106	Advertisements
61A-1.0107	Inside Signs Advertising Brands
61A-1.0108	Combination Packages

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 3, January 18, 2008 issue of the Florida Administrative Weekly.

The following language is inserted immediately following the rule text of each rule:

“PROPOSED EFFECTIVE DATE: September 15, 2010.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:                   RULE TITLE:  
61C-3.001                   Sanitation and Safety Requirements  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 22, June 5, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.:                   RULE TITLE:  
61G10-11.010               Seals  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule development, as noticed in Vol. 36, No. 8, of the February 26, 2010, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.:                   RULE TITLE:  
61G10-12.001               Application for Examination Fees  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule development, as noticed in Vol. 36, No. 8, of the February 26, 2010, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

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

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 9, March 5, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (8) shall now read as follows:
  - (8) Any registration, license or certification which exceeds 4 years in the inactive status shall automatically expire and the person must meet all the requirements of Sections 475.615, 475.616 and 475.617, F.S., and Rules 61J1-2.001, 61J1-3.001, 61J1-4.001, 61J1-5.001, and 61J1-6.001, F.A.C., in order to be registered or certified again as an appraiser. Further, applicants

must meet the requirements of Rule 61J1-10.001, 61J1-10.003, or 61J1-10.004, F.A.C., depending upon the type of registration or certification sought.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-348.100	Purpose and Applicability
62-348.200	Definitions
62-348.300	Application Requirements
62-348.700	Transfer of Permit

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 43, October 30, 2009 issue of the Florida Administrative Weekly.

- 62-348.100 Purpose and Applicability.
  - (1) No change.
  - (2) Florida's horticultural industry contributes to the economic strength of the state. High-quality peat is an important component of horticultural production in Florida. Obtaining high-quality peat typically and uniquely requires the mining of wetlands and other surface waters. Since high-quality peat is a limited resource, the use of recycled and renewable material to replace or reduce the use of natural peat is necessary for the future of the state's horticultural industry. This chapter shall be applied to the mining of peat from certain herbaceous freshwater wetlands, where no less than 80 percent of the extracted peat will be high-quality peat, and no less than 80 percent of the high-quality peat will be used in Florida by the horticultural industry in products that incorporate other renewable or recycled materials to replace or reduce the use of natural peat. Persons applying for use of this rule shall provide certification of the intended use of the resource by submitting Form 62-348.900(1), "Horticultural Use Certification for High-Quality Peat, [effective date]," incorporated by reference herein. A copy of Form 62-348.900(1) may be obtained from the Department in the manner described in Rule 62-348.900, F.A.C.

62-348.200 Definitions.

The definitions in Sections 373.019, 373.403, 378.403, 403.031 and 403.803, F.S., and the following definitions apply to this chapter:

(1) No change.

(2) "High-quality peat" means peat from a herbaceous freshwater wetland that is classified as H1 to H4 on the von Post Humification Scale and has a pH less than 7. The following method, incorporated herein by reference, shall be used to determine the classification on the von Post Humification Scale, for use in this chapter: American Society for Testing and Materials, D5715-00 (Reapproved 2006) Standard Test Method for Estimating the Degree of Humification of Peat and Other Organic Soils (Visual/Manual Method), Volume 04.08, Issued March 2000. This document may be reviewed at the Florida Department of Environmental Protection, Bureau of Mining and Minerals Regulation, Mail Station 715, 2041 East Paul Dirac Drive, Tallahassee, Florida, 32310-3760, or a copy obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, Pennsylvania, 19428-2959. The following method, incorporated herein by reference, shall be used to determine the pH for use in this chapter: U.S. Environmental Protection Agency, EPA 150.1, Methods for the Chemical Analysis of Water and Waste, EPA-600/4-79-020, Revised 1983. A copy of this document may be obtained by writing to the Florida Department of Environmental Protection, Bureau of Mining and Minerals Regulation, Mail Station 715, 2041 East Paul Dirac Drive, Tallahassee, Florida 32310-3760.

(3) through (5) No change.

(6) "Invasive Exotic" for purposes of this rule means those plant species listed in the Florida Exotic Pest Plant Council's 2009 List of Invasive Species Category I and II, which is incorporated herein by reference. A copy of this document may be obtained from the Department in the manner described in Rule 62-348.900, F.A.C.

(7) through (12) No change.

62-348.300 Application Requirements.

Applicants using this rule shall submit Form 62-343.900(1) for an environmental resource permit, or within the geographical jurisdiction of the Northwest Florida Water Management District Form 62-312.900(1) for a wetland resource permit and Form 62-346.900(1) for an environmental resource permit. In addition, applicants shall submit the following plans and reports for the high-quality peat extraction area that will be subject to the wetland mitigation provisions of this chapter:

(1) through (2) No change.

(3) Plans and aerial photography showing the existing land use and land cover (acreage and percentages) mapped to at least Level III of the *Florida Land Use, Cover and Classification System* (Florida Department of Transportation, 1999), incorporated by reference herein. A copy of this

document may be obtained from the Department in the manner described in Rule 62-348.900, F.A.C. Each mapped unit shall be sufficiently homogenous in character to be assessed as a single unit. No mapped unit shall be smaller than 0.1 of an acre.

(4) through (8) No change.

(9) Form 62-348.900(1), "Horticultural Use Certification for High-Quality Peat,:" as incorporated by reference in subsection 62-348.100(2), F.A.C.

62-348.700 Transfer of Permit.

In addition to the requirements for transfer of Chapter 62-312, F.A.C., for wetland resource permits, or Chapters 62-330, 62-343, and 62-346, F.A.C., for environmental resource permits, the application for transfer of a permit under this chapter shall include the following:

(1) The permittee shall provide a production report using Form No. 62-348.900(2) "Annual Production Report For High-Quality Peat, [effective date]," incorporated by reference herein, for that portion of the calendar year when production was under the control of the permittee. A copy of Form 62-348.900(2) may be obtained from the Department in the manner described in Rule 62-348.900, F.A.C.

(2) The transferee shall provide certification of the intended use of the resource by submitting Form 62-348.900(1), "Horticultural Use Certification for High-Quality Peat,:" which was incorporated by reference in subsection 62-348.100(2), F.A.C.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:  
64B8-51.006

RULE TITLE:  
Rule Governing Licensure and  
Inspection of Electrology Facilities

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

The correction is response to the comments made in the Joint Administrative Procedures Committee letter dated May 27, 2010. The correction is as follows:

(2)(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, 11/09, ~~DOH/MQA/EP APP/REV 7/97,~~ entitled "Application for Electrolysis Facility Licensure," effective 11/09, which can be obtained from the Council at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, and available on the web at: <http://www.doh.state.fl.us/mq>, address set forth in paragraph 64B8-50.002(3)(b), F.A.C. The applicant

must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee and a.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Allen Hall, Executive Director, Board of Medicine, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.: 64B11-4.003                      RULE TITLE: Standards of Practice; Discipline

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

The correction is being made in response to comments received from the Joint Administrative Procedures Committee on May 26, 2010. The correction is as follows:

This is an amended summary of the Statement of Estimated Regulatory Costs (SERC).

For the fiscal years of 2008 and 2009, there were 6, 947 occupational therapists and 2,225 occupational therapy assistants licensed in the State of Florida. For fiscal years 2008 and 2009, the agency received 446 occupational therapist applications for licensure and 299 occupational therapy assistant applications for licensure. All licensed occupational therapists, occupational therapy assistants, and applicants for licensure will be required to be familiar with the new disciplinary guidelines (“guidelines”). The guidelines will affect all occupational therapists, occupational therapy assistants, and applicants for licensure who violate them.

The agency will incur rule making costs and costs associated with enforcing the guidelines. Specifically, those costs incurred during each investigations and prosecution of each violator. The agency will also incur costs for compliance monitoring if a penalty is imposed and the violator receives probation or suspension of his/her license.

The proposed changes will have a significant impact on small businesses, especially occupational therapists in private practice that will be unable to continue practicing if they violate certain sections of the guidelines. Similarly, some applicants will be denied licensure for the first offense and will lose the opportunity to acquire any income in the profession.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THIS CORRECTION IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.601                      RULE TITLE: Standards for Approval of Courses and Providers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 21, May 25, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-30.001                      RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (2)(k)1.a. shall now read as follows:

(k) Violating a rule or order of the board or Department (Section 465.016(1)(n), F.S.)		
1. Rules of Board of Pharmacy		
a. 64B16-28.101 to 64B16-28.1035 64B16-27.100 64B16-28.109 64B16-27.103 64B16-27.104 64B16-26.400 64B16-26.2032 64B16-28.1081 64B16-26.301 64B16-28.114 64B16-27.105 64B16-27.211 64B16-28.113 64B16-28.2021 64B16-28.603 All other rules	\$500 fine and 12 hour Laws & Rules or MPJE	One (1) year probation and \$2,000 fine

2. Subsection (2)(k)1.b. shall now read as follows:

b. 64B16-28.102	Suspension until compliance	Revocation
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3. Subsection (2)(k)1.e. shall now read as follows:

e. 64B16-28.301, 64B16-28.303 (destruction of controlled substances) (violations)	\$500 fine and 12 hour laws and rules or MPJE	Revocation
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4. Subsection (2)(k)1.g. shall now read as follows:

g. 64B16-28.140 (Data processing systems)	\$1,000 fine	Revocation
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5. Subsection (2)(k)1.i. shall now read as follows:

i. Tendering a check payable to the Board of Pharmacy or to the Department of Health that is dishonored by the institution upon which it is drawn	\$500 and 12 hours Laws and Rules or MJPE	\$1000 fine plus payment of the check within 30 days
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6. Subsection (2)(k)1.l. shall now read as follows:

l. 64B16-28.202 and 64B16-28.203 (transfer of prescription files and drugs)	\$1,500	Revocation
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7. Subsection (2)(k)1.m. through t. have been added to the rule and shall read as follows:

m. Failure to complete the required continuing education during the biennial licensure period.		
1. Failure to complete less than ten (10) hours	\$500	\$1,500
2. Failure to complete ten (10) or more hours In addition, licensees shall take two additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium.	\$1,000	\$2,500
n. Failure to maintain program requirements for certification, training, or continuing education programs or providers.	\$500	Revocation
o. Failure to retain continuing education records	\$250	\$1,500
p. Failure to practice in accordance with established practice standards		

1. Pharmacist	\$500	Revocation
2. Pharmacy Technician	\$250	Revocation
3. Pharmacy Intern	\$250	Revocation
4. Permittee	\$500	Revocation
q. Failure to have current policies and procedures	\$500	Revocation
r. Failure to have or maintain standards for an automated fill system in a community pharmacy	\$500 and 12 hours Laws & Rules MJPE	Revocation
s. Failure to have or maintain standards for an institutional, special, or central fill pharmacy	\$500 and 12 hour Laws & Rules or MJPE	Revocation
t. Failure to maintain standards for animal control shelters.	\$500	Revocation

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-30.003  
 RULE TITLE: Citations

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (3)(l) has been added to the rule and shall read as follows:

(l) Failure to retain continuing education records	\$250
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-26.005  
 RULE TITLE: Sanitary System, Facilities and Fixtures

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

The changes are made in response to comments received from the Joint Administrative Procedures Committee.

Paragraph 64E-26.005(4)(b) has been changed so that when adopted it will read:

“If public or contract garbage collection service is available, the detention facility shall subscribe to these services unless the facility seeks to recycle or dispose of solid waste on-site. If garbage and trash are recycled or disposed of on-site, the method of recycling or disposal shall not create sanitary nuisance conditions. Nothing in this section relieves a facility of being in compliance with requirements of the Florida Department of Environmental Protection that apply to recycling or on-site disposal of garbage and trash.

Paragraph 64E-26.005(5) has been changed so that when adopted it will read:

“Beds and bedding shall be cleaned and sanitized on a schedule established by the correctional facility that is consistent with this rule. Used mattress and pillow covers shall be laundered or washed and sanitized before issued. Laundering and sanitization procedures shall follow current (as of the effective date of this rule) Florida corrections industry practices, such as following the operating procedures listed in equipment operating manuals, following the laundry guidelines of the Association for Linen Management (ALM), and the use of chemical sanitizers registered with the United States Environmental Protection Agency. ALM guidelines can be purchased at cost through their website, <http://www.almnet.org/displaycommon.cfm?an=1&subarticlenbr=69>. Sanitizers shall be used in accordance with the label directions to achieve the intended effect. EPA registered disinfectants can be used instead of sanitizers as long as they are used in accordance with the directions on the product label. Sheets and personal clothing shall be washed at least weekly and blankets washed or dry cleaned at least quarterly. Sheets and blankets shall be stored in a clean, dry place between laundering and issue”.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Substance Abuse Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65D-31.001	Applicability
65D-31.002	Definitions
65D-31.003	Managing Entity Qualifications
65D-31.004	Functions of Managing Entities
65D-31.005	Managing Entity Policies Requiring Departmental Approval
65D-31.006	Department’s Responsibilities

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 14, April 10, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V  
Petitions and Dispositions Regarding Rule Variance or Waiver**

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on June 16, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Eneyr Castellanos. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner was in an off-duty automobile accident with injuries to her hands and could not complete firearms qualification by the deadline of June 30, 2010. The Petitioner would like to waive the operation of the rule in her case until such time as her physician certifies that she may participate in firearms training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on June 23, 2010, the Criminal Justice Standards and Training Commission, received a petition for waiver of subsection 11B-27.002(4), F.A.C., by Duane C. Miller. The Petitioner wishes to waive that portion of the rule requiring a candidate to pass basic recruit training,

pass the State Officer Certification Examination, and obtain employment within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

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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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### **PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received a petition from Verizon Florida LLC in Docket No.: 100327-TL – Petition by Verizon Florida LLC for waiver of subsection 25-4.040(2), Florida Administrative Code, filed June 14, 2010. The rule requires a local exchange company to furnish one copy of the residential listings section of the telephone directory free of charge to all subscribers served by that directory.

A copy of the petition can be obtained from the Office of Commission Clerk. Comments on the petition should be filed with the Commission's Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact: Martha C. Brown, Office of the General Counsel, at the above address or telephone (850)413-6187.

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### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-116-DAO-ROW was issued to Florida Department of Transportation (Application No.: 10-0415-2M). The petition for waiver was received by the SFWMD on April 27, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 19, on May 14, 2010. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing fence and guardrail to remain and for the proposed installation of pedestrian signs and guardrail located within the north right of way of the North New River Canal associated with a previously permitted linear park located between S. W. 136 Avenue and University Drive; North New River Canal, Sections 2, 3 & 7, Township 50 South, Range 40 & 41 East, Broward County. Specifically, the Order

grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within forty feet of the top of the canal bank and within designated equipment staging areas within works or land of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Petitioner from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: [jurussel@sfwmd.gov](mailto:jurussel@sfwmd.gov).

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NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-117-DAO-ROW was issued to Marcus and Heather Beaton (Application No.: 09-0908-1). The petition for waiver was received by the SFWMD on April 26, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 19, on May 14, 2010. No public comment was received. This Order provides a waiver of the District's criteria to allow a proposed fence to encroach 18" within the east right of way of the C-100A Canal; Section 23, Township 55 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within forty feet of the top of the canal bank within works or land of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Petitioner from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email at: [jurussel@sfwmd.gov](mailto:jurussel@sfwmd.gov).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Yomtob Office Holdings LLC, filed December 12, 2009, and advertised in Vol. 35, No. 51, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 31, 2016, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2009-779 and VW 2010-358).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Nationsbank, filed December 21, 2009, and advertised in Vol. 36, No. 3, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2009-816).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Wiltshire House Condo Assoc., filed March 22, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code, until June 1,

2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-191).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Macys/Burdines Westshore #36, filed March 24, 2010, and advertised in Vol. 39, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until February 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-194).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Casuarina Club Condo, filed March 26, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-200).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from City of West Palm Beach Banyan Parking



Garage, filed April 8, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until January 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-238).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from The Lucerne Condo, filed April 26, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Section 3004.3 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 15, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-274).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Tampa Westshore Marriott, filed April 26, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 31, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-276).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Casaurina Condo, filed April 26, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 26, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-277).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Island Dunes Admiral, filed April 27, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-279).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Registry One, filed April 27, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996

edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 31, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-280).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Cypress West, filed April 27, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 31, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-281).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Indigo Professional Center, filed April 29, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-287).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Miramar II Condo, filed May 4, 2010, and advertised in Vol. 36, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-293).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Mansions at Vanderbilt Beach, filed May 10, 2010, and advertised in Vol. 36, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-319).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from 1915 Building, filed May 14, 2010, and advertised in Vol. 36, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until June 1, 2013, because the Petitioner has demonstrated that the purpose of the statute

underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-322 and VW 2010-326).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Waterside Professional Building, filed May 17, 2010, and advertised in Vol. 36, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 15, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-329 and VW 2010-356).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Place, filed May 18, 2010, and advertised in Vol. 36, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-340).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Mariner IV Condo Assoc., filed May 21, 2010, and advertised in Vol. 36, No. 25, of the Florida

Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-348).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Privateer South Condo Assoc., filed May 21, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 1, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-349).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Beach Winds Condo, filed May 24, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.10.4(t), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 22, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-355).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Hampton Court Apts., filed May 25, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(t), 3.3.2 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-360).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from 800 Beach Rd. Condo Assoc., filed May 26, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-361).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Place Condo Assoc., filed May 26, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3,

3.3.2 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-362).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Place Condo Assoc., filed May 26, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.3.2 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-363).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Wachovia Bank Bldg., filed June 1, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.3.2, 3.4.4(a)(1) and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-369).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Poe Parking Garage. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 3.10.4(t) and of ASME A17.1, Section 303.4(a), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, keyed stop switch and a manually operated shut-off valve which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-373).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Poe Garage. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-374).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The Pointe. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the installation of a sump pump which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-375).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from See Ray Shores Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-376).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sailwind Waterfront. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-377).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Marker 5 Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-378).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Royal Yacht Club Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-379).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sarasota Kennel Club. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-380).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Robb & Stucky Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-381).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Isles Club I Condo. Petitioner seeks an emergency variance of the requirements of the National Electric Code (NFPA 70) Article 620-22(a) that requires a separate branch circuit for the car light source which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-382).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Isles Club I Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-383).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Isles Club I Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-384).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Le Chateau Royal. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.11.1(a)(2), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and two way communications which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-386).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Capital BMW. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanently mounted sump pump which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-388).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tidewater Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-389).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Two South Orange. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-390).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Marina North Shore. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-393).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Florida Atlantic University BT678 Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel wire ropes, a certain type of rope fastening and a minimum pitch diameter. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-394).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Royal Palm Commons. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-395).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Florida Atlantic University BT678 Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel wire ropes, a certain type of rope fastening and a minimum pitch diameter. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-396).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Florida Atlantic University CECS Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel wire ropes, a certain type of rope fastening and a minimum pitch diameter. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-397).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Florida Atlantic University CECS Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel wire ropes, a certain type of rope fastening and a minimum pitch diameter. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-398).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Bayport Plaza. Petitioner seeks a variance of the requirements of Section 399.15, Florida Statutes, that requires regional emergency elevator access. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-399).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Mellon Bank Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-400).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The 1150 Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-401).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Williams Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.11.1(a)(2) and of ASME A17.1, Section 101.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings, two-way communication, and machine room access which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-402).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from AT&T Tower. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-403).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Viewpoint on the Bay. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-404).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Financial Insurance Management Corp. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 3.11.1(a)(1) & (2), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, two-way communication and an alarm bell which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-405).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from BSE Investments. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 5.7.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that limits platform lift distance to 168 inches which poses a significant economic/financial hardship. Any interested person may file comments within 14

days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-406).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Gulfside Place Condo Association. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and emergency signaling devices which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-407).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tropicana Field. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-408).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Cheffy Passidomo Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.4.1.5 and 2.15.9.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that prohibits a rested car to strike any part of the pit or any equipment therein and a guard plate with a straight vertical face. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-409).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Arlington by the River Condo Association. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-410).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Arlington by the River Condo Association. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-411).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Harper's Landing. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-412).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lakecrest Office Bldg. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-413).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Beau Ciel Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.8.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that limits the door closing force which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-414).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Gulfstream of Lake Worth Condo Association, Inc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-415).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on June 4, 2010, the Board of Architecture and Interior Design, received a petition for Michael R. Fernandez, seeking a variance or waiver of Rule 61G1-13.0021, F.A.C., which requires that applicants follow the Intern Development Program through the Nation Council of Architectural Registration Boards in order to satisfy the requirements of Section 481.211, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Architecture and Interior Design within 14 days of publication of this notice.

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The Barbers Board hereby gives notice that it has received a petition, filed on May 28, 2010, by Michael Froncek, seeking a waiver or variance of subsections 61G3-19.011(19), and (20), F.A.C., whether a barbershop shall be operate in the same licensed space allocated with any other business which adversely affects the other business, there must be a permanent wall separating the barbershop from other business and there must be separate and distinctly marked entrances for each.

Comments on this petition should be filed with the: Barbers Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790, within 14 days of publication of this notice.

For a copy of the petition, contact: Robyn Barineau, Executive Director, at the above address or telephone (850)487-1395.

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NOTICE IS HEREBY GIVEN THAT on May 19, 2010, the Electrical Contractors' Licensing Board, received a petition for Chris Burney, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on June 7, 2010, the Electrical Contractors' Licensing Board, received a petition for Charles Vermillera, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on June 17, 2010, the Board of Chiropractic Medicine, received a petition for Julia Golod, seeking a variance or waiver of subsection 64B2-13.0045(5), Florida Administrative Code, which requires that each applicant for licensure shall attend and certify attending a Board-approved two hour course relating to the prevention of medical errors.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 21, 2010, the Board of Medicine, received a petition for waiver or variance filed on behalf of Frank Kolovrat, Jr., P.A., from subsection 64B8-30.003(1), F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on June 22, 2010, the Agency for Persons with Disabilities has issued an order.

Granting a request for a variance from subparagraph 65G-2.012(12)(c)2., F.A.C., filed by Quality 1st Care Group Home, Inc., Jenamay Garland. Notice of the Petition was published in the F.A.W. on April 9, 2010, and on April 30, 2010. Petitioner sought a waiver from subparagraph 65G-2.012(12)(c)2., F.A.C., that requires client bedrooms to

contain at least 80 square feet of usable floor space. The Agency's Final Order, rendered on June 22, 2010, found that the underlying purpose of the rule would be satisfied by a bedroom of 74.02 square feet considering that there was an adjacent sitting room available to the client and the substantial expense that Petitioner would have to incur to expand the existing bedroom or move the client to another location.

A copy of the Order may be obtained by contacting: Agency for Persons with Disabilities, Office of the Agency Clerk, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399.

**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: Monday, July 19, 2010, 11:00 a.m. – conclusion

PLACE: Mission San Luis Board Room, 2100 West Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee has rescheduled their monthly meeting and this date will replace the original noticed meeting of July 12, 2010. Subject matters to be discussed include: income and expenses through June 2010, fundraising, and upcoming Fall events.

A copy of the agenda may be obtained by contacting: Jessica Shiver 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 by contacting: Jessica Shiver at (850)487-1666. 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: Jessica Shiver at (850)245-6379 or [jbshiver@dos.state.fl.us](mailto:jbshiver@dos.state.fl.us).

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 22, 2010, 1:00 p.m. – conclusion

PLACE: Carr Riggs & Ingram, LLC., 1713 Mahan Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Finance and Investment Committee will meet to discuss current investment policies and other FOMSL business.

A copy of the agenda may be obtained by contacting: Jessica Shiver 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 by contacting: Jessica Shiver at (850)487-1666. 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: Jessica Shiver at (850)245-6379 or jbshiver@dof.state.fl.us.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Animal Industry Technical Council (AITC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 22, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744, (407)846-6221

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Animal Industry Technical Council (AITC) will conduct its quarterly meeting. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Anne Vuxton at (850)410-0914.

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: Anne Vuxton at (850)410-0914. 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: Anne Vuxton at (850)410-0914.

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The **Pest Control Enforcement Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2010, 9:30 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Eyster Auditorium, 3125 Connor Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731 and by Teleconference/WebEx Conference Call: 1(888)808-6959, Conference Code: 9219088, Meeting Password: pestcontrol, WebEx Information: [https://suncom.webex.com/mw03061/mywebex/default.do?service=1&siteurl=suncom&nomenu=true&main\\_url=%2Fmc08051%2Fe.do%3Fsiteurl%3Dsuncom%26AT%3DMI%26EventID%3D140733442%26UID%3D1140770652%26Host%3D2abea1f6052018263626%26FrameSet%3D2%26PW%3DNZTc1Yzg1NDc1](https://suncom.webex.com/mw03061/mywebex/default.do?service=1&siteurl=suncom&nomenu=true&main_url=%2Fmc08051%2Fe.do%3Fsiteurl%3Dsuncom%26AT%3DMI%26EventID%3D140733442%26UID%3D1140770652%26Host%3D2abea1f6052018263626%26FrameSet%3D2%26PW%3DNZTc1Yzg1NDc1)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the business of the Council.

A copy of the agenda may be obtained by contacting: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida, 32301, (850)921-4177.

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The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Charles H. Bronson State Forest (CHBSF) Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

#### MPAG MEETING

DATE AND TIME: Tuesday, July 20, 2010, 6:15 p.m.

PLACE: 23760 East Colonial Drive, Christmas, Florida 32709

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the CHBSF Management Plan Advisory Group to prepare for a public hearing later in the evening, which will provide recommendations to the DOF to help in preparation of a management plan for the CHBSF.

#### PUBLIC HEARING

DATE AND TIME: Tuesday, July 20, 2010, 6:30 p.m.

PLACE: 23760 East Colonial Drive, Christmas, Florida 32709

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments from the public on the management of the CHBSF.

Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Charles H. Bronson State Forest, 1350 Snowhill Road, Geneva, FL 32732, Attention: Stephen Stipkovits and should be mailed so as to arrive at the office by the date of the public hearing.

#### MPAG MEETING

DATE AND TIME: Wednesday, July 21, 2010, 9:00 a.m.

PLACE: 23760 East Colonial Drive, Christmas, Florida 32709

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the CHBSF Management Plan Advisory Group to review comments from the public hearing of July 20, 2010 and provide recommendations to the DOF to help in preparation of a management plan for the CHBSF.

A copy of the agenda may be obtained by contacting: Charles H. Bronson State Forest, 1350 Snowhill Road, Geneva, FL 32732 or contacting Stephen Stipkovits at (407)971-3503.

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: DOF's Charles H. Bronson State Forest office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department Of Community Affairs, Division of Housing and Community Development**, The FLORIDA BUILDING COMMISSION, "The COMMISSION", announces a telephone conference call to which all persons are invited.

The following Technical Advisory Committees (TAC's) will meet concurrently: Plumbing TAC

Swimming Pool Sub-Committee to the Plumbing TAC

Electrical TAC

Fire TAC

Mechanical TAC

Special Occupancy TAC

Structural TAC

Code Administration TAC

Energy TAC, and

Roofing TAC.

DATE AND TIME: July 15, 2010, 2:00 p.m. – completion

PLACE: Department of Community Affairs, Building Codes and Standards, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, train and update the TAC members on the new Proposed Code Modification module. Topics include website navigation, modification report format, and TAC's code modification review process.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, 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.

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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mr. Mo Madani, 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.

The **Division of Emergency Management** announces a public meeting to which all persons are invited.

DATE AND TIME: July 7, 2010, 9:00 a.m.

PLACE: Division of Emergency Management, Randall Kelley Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Hurricane Loss Mitigation Program Advisory Council (RCNP) meeting pursuant to Section 215.559, Florida Statutes.

A copy of the agenda may be obtained by contacting: Dexter Harrell, Community Assistance Consultant.

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: Shemeeka Hopkins, Planning Manager at (850)922-4079. 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: Shemeeka Hopkins, Planning Manager at (850)922-4079.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 5, 2010, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed – In Re: Review of Ten-Year Site Plans of Electric Utilities. The purpose of this workshop is to afford an opportunity for discussion and public comment on the ten-year site plans submitted by Florida's electric utilities and on related issues. In addition, the Florida Reliability Coordinating Council will present the Peninsular Florida Regional Load and Resource Plan, and associated studies.

A copy of the agenda may be obtained by contacting: Office of Commission Clerk, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770 (or) Phillip Ellis at (850)413-6626.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Office of Commission Clerk, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TTY). If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation 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: Office of the General Counsel at (850)413-6199.

For additional information, please contact: Charlie Murphy, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 or (850)413-6191.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The **Florida Office of Drug Control** announces a Telephone Conference Call to which all persons are invited.

DATE AND TIME: July 15, 2010, 4:00 p.m. – 5:00 p.m.

PLACE: 2105 The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: PDMP Foundation.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

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: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

The **Florida Office of Drug Control** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 28, 2010, 4:00 p.m. – 5:00 p.m.

PLACE: 2105, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: PDMP Foundation.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

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: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

**REGIONAL PLANNING COUNCILS**

The **West Florida Regional Planning Council** and the District 1 Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, July 21, 2010, 10:00 a.m.; Nominations Subcommittee, 9:00 a.m.; Additional Subcommittee meetings via Conference Calls, Wednesday, July 14, 2010, 9:00 a.m. (CDT)

PLACE: Gulf Coast Community College, North Bay Campus, 700 Highway 2300, Room 103, Southport, FL 32409

GENERAL SUBJECT MATTER TO BE CONSIDERED: regional hazardous materials planning and training issues for the seven counties that compose District 1. Agenda items include nominations for Chair and Vice-Chair, discussions regarding 302 Facility Tier II submissions HMIS and EPlan. The counties served include Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington and Bay.

A copy of the agenda may be obtained by contacting: Links to the agenda for the LEPC meeting and previous meetings minutes are located on the LEPC web calendar located at <http://www.wfrpc.org/lepc>.

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 business days before the workshop/meeting by contacting: Kathy Ahlen at (850)332-7976, ext. 210, Pensacola calling area or 1(800)226-8914, ext. 210 outside of Pensacola, FL. 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: Kathy Ahlen at (850)332-7976, ext. 210, Pensacola, Florida calling area or 1(800)226-8914.

The **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: WRPC Budget Committee Meeting, Thursday, July 15, 2010, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2010-2011.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: WRPC Board of Directors Meeting, Thursday, July 15, 2010, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including the adoption of its 2010-2011 Budget.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **District 5 Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Training Subcommittee, Wednesday, July 21, 2010, 9:30 a.m.; Local Emergency Planning Committee, Wednesday, July 21, 2010, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

A copy of the agenda may be obtained by contacting: Michael Arnold at (352)732-1315, ext. 228.

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.

NOTICE OF CANCELLATION – The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 15, 2010, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's regular monthly board meeting has been cancelled. For more information, you may contact: [www.swfrpc.org](http://www.swfrpc.org) or [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org).

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2010, 9:30 a.m.

PLACE: Indian River State College (Chastain Campus), Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Treasure Coast Regional Planning Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. 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 ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 16, 2010, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics at [www.ethics.state.fl.us](http://www.ethics.state.fl.us) or (850)488-7864.

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: Commission on Ethics at (850)488-7864. 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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### WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 6, 2010, 3:30 p.m.

PLACE: Southwest Florida Water Management District, Conference Rooms A & B, 2379 Broad Street, Brooksville, Florida 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), Josie Guillen, extension 4227. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (352)796-7211 or 1(800)423-1476 (Florida Only),

extension 4702; TDD (Florida Only) 1(800)231-6103; email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.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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The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, July 8, 2010, 6:00 p.m.

PLACE: East Citrus Community Center, 9907 E. Gulf to Lake Hwy., Inverness, FL 34452

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Use and Management Plan Public Workshop: Solicit public input in the development of the plans for the SWFWMD Potts Preserve and Flying Eagle properties. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings and Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103, email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.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).

For more information, you may contact: [Will.Miller@watermatters.org](mailto:Will.Miller@watermatters.org) 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4472 (Ad Order EXE0051).

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The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, July 12, 2010, 6:00 p.m.

PLACE: Lecanto Government Center, Room 166, 3600 W. Sovereign Path, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Use and Management Plan Public Workshop: Solicit public input in the development of the plan for SWFWMD's Halpata Tastanaki property. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings and Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103, email: ADACoordinator@swfwmd.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).

For more information, you may contact: Will.Miller@water matters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4472 (Ad Order EXE0052).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 2010, 9:00 a.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Citrus County Task Force Technical Advisory Group will be discussing Lake Restoration and In-Lake Disposal.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4227.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4702; TDD (Florida Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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).

NOTICE OF CHANGE – The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2010, 9:30 a.m.

PLACE: Glazer Children’s Museum, 110 W. Gasparilla Plaza, Tampa, FL 33602 (this is a change in location from the published annual calendar)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Basin Board Education Committee Meeting – consider committee business. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings and Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at

1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103, email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by 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: Toi.Basso@water matters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4756 (Ad Order EXE0053).

NOTICE OF CHANGE – The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2010, 1:00 p.m.

PLACE: Lecanto Government Center, 3600 W. Sovereign Path, Lecanto, FL 34461 (this is a change in location from the published annual calendar)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Basin Board Land Resources Committee and Land Stakeholders Meeting – consider committee business. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings and Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103, email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by 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.Hill@water matters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4452 (Ad Order EXE0050).

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 20, 2010, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Industrial Advisory Committee meeting.

DATE AND TIME: Tuesday, July 20, 2010, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Supply Advisory Committee meeting: Discuss committee business.

PLACE: SWFWMD Tampa Service Office, 7601 Highway 301 N., Tampa, FL 33637

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings and Event Calendar; or the Planning Department at 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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).

For more information, you may contact: Teri.Hudson@watermatters.org or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD Order #9532).

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Workshop Meeting

DATE AND TIME: July 14, 2010, 12:00 Noon

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Regular Business Meeting

DATE AND TIME: July 15, 2010, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on 7/14, the items may be discussed on 7/15.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or at [http://my.swfwd.gov/portal/page/portal/pg\\_grp\\_govboard/pg\\_paa\\_gbgroup\\_archives](http://my.swfwd.gov/portal/page/portal/pg_grp_govboard/pg_paa_gbgroup_archives).

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 Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIME: WebBoard available at <http://www.swfwd.gov/sfer/> – The WebBoard will be available for public viewing from August 31, 2010, through October 22, 2010. The WebBoard also will be available for public comment on the Draft 2011 South Florida Environmental Report – Volume I from August 31, 2010, through September 17, 2010.

PLACE: <http://www.swfwd.gov/sfer/>

The South Florida Water Management District announces a meeting to conduct public review of the Draft 2011 South Florida Environmental Report (SFER) – Volume I to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted on a dedicated WebBoard, which will be accessible from the District's website.

DATES AND TIMES: Monday through Friday, August 31, 2010, through October 22, 2010, 8:00 a.m. – 5:00 p.m.

PLACE: <http://www.swfwd.gov/sfer/> For persons without access to the Internet, access to the website is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The website <http://www.swfwd.gov/sfer/> will be used to allow public access to and participation in WebBoard communications among members of the independent peer review panel created to conduct a review of the 2011 South Florida Environmental Report – Volume I, pursuant to Section 373.4592(4)(d), Florida Statutes.

Beginning on August 31, 2010, through October 22, 2010, interested parties may access and view communications among the peer-review panelists, electronically stored communications and other public records associated with the Draft 2011 SFER – Volume I that are posted to the website.

Peer-review panelists will post all information on the WebBoard, and the public can access this information at the District from Monday through Friday during normal working hours, Eastern Daylight Time. The public may comment directly on the WebBoard at any time between August 31, 2010, through September 17, 2010, on any aspect of the Draft 2011 SFER – Volume I, particularly on relevant scientific or technical data and findings. Communications and documents from all parties can be accessed at any time after they are posted during the review period.

For information regarding this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call: Dr. Garth Redfield, (561)682-6611.

For assistance in obtaining WebBoard access for this review, please write: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call: Trudy Stein, (561)682-6569.

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 Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

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## **COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: July 15, 2010, 9:30 a.m.

PLACE: Wedgwood Ball Room, Renaissance Resort at Sea World, 6677 Sea Harbor Drive, Orlando, FL 32821. Contact: Shawn Daniel at (850)410-5700 for Conference call phone number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Business Meeting.

A copy of the agenda may be obtained by contacting: Shawn Daniel at (850)410-5700 or 1(800)983-2435.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Shawn Daniel at (850)410-5700 or

1(800)983-2435. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## **SPACE FLORIDA**

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 20, 2010, 10:00 a.m. (Eastern Daylight Time)

PLACE: By Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Audit Committee Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Juanell Kirkendoll, [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

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## **DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 16, 2010, 10:00 a.m. – 11:00 a.m. (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9382152028#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Data and Information Committee business.

A copy of the agenda may be obtained by contacting: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323, email: [zacharypa@elderaffairs.org](mailto:zacharypa@elderaffairs.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 72 hours before the workshop/meeting by contacting: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323, email: [zacharypa@elderaffairs.org](mailto:zacharypa@elderaffairs.org)

elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323, email: zacharypa@elderaffairs.org.

## DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services, E911 Board** announces the following revised meeting schedule information update:

E911 Board Meeting:

DATE AND TIME: July 13, 2010, 9:00 a.m. – 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee meeting to discuss issues related to the E911 Grant Programs.

DATE AND TIME: July 13, 2010, 2:00 p.m. – conclusion of business

GENERAL SUBJECT MATTER TO BE CONSIDERED: E911 Board meeting to discuss issues pertaining to the E911 Board.

DATE AND TIME: July 14, 2010, 9:00 a.m. – conclusion of business

GENERAL SUBJECT MATTER TO BE CONSIDERED: This day is designated for Wireless Service Provider Cost Recovery Proposals, however if time permits Board could discuss other issues as public meeting.

DATE AND TIME: July 15, 2010, 9:00 a.m. – conclusion of business

PLACE: Renaissance at Sea World, 6677 Sea Harbor Drive, Orlando, FL

If accommodation due to disability is needed in order to participate, please notify: The Department of Management Services, Division of Telecommunications Office, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 9, 2010, 10:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303, Conference Call: 1(866)895-8146, Passcode: #30295716

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation including review of staff climate survey and nominations for chair and vice chair for 2010-2011.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at (850)521-0500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at (850)521-0500. 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: Rebecca Sammons at email: rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday-Thursday, August 11, 2010, 1:00 p.m.; August 12, 2010, 8:30 a.m.

PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at (850)521-0500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at (850)521-0500. 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: Rebecca Sammons at rsammons@fbpe.org.

**NOTICE OF CHANGE** – The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 28, 2010, 9:00 a.m. (Re-Scheduled from June 23, 2010, 9:00 a.m.)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 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 Veterinary Medicine, 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.

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Building Code Administrators and Inspectors Board** announces a public meeting to which all persons are invited.

DATES AND TIME: August 10-13, 2010, 9:00 a.m. each day  
PLACE: Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions may be closed to the public), and general board business.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N. Monroe St., Tallahassee, FL 32399-2211.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 21, 2010, 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 3332505#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Continuing Professional Education Committee will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607, (850)487-1985.

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: Karan Lee at (850)487-1985. 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 Probable Cause Panel of the **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, July 19, 2010, 2:30 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

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).

The **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, July 20, 2010; Wednesday, July 21, 2010, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 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 5 days before the workshop/meeting by contacting: Division of Real Estate at (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.

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2010, 2:00 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 at 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 by contacting: Janet Garrett at 1(888)862-7010. 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 3047 Tallahassee, FL 32315, 1(888)862-7010.

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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** announces a public meeting to which all persons are invited.

DATE AND TIME: July 9, 2010, 9:30 a.m.

PLACE: City of Palm Bay Council Chambers, 120 Malabar Road, Palm Bay, FL 32907

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting for the Banana River Lagoon Basin Management Action Plan (BMAP) to discuss implementation of Total Maximum Daily Loads (TMDLs) in the Banana River Lagoon Basin. The primary topics for discussion are an overview of the project collection process and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8506.

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. Amy Tracy at (850)245-8506. 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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NOTICE OF CHANGE – The Florida **Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, July 12, 2010; OR Wednesday, July 14, 2010, 9:00 a.m. – 4:00 p.m. (This meeting replaces the conference call scheduled for July 12, 2010 at 10:00 a.m. that was announced in the June 25, 2010 issue of the F.A.W. That meeting is cancelled.)

PLACE: Rooms 3A and 3B, Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council (FOCC) will meet to further its duties under the Oceans and Coastal Resources Act.

This meeting will be focused on coordinating the FOCC response to the oil spill. This meeting will only be held on one of the two dates in this announcement. Please call to confirm.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail: [rebecca.prado@dep.state.fl.us](mailto:rebecca.prado@dep.state.fl.us) or by phone (850)245-2094, mail: 3900 Commonwealth Blvd., MS #235, 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 5 days before the workshop/meeting by contacting: Becky Prado at [rebecca.prado@dep.state.fl.us](mailto:rebecca.prado@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 JUVENILE JUSTICE

The Florida **Department of Juvenile Justice** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, July 19, 2010, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Changes to provisions in proposed rule Chapter 63F-11, F.A.C., governing the reporting of medical, mental health and substance abuse services complaints.

A copy of the agenda may be obtained by contacting: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, Florida 32399-3100 or e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us).

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#### DEPARTMENT OF HEALTH

The **Board of Medicine** and **Board of Osteopathic Medicine**, Pain Management Clinic Standards of Practice Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 24, 2010, 10:00 a.m.

PLACE: Marriott Tampa Airport, 4200 George Bean Parkway, Tampa, FL 33607, Hotel phone #: (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462 and 2272. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call (850)245-4132.

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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call (850)245-4132. 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 Nursing Home Administrators**, Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 22, 2010, 1:00 p.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/nurshome/index.html](http://www.doh.state.fl.us/mqa/nurshome/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 **Board of Nursing Home Administrators** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 23, 2010, 9:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/nurshome/index.html](http://www.doh.state.fl.us/mqa/nurshome/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 by



contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine** and **Board of Osteopathic Medicine**, Pain Management Clinic Standards of Practice Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 24, 2010, 10:00 a.m.

PLACE: Marriott Tampa Airport, 4200 George Bean Parkway, Tampa, FL 33607, Hotel phone #: (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462 (2009) and SB 2272 (2010).

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399, (850)245-4161.

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: Anthony Jusevitch, Executive Director at (850)245-4161. 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 **Department of Health**, Drugs Devices and Cosmetics Program announces a hearing to which all persons are invited.

DATE AND TIME: July 15, 2010, 9:30 a.m. – 1:00 p.m. (EST)

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule hearing requested on Proposed Amended Rules 64F-12.001, F.A.C., Definitions; Rule 64F-12.012, F.A.C., Records of Drugs, Cosmetics and Devices; Rule 64F-12.013, F.A.C., Prescription Drugs, Receipt, Storage and Security.

A copy of the agenda may be obtained by contacting: The agenda and meeting materials will be placed on the Drugs, Devices, and Cosmetics website at [www.doh.state.fl.us/mqa/DDC](http://www.doh.state.fl.us/mqa/DDC) seven days in advance of the scheduled hearing.

For more information, you may contact: Erica Milam at (850)245-4292.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: July 23, 2010, TBA

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Marchman Act.

A copy of the agenda may be obtained by contacting: Cynthia Panzarino at (850)921-2495.

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2010, 10:00 a.m. – 12:00 Noon

PLACE: 1317 Winewood Blvd., Bldg. 1, Room 132, Tallahassee, FL 32399 OR, to participate by videoteleconference (VTC) at a DCF Circuit Office, visit <http://www.dcf.state.fl.us/districts.shtml> for Circuit Office contact information and contact circuit office for VTC location and availability OR, to participate by phone, call 1(888)808-6959 and enter code 4130927

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revision of Baker Act (Chapter 394,) Part I, F.S.

A copy of the agenda may be obtained by contacting: Joe Anson, (850)413-0932.

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: Joe Anson, (850)413-0932. 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: Joe Anson, (850)413-0932.

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 9, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Miami-Dade College, 300 N. E. 2nd Avenue, Building 3, Room 3208-09, Miami, Florida 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Region, Refugee Task Force.

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: Adria Dilme, email: Adria\_Dilme@dcf.state.fl.us, Lourdes Leconte, email: Lourdes\_Leconte@dcf.state.fl.us or Fax: (305)377-5399. 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: Adria Dilme, (305)377-7518, email: Adria\_Dilme@dcf.state.fl.us; Lourdes Leconte, (305)376-1947, email: Lourdes\_Leconte@dcf.state.fl.us or Fax: (305)377-5399; Taddese Fessehaye, email: Taddese\_Fessehaye@dcf.state.fl.us.

**The Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 10, 2010, 9:30 a.m. – 11:00 a.m.

PLACE: Pinellas Park Library, 7770 52nd Street North, Conference Room, Pinellas Park, Florida 33549

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Advisory Panel.

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: Janet Blair at email: Janet\_Blair@dcf.state.fl.us or Fax: (813)558-5598. 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: Janet Blair at (813)558-5841, email: Janet\_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

**The Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 10, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: Center for Language and Culture, Duval County Public Schools, 7401 Old Kings Road South, Jacksonville, Florida 32217

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northeast Region, Refugee Advisory Panel.

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: Debbie Ansbacher at email: Debbie\_Ansbacher@dcf.state.fl.us or Fax: (904)723-2144. 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: Debbie Ansbacher at (904)726-1540, email: Debbie\_Ansbacher@dcf.state.fl.us or Fax: (904)723-2144; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

**The Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: St. Thomas University HRI, 2112 South Congress Avenue, Palm Springs, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southeast Region, Refugee Advisory Panel.

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: Miriam Rosario at email: Miriam\_Rosario@dcf.state.fl.us or Fax: (561)837-5106. 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: Miriam Rosario at (561)837-5022, email: Miriam\_Rosario@dcf.state.fl.us or Fax: (561)837-5106; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

**The Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northeast Region, Refugee Task Force.

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: Debbie Ansbacher at email: [Debbie\\_Ansbacher@dcf.state.fl.us](mailto:Debbie_Ansbacher@dcf.state.fl.us) or Fax: (904)723-2144. 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: Debbie Ansbacher at (904)726-1540, email: [Debbie\\_Ansbacher@dcf.state.fl.us](mailto:Debbie_Ansbacher@dcf.state.fl.us) or Fax: (904)723-2144; Taddese Fessehaye at email: [Taddese\\_Fessehaye@dcf.state.fl.us](mailto:Taddese_Fessehaye@dcf.state.fl.us).

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 15, 2010, 10:00 a.m. – 12:00 Noon

PLACE: To be determined. Please contact: Miriam Rosario at (561)837-5022

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southeast Region, Refugee Task Force.

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: Miriam Rosario at email: [Miriam\\_Rosario@dcf.state.fl.us](mailto:Miriam_Rosario@dcf.state.fl.us) or fax: (561)837-5106. 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: Miriam Rosario at (561)837-5022, email: [Miriam\\_Rosario@dcf.state.fl.us](mailto:Miriam_Rosario@dcf.state.fl.us) or Fax: (561)837-5106; Taddese Fessehaye at email: [Taddese\\_Fessehaye@dcf.state.fl.us](mailto:Taddese_Fessehaye@dcf.state.fl.us).

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 16, 2010, 10:00 a.m. – 12:00 Noon

PLACE: United Way of Palm Beach, 2600 Quantum Boulevard, Boynton Beach, Florida 33426

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southeast Region, Refugee Task Force.

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: Miriam Rosario at email: [Miriam\\_Rosario@dcf.state.fl.us](mailto:Miriam_Rosario@dcf.state.fl.us) or fax: (561)837-5106. 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: Miriam Rosario at (561)837-5022, email: [Miriam\\_Rosario@dcf.state.fl.us](mailto:Miriam_Rosario@dcf.state.fl.us) or Fax: (561)837-5106; Taddese Fessehaye at email: [Taddese\\_Fessehaye@dcf.state.fl.us](mailto:Taddese_Fessehaye@dcf.state.fl.us).

## FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 2010, 1:00 p.m.

PLACE: Senator Jim King Committee Room (401 Senate Office Building), Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nationwide Insurance Company of Florida has requested a 19.8 percent overall increase for new and renewal homeowners' insurance policies, effective December 10, 2010. The rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to [ratehearings@flor.com](mailto:ratehearings@flor.com). The subject line of your email should read "Nationwide."

A copy of the agenda may be obtained by contacting: Cindy Walden at (850)413-2616 or [cindy.walden@flor.com](mailto:cindy.walden@flor.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Cindy Walden at (850)413-2616 or e-mail her at cindy.walden@flor.com, at least 48 hours before the hearing. 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: Cindy Walden at (850)413-2616 or e-mail her at cindy.walden@flor.com, at least 48 hours before the hearing.

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#### **AREA AGENCY ON AGING OF PASCO-PINELLAS**

The **Area Agency on Aging of Pasco-Pinellas** announces a hearing to which all persons are invited.

**DATE AND TIME:** PINELLAS COUNTY, Tuesday, August 3, 2010, 9:30 a.m.

**PLACE:** City of Largo Library-Jenkins Community Wing Boom B, 120 Central Park Drive, Largo, FL 33771; **Guest Speaker:** Representative Jim Frishe

**DATE AND TIME:** PASCO COUNTY, Wednesday, August 4, 2010, 9:30 a.m.

**PLACE:** Pasco County Dade City Elderly Nutrition dining Site, 13853 15th Street, Dade City, FL 33525; **Guest Speaker:** Representative Will Weatherford

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Area Agency on Aging of Pasco-Pinellas, Inc. for Planning and Service Area 5 of the Florida Department of Elder Affairs, will present its 2011 Area Plan Update for the distribution of funds under the federal Older Americans Act of 1965, as amended, to projects providing services to the elderly residents of Pasco and Pinellas counties.

A copy of the agenda may be obtained by contacting: Marilyn Rupp at (727)570-9696, ext. 230.

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. 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: Marilyn Rupp at (727)570-9696, ext. 230.

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#### **SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, July 7, 2010, 10:00 a.m.

**PLACE:** Conference Room 101, 4050 Esplanade Way, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular monthly meeting of the Primary Data Center Management Group: Board Chairs and Executive Directors of the three State Primary Data Centers and the CIO Council Chairperson.

A copy of the agenda may be obtained by contacting: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

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: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

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The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, July 9, 2010, 9:00 a.m.

**PLACE:** Department of Transportation, Burns Building, Room 129, 605 Suwannee Street, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular bi-monthly meeting of the SSRC Technology Committee. The committee is scheduled to meet every 2nd and 4th Friday depending on need.

Please contact: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us for meeting information and cancellations.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.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).

For more information, you may contact: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

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The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, July 12, 2010, 3:00 p.m.

**PLACE:** Room 114, Executive Conference Room, Caldwell Building, 107 E. Madison Street, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular monthly meeting of the SSRC Operations and Finance Committee.

A copy of the agenda may be obtained by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.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 2 days before the workshop/meeting by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

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#### **CITIZENS PROPERTY INSURANCE CORPORATION**

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 15, 2010, 10:00 a.m.

PLACE: Via Teleconference Only

GENERAL SUBJECT MATTER TO BE CONSIDERED: As per the agenda.

A copy of the agenda may be obtained by contacting: www.citizensfla.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: Betty Veal at (904)407-0440. 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: Betty Veal at (904)407-0440.

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#### **SOIL AND WATER CONSERVATION DISTRICTS**

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 15, 2010, 9:30 a.m.

PLACE: USDA SERVICE CENTER, South Dade Soil and Water Conservation District, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors, Nursery BMP & MIL Lab Reports. District Projects and Reports.

A copy of the agenda may be obtained by contacting: Norma H. Wilson, SDSWCD Administrative Assistant at (305)242-1288.

For more information, you may contact: Morgan Levy, SDSWCD Administrator at (305)242-1288.

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The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2010, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 SR 16 W. Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

For more information, you may contact: Sally Doyle at (904)284-6355.

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#### **GOVERNOR'S COMMISSION ON DISABILITIES**

The **Governor's Commission on Disabilities** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, July 20, 2010; Wednesday, July 21, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: State of Florida, The Capitol, Senate Room 110, 400 S. Monroe St., Tallahassee, FL 32399-0001; Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The commission is meeting to fulfill the mandate of Executive Order 08-193.

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. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com

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#### **FLORIDA SURPLUS ASSET FUND TRUST**

The Board of Trustees for the **Florida Surplus Asset Fund Trust ("FLSAFE")** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 21, 2010, 12:30 p.m.

PLACE: City of Tamarac, City Hall, Room 105, 7525 N. W. 88th Avenue, Tamarac, Florida 33321

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. CALL TO ORDER/ROLL CALL.
2. GUEST INTRODUCTIONS.
3. BUSINESS ADMINISTRATION.
  - a. Minutes of April 30, 2010 board meeting.
  - b. Minutes of June 2, 2010 teleconference briefing.
  - c. First quarter 2010 unaudited financial report.
  - d. 2010 Budget update.
  - e. Insurance Policy: Board liability insurance renewal.
  - f. Expense Reimbursement Policy.
  - g. Multiple Account Demonstration.
4. BUSINESS ITEMS.
  - a. Board of Trustee vacancy appointments.
  - b. Board of Trustee selection of Secretary/Treasurer officer.
  - c. Approval of designated Nationally Recognized Statistical Rating Organizations (NRSRO).
5. STAFF REPORTS.
  - a. Economic update and portfolio discussion.
  - b. Marketing.
  - c. Investment Policy memo and amendment language: Addition of highly rated corporate bonds.
  - d. Indenture of Trust: Amending of acceptance procedure for audited financials.
6. SET NEXT MEETING DATE/ADJOURNMENT.
  - a. Future meeting dates.

A copy of the agenda may be obtained by contacting: Bill Spivey, VP – Client Services Manager at 1(866)999-1216.

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: Eva Guimares, Administrative Coordinator, City of Tamarac at (954)597-3551. 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: Bill Spivey, VP – Client Services Manager at 1(866)999-1216.

**LEON COUNTY PUBLIC WORKS DEPARTMENT**

The **Leon County Public Works Department** announces a hearing to which all persons are invited.

DATE AND TIME: July 29, 2010, 6:00 p.m. – 7:30 p.m.

PLACE: Wingate by Wyndham, 2516 West Lakeshore Drive, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This Public Hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements to North Monroe Street (SR 63/US 27) in Leon County, Florida. The proposed action involves construction of an additional northbound lane from John Knox Road to Lakeshore Drive (a distance of 0.84 miles), as well as construction of pedestrian and bicycle facilities adjacent to the new lane. This Public Hearing is being held as part of the Project Development and Environment Study conducted for this project, FIN #410409-1-28-01.

A copy of the agenda may be obtained by contacting: Mr. Greg Vaughn, Public Involvement Coordinator, PBS&J, 2639 North Monroe Street, Building C, Tallahassee, FL 32303 or email: gavaughn@pbsj.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Greg Vaughn, Public Involvement Coordinator, PBS&J, 2639 North Monroe Street, Building C, Tallahassee, FL 32303, email: gavaughn@pbsj.com or toll-free 1(866)940-7275. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Greg Vaughn, Public Involvement Coordinator, PBS&J, 2639 North Monroe Street, Building C, Tallahassee, FL 32303, email: gavaughn@pbsj.com or toll-free 1(866)940-7275.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Louis M. Gagliardi, Fire Marshal, In Re: Banyan Bay Club, Inc., Docket No.: 2010028004 on June 1, 2010. The petition seeks the

agency's opinion as to the applicability of Sections 718.111(5), 718.112(2)(l) and 718.115(1)(a), Florida Statutes, as it applies to the petitioner.

Whether Banyan Bay Club, Inc. must install smoke alarms inside all of the units under Sections 718.111(5), 718.112(2)(l) and 718.115(1)(a), 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 Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Robert M. Sullivan, Petitioner/Unit Owner, In Re: Surfside Owner's Association, Inc. on April 5, 2010. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because the Petitioner voluntarily withdrew his Petition for Declaratory Statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Board of Professional Engineers hereby gives notice that it has received a petition for Declaratory Statement or in the alternative, Petition for Variance or Waiver of Rule 61G15-20.0015, F.A.C., filed on April 22, 2010, by Alan C. Grossman. The Petitioner seeks the Declaratory Statement as to his eligibility for licensure or in alternative a Variance from Rule 61G15-20.0015, F.A.C., when applicant has held a valid professional engineers license in another state for 15 years and has 20 years of continuous professional-level engineering experience with a non- engineering degree.

The Board will address this Petition at its next meeting.

Comments on this petition should be filed with: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303-5268, within 14 days of publication of this notice.

For a copy of the petition, contact: Carrie Flynn, Executive Director, Board of Professional Engineers, at the above address or telephone (850)521-0500.

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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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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on June 18, 2010, the Board of Chiropractic Medicine has received the petition for declaratory statement from Edward James Leonard. The petition seeks the agency's opinion as to the applicability of Section 460.403, Florida Statutes, as it applies to the petitioner. Petitioner is seeking the Board's interpretation of Section 460.403, Florida Statutes, concerning whether petitioner is permitted to provide acupuncture injection therapy of vitamin supplements and other non-legend substances services to his patients.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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NOTICE IS HEREBY GIVEN THAT on May 25, 2010, the Board of Pharmacy has issued an order disposing of the petition for declaratory statement filed by Gary G. Koesten, B.Pharm, M.S., C.Ph. on December 2, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on December 24, 2009, in Vol. 35, No. 51, of the Florida Administrative Weekly. Petitioner sought the Board's interpretation of paragraph 64B16-28.108(2)(d), Florida Administrative Code, entitled "All Permits - Labels and Labeling of Medicinal Drugs, and Section 465.016(1)(l), F.S., entitled "Disciplinary Actions" concerning administering donated medications to animals. The Board of Pharmacy considered the Petition at its meeting held on February 10, 2010, in Jacksonville, Florida. The Board's Order found that pursuant to Section 499.005(27), F.S., expressly prohibits the distribution of a "prescription drug that was previously dispensed by a licensed pharmacy, unless such distribution was authorized in Chapter 465, Florida Statutes, or rules adopted under Chapter 465, Florida Statutes." The Board found that there was no exemption from that provision in Chapter 465, Florida Statutes, or the rules promulgated by the Board, therefore the Petition for Declaratory Statement was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Florida Department of Financial Services hereby gives notice that, on June 21, 2010, it has issued an order disposing of the petition for declaratory statement filed by Safety-Net Hospital Alternative Risk Pool, LLC. on March 12, 2010. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 13, of the April 2, 2010, Florida Administrative Weekly, and Vol. 36, No. 17, of the April 30, 2010, Florida Administrative Weekly. The Petition sought the agency’s opinion as to the applicability of Sections 626.932 and 626.9325, Florida Statutes, as it applies to the Petitioner. The Petition found that if the Petitioner otherwise meets the requirements of Sections 395.106(1)(a)-(d), Florida Statutes, the Petitioner would be deemed to satisfy the statutory requirements to be an “alliance” pursuant to Section 395.106, Florida Statutes, and as such, for the reasons stated in the Petition, would be exempt from the surplus lines taxes and costs provisions of Sections 626.932 and 626.9325, Florida Statutes, contained in the Florida Insurance Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Regina Keenan, Division of Legal Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

Invitation to Bid – ITB 11-01  
Boiler Addition for Building 5

The University of North Florida – Board of Trustees, a public body corporate, announces that contractor services for a Boiler Addition to the Building 5 Central Plant will be required for the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

The University of North Florida is seeking bids from qualified contractors to provide an additional 250HP natural gas hot water boiler and the associated 800 GPM/15 HP primary hot water pump to be located in the Building 5 boiler room. This project will include two secondary hot water pumps to be replaced with two new higher capacity 1200 GPM/100 HP pumps and the variable frequency drives. The work includes relocating two existing chemical shot feeders from the north wall to the west wall along with modifying an existing louver opening to provide the required amount of open free area. The demolition scope includes the removal of a large interior concrete wall that currently separates the boiler room and a storage space on the north end. This will serve to create the clearance for the new boiler. All supporting electrical, plumbing and miscellaneous architectural work is included in the scope of work along with the replacement phasing and natural gas tie-in procedure.

Contractors desiring to be considered must have current demonstrable experience and certifications at the time of bid opening in accordance with the specifications in the ITB 11-01 bid documents.



The preliminary schedule for this ITB:

Mandatory Pre-Bid	July 14, 2010, 10:00 a.m.
Deadline for questions	July 22, 2010
Response to questions	July 26, 2010
Bids due	August 2, 2010, 2:00 p.m.

Minority Business participation is strongly recommended and supported by the University of North Florida.

The University requires a Bid Bond of five percent (5%) of the bid amount and a Performance Bond for 100% of the amount of the bid. The bid bond is required with the submitted bid.

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 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Contractor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither contractor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

**BID DOCUMENTS:** Full sets of Bidding Documents and descriptive project information, may be obtained electronically online at the UNF Purchasing department website: [http://www.unf.edu/anf/purchasing/Bids\\_and\\_Notices.aspx](http://www.unf.edu/anf/purchasing/Bids_and_Notices.aspx) or by emailing:

Dianna White	AND	Angela Dyal
Dianna.white	University of North	angela.dyal@unf.edu
@unf.edu	Florida	(904)620-1733
(904)620-1731	Purchasing Dept.	
	Bldg. 53, Ste. 2950	
	1 UNF Drive	
	Jacksonville, FL 32224	

Submit THREE (3) complete copies of bids in full and in accordance with the requirements of the drawings/specifications to the above referenced UNF address. Bids must be received no later than 2:00 p.m. (Local Time), August 2, 2010. Facsimile (Fax) or email submittals are not acceptable and will not be considered.

**Gutter Repairs Bid #10-968-341**

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the School Board of Pinellas County, Florida, 301 – Fourth Street, S.W., Largo, Florida 33770-3536 until 3:00 p.m. (Local Time), July 27, 2010, for the purpose of selecting a Contractor for supplying

all labor, material, and ancillary services required for the scope listed below. Gutter Repairs Bid #10-968-341 Palm Harbor University High School.

**SCOPE OF PROJECT:** This bid will select a “Roofing Contractor”. The work shall consist of furnishing all materials, labor, tools, equipment and supervision required to repair or replace the existing gutters at the school.

- The awarded Roofing Contractor shall have an office within 100 linear miles of the school.

**BID AND PERFORMANCE SECURITY:** Bid and Performance Security is required with this bid.

**PRE-BID CONFERENCE:** A pre-bid conference will be held at the Main Office, Palm Harbor University High School, 1900 Omaha Street, Palm Harbor, FL 34683 on July 7, 2010, 10:00 a.m. (Sign-in at the front desk, and you will escorted to the prebid room for the “official: sign-in). Attendance at this pre-bid conference is **MANDATORY** in order for all potential bidders to receive the benefit of answers to theirs and other’s technical questions first hand. If you are not the prime bidder but are attending on behalf of someone else, please make note of this when signing the attendance roster where indicated. We apologize for any inconvenience this may cause you, but it is imperative that all information be disseminated in a public forum with all potential bidders present to minimize confusion or misunderstandings. Additions or changes to the original bid documents resulting from this conference of a material nature, will be documented in the form of written addenda and distributed to all attendees. Please note that if you are late to this mandatory pre-bid conference you will not be eligible to sign the attendance roster and therefore may not submit a bid. You may still, however, attend the conference if you wish. Purchasing Department 301 Fourth Street, S.W., Largo, Florida 33770, (727)588-6149, (727)588-6129 (Fax). The Owner reserves the right to reject all bids.

**BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA DR. JULIE M. JANSSEN, ED. D JANET R. CLARK SUPERINTENDENT OF SCHOOLS CHAIRMAN AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD MARK C. LINDEMANN DIRECTOR, PURCHASING.**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF MILITARY AFFAIRS**

**INVITATION TO BID**

The State of Florida, Department of Military Affairs (DMA), Construction and Facility Management Office (CFMO) requests bids from State of Florida registered licensed General Building Contractors (GC) for the following projects located at Camp Blanding Joint Training Center (CBJTC), (Starke), Bonifay Army National Guard Armory (Bonifay) and Lakeland Army National Guard Armory (Lakeland).

FOR COMPLETE INFORMATION, SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER JULY 2, 2010 AT [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

**PROJECTS:**

**FUNDING:** G-3 (Training and Operations)

**BID OPENING DATE:** As stated on the Vendor Bid System (late bids will not be accepted)

**MANDATORY PRE-BID/SITE VISIT DATE:** As stated on the Vendor Bid System

Project #1

209044, Bonifay Warrior Skills Trainer

Project #2

209045, Lakeland Warrior Skills Trainer

Project #3

209047, Camp Blanding Joint Training Center Warrior Skills Trainer

Each project has similar scopes of work but will be bid and awarded individually.

**STATEMENT OF WORK** Construction of a 4000sf to 7000sf insulated pre-engineered metal building with a rollup door. This building will require a minimum of 14 foot internal clearance to accommodate the Weapons Skills Trainer (WST) equipment. The facility has to meet the Specifications as per TC-25-8. Also, the facility must match the architectural finish of the surrounding buildings unless directed otherwise (UDO). The structure will include male/female latrines, storage, control room, and staging/classroom. Special Mechanical, Electrical and Data/Telecomm requirements are expected to accommodate the WST's robust computer and projection equipment.

Some of the facilities will be encompassed with a 6 foot barrier perimeter fence with a 30 foot drive through gate for equipment and deliveries and a parking area UDO.

Building must meet Florida Building Code, State Fire Marshall, local Authorities Having Jurisdiction and Area Water Management requirements.

Regulatory permitting to include the preparation, submittal, payment and review coordination of the Water Management District, Environmental Resource Permit (including permit fees), Florida Department of Environmental Protection (FDEP) Notice of Intent (including filing fees), Clay County Review Permit Fee, and any other permits and fees required by other county, local or state authorities

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA. The State of Florida's performance and obligation to pay under any contract is contingent upon availability of funding and an annual appropriation by the Legislature.

**POINT OF CONTACT:** Department of Military Affairs, Construction and Facility Management Office, Contracting Branch at (904)823-0255 or (904)823-0256 or e-mail: [cfmocontracting@fl.ngb.army.mil](mailto:cfmocontracting@fl.ngb.army.mil).

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

**FLORIDA SHERIFFS ASSOCIATION**

**INVITATION TO BID**

**BID NUMBER:** 10-09-0907

**BID TITLE:** FIRE/RESCUE VEHICLES AND OTHER FLEET EQUIPMENT

**PRE-BID CONFERENCE:** AUGUST 16, 2010, 1:00 p.m.

**PRE-BID CONFERENCE TO BE HELD AT:**

MARION COUNTY SHERIFF'S OFFICE  
 JAIL MULTI-PURPOSE ROOM  
 692 N. W. 30TH AVENUE  
 OCALA, FL 34475-5608

**BID DUE DATE:** SEPTEMBER 7, 2010, 5:00 p.m.

**BID RESPONSE LOCATION:**

FLORIDA SHERIFFS ASSOCIATION  
 COOPERATIVE BID COORDINATOR'S OFFICE  
 2617 MAHAN DRIVE (32308)  
 P. O. BOX 12519  
 TALLAHASSEE, FL 32317-2519

BIDS MUST BE CONTAINED IN A SEALED CONTAINER ADDRESSED TO THE FLORIDA SHERIFFS ASSOCIATION. INDICATE ON THE OUTSIDE THE BID NUMBER, TITLE, OPENING DATE AND TIME. VENDORS WILL BE REQUIRED TO HAVE THEIR BIDS TO FSA BY 5:00 P.M., TUESDAY, SEPTEMBER 7, 2010. ALL QUESTIONS PERTAINING TO THIS BID SHOULD BE DIRECTED TO: LYNN MEEK OR PEGGY GOFF, FLORIDA SHERIFFS ASSOCIATION AT (850)877-2165.

**INVITATION TO BID**

BID NUMBER: 10-18-0907  
 BID TITLE: PURSUIT, ADMINISTRATIVE NON-PURSUIT, UTILITY VEHICLES, TRUCKS AND VANS, AND OTHER FLEET EQUIPMENT  
 MANDATORY VEHICLE CONTRACT/SPECIFICATION WORKSHOPS: JULY 13-14, 2010, 9:00 a.m.  
 MANDATORY PRE-BID CONFERENCE: AUGUST 16, 2010, 8:30 a.m.  
 WORKSHOPS AND PRE-BID CONFERENCE TO BE HELD AT:  
 MARION COUNTY SHERIFF'S OFFICE  
 JAIL MULTI-PURPOSE ROOM  
 692 N. W. 30TH AVENUE  
 OCALA, FL 34475-5608  
 REPLIES DUE: SEPTEMBER 7, 2010, 12:00 Noon  
 BID SUBMITTALS RECEIVED AT:  
 FLORIDA SHERIFFS ASSOCIATION  
 COOPERATIVE BID COORDINATOR'S OFFICE  
 2617 MAHAN DRIVE (32308)  
 P. O. BOX 12519  
 TALLAHASSEE, FL 32317-2519  
 BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH THE FLORIDA SHERIFFS ASSOCIATION'S VEHICLE BID AWARD SYSTEM. SOLICITATION DOCUMENTS AND SPECIFICATIONS CAN BE ACCESSED THROUGH <http://veba.flsheriffs.org>. VENDORS WHO WISH TO PARTICIPATE IN THIS INVITATION TO BID MUST ATTEND THE VEHICLE CONTRACT/SPECIFICATION WORKSHOP AND PRE-BID CONFERENCE. YOU WILL BE REQUIRED TO HAVE A USER NAME AND GENERIC PASSWORD BEFORE YOU CAN LOG ON TO THE VEBA SITE.

**TAMPA BAY ESTUARY PROGRAM**

**REQUEST FOR PROPOSALS**

The Tampa Bay Estuary Program (TBEP) is requesting proposals from qualified respondents to conduct the following project:  
 Feasibility of Salinity Barrier Removal as a Restoration Option for Tampa Bay Tidal Tributaries – Initial Focus within the Old Tampa Bay Watershed.  
 Request for proposal instructions and associated proposal documents may be obtained by contacting Ron Hosler at TBEP, 100 – 8th Avenue S.E., St. Petersburg, Florida 33701 or [ron@tbep.org](mailto:ron@tbep.org). Sealed proposals will be received at the above-stated address until 2:00 p.m. (EST), Friday, July 23, 2010, at which time they will be publicly opened.  
 TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women's Business Enterprises.  
 TBEP reserves the right to reject any and all proposals.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.  
 FILE NO.: BLIM-05-2009-006  
 DATE RECEIVED: June 22, 2010  
 DEVELOPMENT NAME: CITRUS SPRINGS UNITS 1-27  
 DEVELOPER/AGENT: Deltona Corporation/  
 Phillip Woods  
 DEVELOPMENT TYPE: 28-24.023, F.A.C.  
 LOCAL GOVERNMENT: Citrus County

**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 Power Group International, LLC, intends to allow the establishment of Jay Stewart d/b/a A Plus Carts and Parts as a dealership for the sale of motorcycles manufactured by

Guangzhou Panyu Huanan Motors Group Co., Ltd. (GUNG) at 16100 San Carlos Boulevard, Fort Myers (Lee County), Florida 33908, on or after June 22, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Jay Stewart d/b/a A Plus Carts and Parts are dealer operator(s): Jay Stewart, 16100 San Carlos Boulevard, Fort Myers, Florida 33908; principal investor(s): Jay Stewart, 16100 San Carlos Boulevard, Fort Myers, Florida 33908.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 General Motors, LLC, intends to allow the establishment of Carl Black of Orlando, LLC, as a dealership for the sale of automobiles manufactured by General Motors, LLC (CHEV) at 11500 East Colonial Drive, Orlando (Orange County), Florida 32817, on or after July 16, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Carl Black of Orlando, LLC, are dealer operator(s): Omar Rodriguez, 11500 East Colonial, Orlando, Florida 32817; principal investor(s): Michael Bowsher, 11500 East Colonial, Orlando, Florida 32817.

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: Carlos Latour, General Motors, LLC, 300 Renaissance Center, Detroit, Michigan 48265.

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 Pacific Rim International West, Inc., intends to allow the establishment of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade, Co., Ltd. (DAIX) at 180 Racetrack Road, Oldsmar (Pinellas County), Florida 34677, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide Scooters, Inc., are dealer operator(s): William E. Malossi, 180 Racetrack Road, Oldsmar, Florida 34677; principal investor(s): William E. Malossi, 180 Racetrack Road, Oldsmar, Florida 34677.

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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, 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 Solus International Corporation, intends to allow the establishment of Lambretta South, Inc., d/b/a Riva Motor Sports as a dealership for the sale of low-speed vehicles manufactured by Zhejiang Kangdi Vehicles, Co., Ltd. (KANG) at 3671 North Dixie Highway, Pompano Beach (Broward County), Florida 33064, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Lambretta South, Inc., d/b/a Riva Motor Sports are dealer operator(s): Stephen P. Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064; principal investor(s): Stephen P. Bamdas, 4421 N. E. 24 Avenue, Lighthouse Point, Florida 33064-7208, Lynn Bamdas, 4421 Northeast 24 Avenue, Lighthouse Point, Florida 33064, Joseph Bamdas, 20980 Cipres Way, Boca Raton, Florida 33433, Leslie Bamdas, 271 Southeast 5 Avenue, Pompano Beach, Florida 33060, David Bamdas, 1033 Southwest 16 Street, Boca Raton, Florida 33486.

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: Walter Lee, Solus International Corporation, 15400 Southeast 30th Place Suite 103, Bellevue, Washington 98006.

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 Daimler Trucks North America, LLC, intends to allow the establishment of Orlando Freightliner, Inc., d/b/a Ocala Freightliner as a dealership for the sale of trucks manufactured by Daimler Trucks North America, LLC (FRHT) at 3950 West Highway 326, Ocala (Marion County), Florida 34482, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Orlando Freightliner, Inc., d/b/a Ocala Freightliner are dealer operator(s): John Taggart, 2455 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): John Taggart, 2455 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: Chuck Thomas, Daimler Trucks North America, LLC, 3495 Greenside Court, Dacula, Georgia 30019.

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 X-Power Motorsports, Inc., intends to allow the establishment of Superior Engineering Corp. of America, Inc., as a dealership for the sale of motorcycles manufactured by

Jiangsu Linhai Power Machinery Group (LINH) at 4520 North Tamiami Trail, Naples (Collier County), Florida 34103, on or after June 21, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Superior Engineering Corp. of America, Inc., are dealer operator(s): George Burt, 4526 North Tamiami Trail, Naples, Florida 34103; principal investor(s): George Burt, 4526 North Tamiami Trail, Naples, Florida 34103.

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: Ronald Ho, X-Power Motorsports, Inc., 225 Horizon Drive, Suwannee, Georgia 30024.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of TGT Companies, Inc., d/b/a Extreme Motor Sales as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle, Co., Ltd. (JMST) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc., d/b/a Extreme Motor Sales are dealer operator(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703, and Heidi Drwal, 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: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 TGT Companies, Inc., d/b/a Extreme Motor Sales as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc., d/b/a Extreme Motor Sales are dealer operator(s): Tina Wilson, 6255 Linneal Beach Drive, Apopka, Florida 32703; principal investor(s): Tina Wilson, 6255 Linneal Beach Drive, 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: 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.

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 TGT Companies, Inc., d/b/a Extreme Motor Sales as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co., Ltd. (MOTI) at 1918 South Orange Blossom Trail, Apopka (Orange County) Florida 32703, on or after June 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc., d/b/a Extreme Motor Sales are dealer operator(s): Tina Wilson, 6255 Linneal Beach Drive, Apopka, Florida 32703; principal investor(s): Tina Wilson, 6255 Linneal Beach Drive, 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: 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.

**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**

Request for Three-Year  
Extension of Florida MEDS AD Waiver

The Agency for Health Care Administration has requested from the Centers for Medicare and Medicaid Services a three year extension of the Florida MEDS AD Waiver demonstration project that was originally approved through December 31, 2010. If approved, this extension will allow coverage of individuals enrolled through this waiver to continue until December 31, 2013.

**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 gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Manatee County, 415 10th Street West, Bradenton, Florida (File No.: 0281452-002-BV) to allow an expanded mixing zone of 300 meters offshore and 1,000 meters down current from the point where dredge slurry enters the Gulf of Mexico. The variance is in conjunction with the County's application to undertake a beach nourishment and restoration project in Manatee County along the shoreline of Anna Maria Island, from Department of Environmental Protection Reference Monument R-7 to R-10 and R-35+790 and R-41+365, with a 600 foot gap between R-37+250 and R-38 (File No.: 0281452-001-JC). The Department's file on this matter 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 the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd., M.S. 300, Tallahassee, FL 32399-3000, (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set

forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable



filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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**NOTICE OF AVAILABILITY  
ORANGE COUNTY, FLORIDA**

The Department of Environmental Protection has determined that Orange County's proposed wastewater management facilities will not have a significant adverse impact on the environment. The total construction cost is estimated at \$3,763,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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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://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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The Florida Coastal Management Program has posted a "Draft Assessment and Strategies for FY 2011-2015" for review and comment at <http://www.dep.state.fl.us/cmp/> under the section titled "Highlights".

This draft document was developed in compliance with section 309 of the Coastal Zone Management Act, 16 U.S.C. § 1456b., and instructions from the federal Office of Ocean and Coastal Resources Management. The document characterizes nine coastal resource issues identified in section 309, and the related changes that have occurred since 2006, when the previous assessment was prepared. The information in the assessment is based on responses to surveys completed by several state agencies, water management districts and others. The assessment is accompanied by suggested strategies to address needs identified by survey respondents.

This document is being posted for a single 30-day review and comment period. The closure date for submission of comments on the document is August 2, 2010. Comments should be sent to: Danny Clayton, Department of Environmental Protection, MS #47, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000 or by email: [Danny.Clayton@dep.state.fl.us](mailto:Danny.Clayton@dep.state.fl.us).

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**DEPARTMENT OF HEALTH**

On June 21, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of John Rodney Blair, M.D. License #ME 74889. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General 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 21, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Deborah Lynn Harper, R.N. License #RN 3181782. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General 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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**NOTICE OF THE POSTING OF INTENDED AWARDS  
FOR EMERGENCY MEDICAL SERVICES  
GENERAL MATCHING GRANTS (75% GRANTS)**

AGENCY: Florida Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services Matching Grant Program

The list of intended grant recipients and those not intended for awards is posted outside of Conference Room 315P, Third Floor, State Office Building, 4025 Esplanade Way, Tallahassee, Florida 32311-7829 beginning on July 2, 2010, 8:00 a.m. and also will be posted on the Internet at <http://www.fl-ems.com/Grants/Grants.html>, beginning on July 2, 2010.

The list also will be provided by mail, e-mail, or facsimile (fax) by making a request directed to: State EMS Matching Grants, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2734, Fax: (850)245-4378 or e-mail: [Alan\\_VanLewen@doh.state.fl.us](mailto:Alan_VanLewen@doh.state.fl.us). Any entity whose substantial interests have been affected by this decision may file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S.

The petition must be in writing and conform to the requirements of Rule 28-106.201 or 28-106.301, F.A.C., as applicable.

Mediation pursuant to Section 120.573, F.S. is not available for this action. A written petition must be filed within twenty-one (21) days of the date of award posting. The term "filed" means received by the Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703. Written petitions may be hand-delivered to the: Agency Clerk, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL. Failure to file a written petition within 21 days of posting constitutes a waiver of hearing rights. If you have any questions regarding the procedure, contact an attorney.

**NOTICE OF THE POSTING OF INTENDED AWARDS FOR RURAL EMERGENCY MEDICAL SERVICES MATCHING GRANTS (90% GRANTS)**

**AGENCY:** Florida Department of Health, Bureau of Emergency Medical Services

**GRANT TITLE:** Florida Emergency Medical Services Rural Matching Grant Program

The list of intended grant recipients and those not intended for awards is posted outside of Conference Room 315P, Third Floor, State Office Building, 4025 Esplanade Way, Tallahassee, Florida 32311-7829 on July 2, 2010, 8:00 a.m. and will be posted on the Internet at: <http://www.fl-ems.com/Grants/Grants.html>, on July 2, 2010.

The list also will be provided by mail, e-mail, or facsimile (fax) by making a request directed to: State EMS Matching Grant Administrator, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2734, Fax (850)245-4378 or e-mail: Alan\_VanLewen@doh.state.fl.us. Any entity whose substantial interests have been affected by this decision may file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S.

The petition must be in writing and conform to the requirements of Rule 28-106.201 or 28-106.301, F.A.C., as applicable.

Mediation pursuant to Section 120.573, F.S. is not available for this action. A written petition must be filed within twenty-one (21) days of the date of award posting. The term "filed" means

received by the: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703. Written petitions may be hand-delivered to: Agency Clerk, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL. Failure to file a written petition within 21 days of posting constitutes a waiver of hearing rights. If you have any questions regarding the procedure, contact an attorney.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 23, 2010):

**APPLICATION TO MERGE**

Constituent Institutions: The Jacksonville Bank, Jacksonville, Florida, and Oceanside Bank, Jacksonville Beach, Florida  
Resulting Institution: The Jacksonville Bank  
Received: June 17, 2010

**APPLICATION TO MERGE**

Constituent Institutions: MIDFLORIDA Credit Union, Lakeland, Florida, and Bay Gulf Credit Union, Tampa, Florida  
Resulting Institution: MIDFLORIDA Credit Union  
Received: June 22, 2010

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN June 14, 2010  
 and June 18, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF LEGAL AFFAIRS**  
**Division of Victim Services and Criminal Justice Programs**  
 2A-8.005      6/14/2010    7/4/2010    36/19      36/21

**STATE BOARD OF ADMINISTRATION**  
 19-8.028      6/18/2010    7/8/2010    36/20

**ADMINISTRATION COMMISSION**  
 28-10.010      6/16/2010    7/6/2010

**DEPARTMENT OF CORRECTIONS**  
 33-601.210      6/14/2010    7/4/2010    36/19  
 33-602.201      6/14/2010    7/4/2010    36/15  
 33-602.220      6/15/2010    7/5/2010    36/13  
 33-602.221      6/15/2010    7/5/2010    36/13  
 33-602.222      6/15/2010    7/5/2010    36/13

**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**  
 40D-9.170      6/16/2010    7/6/2010    36/19

**South Florida Water Management District**  
 40E-1.659      6/14/2010    7/4/2010    36/10      36/17  
 40E-4.091      6/14/2010    7/4/2010    36/10      36/17

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid**  
 59G-6.020      6/15/2010    7/5/2010    36/18      36/23  
 59G-13.030      6/18/2010    7/8/2010    36/02      36/17  
 59G-13.031      6/18/2010    7/8/2010    36/02      36/17  
 59G-13.083      6/18/2010    7/8/2010    36/09      36/21

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**Board of Pilot Commissioners**  
 61G14-19.001    6/15/2010    7/5/2010    36/19  
**Board of Professional Engineers**  
 61G15-22.011    6/18/2010    7/8/2010    36/17

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Board of Accountancy**  
 61H1-33.003      6/17/2010    7/7/2010    36/19  
 61H1-33.006      6/17/2010    7/7/2010    36/19

**Florida Real Estate Appraisal Board**  
 61J1-1.009      6/15/2010    7/5/2010    36/19

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 62-304.610      6/17/2010    7/7/2010    36/17      36/17

**DEPARTMENT OF JUVENILE JUSTICE**  
**Detention Services**

63G-1.001	6/16/2010	7/6/2010	36/18	
63G-1.002	6/16/2010	7/6/2010	36/18	
63G-1.003	6/16/2010	7/6/2010	36/18	
63G-1.004	6/16/2010	7/6/2010	36/18	
63G-1.005	6/16/2010	7/6/2010	36/18	
63G-1.006	6/16/2010	7/6/2010	36/18	
63G-1.007	6/16/2010	7/6/2010	36/18	
63G-1.008	6/16/2010	7/6/2010	36/18	
63G-1.009	6/16/2010	7/6/2010	36/18	
63G-1.010	6/16/2010	7/6/2010	36/15	
63G-1.011	6/16/2010	7/6/2010	36/15	36/20
63G-1.012	6/16/2010	7/6/2010	36/15	
63G-1.013	6/16/2010	7/6/2010	36/15	
63G-1.014	6/16/2010	7/6/2010	36/15	
63G-1.015	6/16/2010	7/6/2010	36/15	
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63G-1.017	6/16/2010	7/6/2010	36/15	36/20
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**DEPARTMENT OF HEALTH**  
**Board of Nursing Home Administrators**  
 64B10-12.002    6/15/2010    7/5/2010    36/17

**Board of Optometry**  
 64B13-15.005    6/16/2010    7/6/2010    36/11

**Board of Orthotists and Prosthetists**  
 64B14-7.003      6/16/2010    7/6/2010    36/12

**Board of Pharmacy**  
 64B16-26.1001    6/17/2010    7/7/2010    36/19  
 64B16-26.2032    6/17/2010    7/7/2010    35/49      36/19

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Board of Physical Therapy Practice**

64B17-3.001	6/15/2010	7/5/2010	36/11	36/25
64B17-7.002	6/17/2010	7/7/2010	36/18	

**Board of Chiropractic**

64B2-11.001	6/15/2010	7/5/2010	35/50	36/19
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**Board of Dentistry**

64B5-4.004	6/15/2010	7/5/2010	36/18	
64B5-14.005	6/15/2010	7/5/2010	36/19	

**Board of Hearing Aid Specialists**

64B6-8.003	6/15/2010	7/5/2010	35/49	36/18
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**Board of Medicine**

64B8-44.007	6/16/2010	7/6/2010	36/17	36/23
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

68A-6.0022	6/18/2010	7/8/2010	36/12	36/21
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

69B-215.080	6/15/2010	7/5/2010	36/11	36/20
69B-221.006	6/15/2010	7/5/2010	36/11	36/20

**Division of Worker's Compensation**

69L-6.012	6/15/2010	7/5/2010	35/37	36/20
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**Section XIV  
List of Rules Affected**

				Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				5C-3.007	35/52	36/12	36/20
w – Signifies Withdrawal of Proposed Rule(s)				5C-3.009	35/52		36/20
c – Rule Challenge Filed				5C-3.011	35/52	36/12	36/20
v – Rule Declared Valid				5C-3.012	35/52		36/20
x – Rule Declared Invalid				5C-30.001	35/52	36/12	36/20
d – Rule Challenge Dismissed				5C-30.002	35/52	36/12	36/20
dw – Dismissed Upon Withdrawal				5C-30.003	35/52	36/12	36/20
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	5C-30.004	35/52	36/12	36/20
				5E-1.012	36/11		36/20
				5E-1.023	35/51	36/11	36/20
				5E-2.031	36/11	36/25	
				5E-2.042	36/15		
				5E-14.106	33/7		
				5E-14.110	36/26		
				5E-14.111	36/26		
				5E-14.117	33/7		
<b>STATE</b>				5F-8.0011	36/5	36/14	36/21
				5F-8.0012	36/5		36/21
1A-31.035	34/39	35/12		5F-8.009	36/5		36/21
1A-31.045	34/39	35/12		5F-8.0125	36/5		36/21
1SER10-1			36/25	5F-8.0127	36/5		36/21
1SER10-2			36/25	5F-8.0128	36/5		36/21
1S-2.0011	36/17		36/24	5F-8.014	36/5		36/21
1S-2.0091	36/17	36/22		5F-8.015	36/5		36/21
1S-2.0095	36/13		36/20	5F-8.016	36/5	36/14	36/21
1S-2.034	36/20			5F-8.025	36/5		36/21
1S-2.037	36/3	36/11	36/19	5F-8.050	36/5		36/21
1S-2.041	35/44			5I-4.002	32/49		
1S-2.042	36/14		36/21	5I-4.006	32/49		
1S-2.049	36/25			5I-6.003	36/18		
IT-1.001	36/20			5I-6.004	36/18		
IT-1.036	36/14		36/21	5K-5.014	36/13		36/22
IT-1.039	36/20			5K-6.010	36/13		36/22
				5M-12.001	36/7		36/23
<b>LEGAL AFFAIRS</b>				5M-12.002	36/7	36/15	36/23
				5M-12.003	36/7		36/23
2A-2.002	36/18		36/25	5M-12.004	36/7	36/15	36/23
2A-2.013	36/18		36/25	5M-12.005	36/7		36/23
2A-2.014	36/18		36/25	5M-12.006	36/7	36/15	36/23
2A-3.002	36/22			5M-12.007	36/7		36/23
2A-8.005	36/19		36/26	5M-12.008	36/7		36/23
<b>AGRICULTURE AND CONSUMER SERVICES</b>				<b>EDUCATION</b>			
5BER10-2			36/25	6A-1.06421	33/45		
5B-58.001	27/29			6A-1.09401	36/26		
5B-65.001	35/42			6A-1.09422	36/20		
5B-65.002	35/42			6A-1.0995	36/20		
5B-65.003	35/42			6A-1.099811	35/50	36/5	
5B-65.004	35/42					36/7	
5B-65.005	35/42	36/21				36/26	
5C-3.001	35/52	36/12	36/20		36/18c		
5C-3.002	35/52		36/20	6A-4.0021	36/15	36/18	36/24
5C-3.003	35/52	36/12	36/20	6A-4.02451	36/6	36/14	36/20
5C-3.004	35/52		36/20	6A-4.0251	32/3	32/5	
5C-3.005	35/52		36/20	6A-6.0211	36/20		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6A-6.0573	36/15		36/24	11B-30.006	36/10		36/21
6A-6.0787	36/15	36/18	36/24	11B-35.001	36/10		36/21
6A-6.0788	36/6			11B-35.0024	36/10		36/21
6A-6.0907	35/5	35/12 35/16		11B-35.003	36/10		36/21
6A-6.0960	36/15		36/24	11B-35.006	36/10		36/21
6A-10.0341	36/15		36/24	11C-6.004	36/10		36/21
6A-10.044	36/6	36/17	36/24	11C-7.006	36/10		36/21
6A-14.064	35/50	36/2 36/16	36/24 36/24	11C-7.007	36/10		36/21
6A-14.095	36/20	36/25		11D-6.001	36/10		36/21
6B-4.010	33/10			11D-6.003	36/10		36/21
6C7-8.009	Newspaper		36/19	11G-2.005	36/10		36/21
6M-7.0055	30/26			11G-2.006	36/10		36/21
				REVENUE			
COMMUNITY AFFAIRS				12-6.0015	36/14		36/25
9BER10-1			36/16	12-13.004	36/21		
9B-43.0031	36/7	36/14	36/22	12-16.004	36/21		
9B-43.0041	36/7	36/14	36/22	12-16.005	36/14		36/25
9B-43.0045	36/7	36/14	36/22	12-17.004	36/21		
9B-43.0051	36/7	36/14	36/22	12-18.004	36/14		36/25
9B-43.0061	36/7		36/22	12-19.005	36/14		36/25
9B-43.0071	36/7		36/22	12-24.003	36/14		36/25
9B-43.0081	36/7	36/14	36/22	12-24.011	36/14		36/25
9B-60.002	36/18			12A-1.002	36/14		
9B-60.003	36/18			12A-1.005	33/41		
9B-60.004	36/18			12A-1.015	36/14		
9B-60.005	36/18			12A-1.020	36/14		
9B-60.007	36/18			12A-1.021	36/14		
9B-60.008	36/18			12A-1.0215	36/14		
9B-76.001	35/25	36/19		12A-1.060	36/10		36/23
9G-2.002	36/12		36/21		36/14		36/25
9J-5	32/32c				36/14		36/25
9K-9	35/43c			12A-1.061	36/14		36/25
9K-9.002	35/24		36/19	12A-1.074	36/7c		36/24x
9K-9.003	35/24	35/37	36/19	12A-1.097	36/14		36/24
9K-9.004	35/24	35/37	36/19		36/14		
9K-9.006	35/24	35/37	36/19	12A-17.005	32/2	32/31	
9K-9.007	35/24	35/37	36/19	12A-19.021	36/21		
				12A-19.071		31/39	36/25
LAW ENFORCEMENT					36/14		36/25
11B-18.004	36/10		36/21	12A-19.100	36/14		36/25
11B-18.0053	36/10		36/21		36/14		36/25
11B-20.001	36/10		36/21	12BER10-2			36/16
11B-20.0017	36/10		36/21	12B-4.003	36/14		36/25
11B-27.0011	36/10		36/21	12B-5.150	36/14	36/23	
11B-27.002	36/10		36/21	12B-8.0016	36/14		36/25
11B-27.00212	36/10		36/21	12C-1.013	36/14		36/25
11B-27.00213	36/10		36/21	12C-1.051	36/14		36/25
11B-27.0022	36/10		36/21	12C-3.008	36/14		36/25
11B-27.004	36/10		36/21	12DER10-1			36/16
11B-27.005	36/10		36/21	TRANSPORTATION			
11B-27.013	36/10		36/21	14-10.0011	36/24		
11B-27.014	36/10		36/21	14-10.0022	36/24		

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14-10.003	36/24			14B-1.006	36/18	36/21	
14-10.004	36/24			14B-1.007	36/18		
14-10.0041	36/24			<b>HIGHWAY SAFETY AND MOTOR VEHICLES</b>			
14-10.0042	36/24			15A-11.001	35/49		
14-10.006	36/24			15A-11.002	35/49		
14-15.0081	36/4		36/19	15A-11.003	35/49		
14-22.0011	36/20			15A-11.004	35/49		
14-22.002	36/20			15A-11.0045	35/49		
14-22.003	36/20			15A-11.005	35/49		
14-22.0041	36/20			15A-11.006	35/49		
14-22.0042	36/20			15A-11.007	35/49		
14-22.005	36/20			15A-11.008	35/49		
14-22.006	36/20			15A-11.009	35/49		
14-22.007	36/20			15A-11.0095	35/49		
14-22.008	36/20			15A-11.010	35/49		
14-22.009	36/20			15A-11.011	35/49		
14-22.0101	36/20			15A-11.012	35/49		
14-22.0111	36/20			15A-11.013	35/49		
14-22.012	36/20			15A-11.014	35/49		
14-22.0121	36/20			15A-11.015	35/49		
14-22.014	36/20			15B-2.013		21/29	36/22
14-22.0141	36/20				36/10		36/22
14-22.015	36/20			15C-7.005	33/8c		
14-24.001	36/25			15C-16.004	34/18		
14-26.0051	35/34	35/49		<b>BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND</b>			
14-26.006	35/34	35/49		18-1.002	36/5		36/23
14-26.010	35/34	35/49		18-1.006	36/5		36/23
14-85.001	35/35	35/49		18-1.007	36/5		36/23
14-85.002	35/35	35/49		18-2.017	33/22		
14-85.003	35/35	35/49		18-2.018	33/22		
14-85.004	35/35			18-24.001	35/44	35/51	36/23
14-85.005	35/35	35/49		18-24.002	35/44	35/51	36/23
14-85.006	35/35	35/49		18-24.0021	35/44		36/23
14-85.007	35/35	35/49		18-24.0022	35/44	35/51	36/23
14-85.008	35/35	35/49		18-24.003	35/44	35/51	36/23
14-85.009	35/35	35/49		18-24.006	35/44	35/51	36/23
14-85.010	35/35	35/41		18-24.007	35/44	35/51	36/23
		35/49		18-24.008	35/44	35/51	36/23
14-85.011	35/35	35/49		<b>STATE BOARD OF ADMINISTRATION</b>			
14-85.012	35/35	35/49		19-7.010	36/24		
14-90.002	36/22			19-7.011	36/24		
14-90.004	36/22			19-7.012	36/24		
14-90.0041	36/22	36/26		19-7.013	36/24		
14-90.006	36/22			19-7.015	36/24		
14-90.007	36/22			19-7.016	36/24		
14-90.009	36/22			19-7.017	36/24		
14-90.010	36/22			19-8.010	36/24		
14-90.012	36/22			19-8.012	36/24		
14-98.003	36/14	36/25		19-8.013	36/24		
14-98.005	36/14	36/25		19-8.028	36/20		36/26
14-100.005	36/4	36/16	36/23				
14B-1.001	36/18						
14B-1.002	36/18	36/21					
14B-1.003	36/18						
14B-1.004	36/18						
14B-1.005	36/18						

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19-8.029	36/24			33-601.501	36/24		
19-8.030	36/24			33-601.720	36/25		
19BER10-1			36/20	33-601.800		30/48	36/25
19BER10-2			36/20			31/1	36/25
19BER10-3			36/20		36/18		36/25
19BER10-4			36/20	33-601.901	36/18		
19BER10-5			36/20	33-602.001	34/9		
19B-16.003	36/17		36/24	33-602.101	36/16		36/24
				33-602.201		26/34	36/26
	CITRUS					26/38	36/26
						30/25	36/26
20-48.005	36/16				36/15		36/26
20-68.002	36/16			33-602.210	36/26		
20-100.001	36/16			33-602.220		26/50	36/26
20-100.003	36/16					26/51	36/26
20-100.004	36/16					30/6	36/26
	FLORIDA PAROLE COMMISSION				36/13		36/26
				33-602.221		26/45	36/26
23-21.015(9)	35/43c					26/50	36/26
23-21.0155	35/43c					30/6	36/26
23-21.0615	35/43c				36/13		36/26
	PUBLIC SERVICE COMMISSION			33-602.222		26/50	36/26
						30/6	36/26
					36/13		36/26
25-4.017	34/39			COMMISSION ON ETHICS			
25-4.0665	35/50	36/18	36/24	34-7.010	36/24		
25-6.0424	36/21			34-12.200	36/24		
25-22.061	36/13		36/25	34-12.330	36/24		
25-56.034	32/32c			34-12.400	36/24		
25-56.0341	32/32c			WATER MANAGEMENT DISTRICTS			
25-56.0342	32/32c			40B-1.901	35/8		
25-56.0343	32/32c			40B-2.025	36/23		
25-56.064	32/32c			40B-2.901	36/23		
25-56.078	32/32c			40B-3.3020	33/16		
25-56.115	32/32c			40B-3.3030	33/16		
25-72.180	35/3			40B-3.3040	33/16		
EXECUTIVE OFFICE OF THE GOVERNOR				40B-4.1070	36/23		
27M-4.001	36/1	36/15		40B-4.3030	36/23		
27M-4.002	36/1			40B-8.041	35/38		
27M-4.003	36/1	36/15		40B-9.021	36/19		
ADMINISTRATION COMMISSION				40B-9.042	36/19		
28-106.201	35/12c			40B-9.081	36/19		
CORRECTIONS				40B-9.131	36/19		
33-203.101	36/15		36/22	40B-9.1381	36/19		
33-204.003	36/21			40B-9.139	36/19		
33-302.105	36/20			40B-80.075	35/38		
33-404.107	36/9			40B-400.475		21/33	36/22
33-601.202	35/48				36/14		36/22
33-601.210		32/43	36/26	40C-1.1101	35/28	35/47	
		32/51	36/26	40C-2.091	33/23		
	36/19		36/26	40C-2.231	33/23		
				40D-1.002	36/19		



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40D-1.021	35/50			40E-63.432	36/26		
40D-1.607	35/34	35/36	36/25	40E-63.434	36/26		
40D-2.091		21/13	36/25	40E-63.435	36/26		
		21/15	36/25	40E-63.436	36/26		
		21/17	36/25	40E-63.437	36/26		
		21/44	36/25	40E-63.438	36/26		
		24/7	36/25	40E-63.439	36/26		
		28/5	36/25	40E-63.440	36/26		
		28/46	36/25	40E-63.441	36/26		
	22/48			40E-63.442	36/26		
		26/10	36/25	40E-63.443	36/26		
	35/34	36/9	36/25	40E-63.444	36/26		
		36/18	36/25	40E-63.446	36/26		
	35/52	36/5	36/20	40E-63.450	36/26		
		36/14	36/25	40E-63.452	36/26		
	36/15		36/22	40E-63.454	36/26		
40D-2.301		24/7	36/25	40E-63.456	36/26		
	22/48			40E-63.458	36/26		
	35/34		36/25	40E-63.460	36/26		
	35/52		36/20	40E-63.461	36/26		
40D-2.321	35/34	36/9	36/25	40E-63.462	36/26		
		36/18	36/25	40E-63.464	36/26		
40D-2.322	35/34	35/51	36/25	40E-63.470	36/26		
		36/6	36/25	40E-210	35/30c		
		36/9	36/25				
40D-2.801		24/7	36/20	LAND AND WATER ADJUDICATORY COMMISSION			
		28/5	36/20	42LLL-1.001	36/24		
		28/46	36/20	42LLL-1.003	36/24		
		32/45	36/20	42LLL-1.003	36-24		
	35/52		36/20				
40D-3.037	36/15		36/22	LOTTERY			
40D-3.600	36/23			53ER07-75			34/1
40D-4.021	36/22			53ER07-76			34/1
40D-4.051	36/22			53ER08-63			34/43
40D-4.091	22/48			53ER08-64			34/43
40D-8.041	36/20			53ER08-65			34/43
	36/23			53ER08-66			34/43
	36/23			53ER09-57			35/44
40D-9.170	36/19		36/26	53ER09-58			35/44
40D-80.073		26/21	36/20	53ER09-59			35/44
	35/52	36/14	36/20	53ER09-60			35/44
40D-400.475	36/22			53ER09-62			35/47
40E-1.659		29/31	36/26	53ER09-63			35/47
	36/10	36/17	36/26	53ER09-64			35/49
40E-3.035	36/22			53ER09-65			35/49
40E-4.091		29/31	36/26	53ER09-66			35/49
	36/10	36/17	36/25	53ER09-67			35/49
	36/10	36/17	36/26	53ER09-68			35/49
40E-63.400	36/26			53ER09-69			35/50
40E-63.401	36/26			53ER09-70			35/50
40E-63.402	36/26			53ER10-6			36/11
40E-63.404	36/26			53ER10-7			36/12
40E-63.406	36/26			53ER10-8			36/12
40E-63.415	36/26			53ER10-9			36/12
40E-63.420	36/26						
40E-63.430	36/26						



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59A-35.100	35/47	36/6		59V-560.403	34/39		
		36/16		59V-560.602	34/39		
59A-35.110	35/47	36/6		59V-560.606	34/39		
		36/16		59V-560.702	34/39		
59A-35.120	35/47			59V-560.703	34/39		
59A-35.150	35/47	36/6		59V-560.704	34/39		
		36/16		59V-560.705	34/39		
59B-16.001	36/13	36/22		59V-560.706	34/39		
59B-16.002	36/13	36/22		59V-560.707	34/39		
59B-16.003	36/13		36/22w	59V-560.801	34/39		
59E-7.024	35/12	35/20		59V-560.804	34/39		
59G-4.016	32/19			59V-560.805	34/39		
59G-4.025	36/5	36/14		59V-560.902	34/39		
		36/21		59V-560.903	34/39		
59G-4.040	36/9		36/21	59V-560.904	34/39		
59G-4.070	36/22			59V-560.905	34/39		
59G-4.130	36/13c			59V-560.906	34/39		
59G-4.160	36/21	36/26		59V-560.908	34/39		
59G-4.230	36/18			59W-600.002	34/39		
59G-4.300	36/10	36/18	36/25	59W-600.006	34/39		
59G-4.340	36/5	36/14	36/21	59W-600.013	34/39		
59G-5.010	36/18	36/26		59W-600.0131	34/39		
59G-6.020	34/23c						
	35/48	36/16	36/26				
		36/19	36/26				
	36/18						
59G-6.030	35/48	36/16	36/24	60BB-3.0251	35/36	36/3	
59G-9.070	36/18					36/9	
59G-11.001	35/33		36/25w			36/16	
	36/26					36/21	
59G-11.002	36/26			60BB-3.0252	35/36	36/23	
59G-11.003	35/33		36/25w			36/3	
	35/50		36/25w			36/9	
	36/26					36/16	
59G-11.004	35/33		36/25w	60BB-3.0253	35/36	36/23	
	36/26					36/3	
59G-13.030	36/2	36/17	36/26			36/9	
59G-13.031	36/2	36/17	36/26			36/16	
59G-13.051	36/11	36/15	36/21	60BB-3.0254	35/36	36/23	
59G-13.083		34/35	36/26			36/3	
		34/42	36/26			36/9	
	34/23c					36/16	
	36/9	36/20	36/26	60BB-3.0261	35/42	36/23	
59G-20.091	35/1	35/8				35/52	
59G-20.381	33/36					36/6	
59K-17.0035	34/43			60BB-3.0262	35/42	36/23	
59O-137.001	34/43					35/52	
59O-138.001	34/43					36/6	
59O-157.302	34/43			60BB-3.0263	35/42	36/23	
59V-560.102	34/39					35/52	
59V-560.103	34/39					36/6	
59V-560.107	34/39			60BB-8.210	36/12	36/23	
59V-560.108	34/39			60BB-8.300	36/19		
59V-560.201	34/39			60BB-8.301	36/19		
59V-560.302	34/39			60BB-8.700	36/12		
59V-560.402	34/39			60BB-8.701	36/12		

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60BB-8.702	36/12			61-35.02716	35/45		
60BB-8.703	36/12			61-35.02717	35/45		
60BB-10.001	36/5		36/20	61-35.02718	35/45		
60BB-10.002	36/5		36/20	61-35.02719	35/45		
60BB-10.003	36/5	36/14	36/20	61-35.0272	35/45		
60BB-10.004	36/5		36/20	61-35.02721	35/45		
60BB-10.005	36/5		36/20	61-35.02722	35/45		
60BB-10.006	36/5		36/20	61-35.02723	35/45		
60BB-10.007	36/5	36/14	36/20	61A-1.010	34/12c		36/24w
60BB-10.008	36/5		36/20		36/14	36/26	
60BB-10.009	36/5	36/14	36/20	61A-1.010(1)	33/2c		
60D-15.001	36/8	36/15	36/21	61A-1.0101	34/3		
60D-15.002	36/8	36/15	36/21			35/30	
60DD-2.001	36/24				34/12c		36/24w
60DD-2.002	36/24				36/24c		36/24w
60DD-2.003	36/24			61A-1.01010	34/3	34/36	
60DD-2.004	36/24					35/30	36/24w
60DD-2.005	36/24					36/14	36/24w
60DD-2.006	36/24				34/41c		36/24w
60DD-2.007	36/24			61A-1.01011	34/3	34/36	
60DD-2.008	36/24					35/30	36/24w
60DD-2.009	36/24					36/14	36/24w
60DD-2.010	36/24				34/41c		36/24w
60FF-5.004	36/15				36/24c		36/24w
60L-35.007	34/2	34/2		61A-1.01012	34/3	34/36	
		34/19				35/30	36/24w
60L-39.001	35/39		36/19			36/14	36/24w
60L-39.0015	35/39	36/13	36/19		34/41c		36/24w
60L-39.002	35/39		36/19	61A-1.01013	34/3	35/30	
60L-39.003	35/39	36/13	36/19			36/14	36/24w
60L-39.004	35/39	36/13	36/19		34/12c		36/24w
60L-39.0041	35/39	36/13	36/19	61A-1.01014	34/3	35/30	
60L-39.005	35/39	36/13	36/19			36/14	36/24w
60L-39.006	35/39	36/13	36/19		34/12c		36/24w
60L-39.007	35/39	36/13	36/19	61A-1.01015	34/3	35/30	
60L-39.008	35/39	36/13	36/19			36/14	36/24w
60L-39.009	35/39	36/13	36/19		34/12c		36/24w
60PER10-1			36/25	61A-1.01018	34/3	35/30	
60PER10-2			36/25			36/14	36/24w
					34/12c		36/24w
<b>BUSINESS AND PROFESSIONAL REGULATION</b>				61A-1.0102	34/4	35/30	
						36/14	36/24w
61-27.001	35/45		36/25w		34/12c		36/24w
	36/25			61A-1.01021	34/3	34/36	
61-27.002	35/45		36/25w			35/30	
	36/25					36/14	
61-27.003	35/45		36/25w	61A-1.01022	34/3	34/36	
	36/25					35/30	36/24w
61-27.004	35/45		36/25w			36/14	36/24w
	36/25				34/41c		36/24w
61-35.0271	35/45			61A-1.01024	34/3	35/30	
61-35.02711	35/45					36/14	36/24w
61-35.02712	35/45				34/12c		36/24w
61-35.02713	35/45			61A-1.01027	36/14	36/26	
61-35.02714	35/45			61A-1.01028	36/14	36/26	
61-35.02715	35/45						

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61A-1.0103	34/3	35/30 36/14	36/24w 36/24w	61D-14.047	35/21	36/14	36/24
	34/12c			61D-14.053	35/21	36/14	36/24
61A-1.0104	34/3	35/30 36/14	36/24w 36/24w	61D-14.063	35/21		36/24
	34/12c			61D-14.075	35/21	36/14	36/24
	36/24c			61D-14.079	35/21		36/24
61A-1.0105	34/3	34/36 35/30 36/14	36/24w 36/24w 36/24w	61D-14.087	35/21		36/24
	34/41c			61D-14.096	35/21	36/14	36/24
61A-1.0106	34/3	35/30 36/14	36/24w 36/24w	61D-14.097	35/21	36/14	36/24
	34/12c			61D-14.098	35/21	36/14	36/24
61A-1.0107	34/3	35/30 36/14	36/24w 36/24w	61D-15.001	35/21	36/14	36/24
	34/12c			61E13-2.004	36/4		36/19
61A-1.0108	34/3	34/36 35/30 36/14	36/24w 36/24w 36/24w	61E13-2.005	36/7		
	34/41c			61E13-2.007	36/7	36/20	
61A-1.0109	34/12c			61E13-2.009	36/4		36/19
	34/41c			61E13-2.010	36/7	36/18	
61B-20.004	36/26			61E13-2.011	36/4		36/19
61B-20.005	36/26			61E13-2.012	36/9		36/22w
61B-20.006	36/26			61E14-2.001(5)	36/24c		
61B-21.001	36/26			61E14-4.002	35/42		
61B-21.002	36/26			61E14-4.003	35/42		
61B-21.003	36/26			61E14-4.005	35/42		
61C-1.001	36/18 36/21			61F10-18.001	35/28		
61C-1.004	36/18			61G1-12.004	36/8	36/21	
61C-3.001	35/22	35/32 36/9	36/26w 36/26w	61G1-12.005	36/8	36/21	
61C-4.010	35/47	36/7	36/23	61G1-21.003	36/8		36/21
61C-4.0161	35/47	36/13	36/23	61G2-2.006	36/21		
		36/15	36/23	61G3-19.011	35/40		
61C-4.023		26/50 27/43	36/25 36/25	61G4-15.034	36/14		36/22
	36/16			61G4-16.005	36/22		
61D-6.009	36/14			61G6-5.0061	36/10	36/22	
61D-13.008	34/42			61G6-8.001	36/10		36/25
61D-14.002	35/21	36/14	36/24	61G7-5.001	36/17		
61D-14.005	35/21	36/14	36/24	61G7-5.005	36/17		
61D-14.0055	35/44	36/14	36/24	61G7-10.002	36/17		
61D-14.006	35/21	36/14	36/24	61G7-33.0065	30/16		
61D-14.007	35/21			61G9-9.001	31/6		
61D-14.008	35/21	36/14	36/24	61G10-18.001	36/8		
61D-14.010	35/21			61G14-17.005	36/24		
61D-14.020	35/21	36/14	36/24	61G14-19.001	36/19		36/26
61D-14.023	35/21	36/14	36/24	61G15-22.011	36/17		36/26
61D-14.036	35/21	36/14	36/24	61G15-31.001	35/45		
61D-14.038	35/21	36/14	36/24	61G15-31.002	35/45		
61D-14.041	35/21	36/14	36/24	61G15-31.003	35/45		
61D-14.042	35/21			61G15-31.004	35/45		
61D-14.044	35/21	36/14	36/24	61G15-31.005	35/45		
				61G15-31.006	35/45		
				61G15-31.007	35/45		
				61G15-31.008	35/45		
				61G15-31.009	35/45		
				61G15-31.010	35/45		
				61G15-31.011	35/45		
				61G15-31.012	35/45		
				61G18-11.002	36/24		
				61G18-15.0025	36/21		
				61G19-5.002		23/25	36/21
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61H1-20.003	35/33			62-17.510	35/38		36/20
61H1-20.004	35/33			62-17.520	35/38		36/20
61H1-20.0051	35/33			62-17.535	35/38	36/10	36/20
61H1-20.0052	35/33			62-17.540	35/38	35/45	36/20
61H1-20.0053	35/33	35/44				36/10	36/20
61H1-20.007	35/33	35/41		62-17.543	35/38		36/20
		35/44		62-17.545	35/38		36/20
61H1-20.008	35/33	35/41		62-17.570	35/38		36/20
		36/2		62-17.580	35/38		36/20
		36/9		62-17.590	35/38	36/10	36/20
61H1-20.009	35/33	35/41		62-17.600	35/38	35/45	36/20
		36/2		62-17.610	35/38		36/20
61H1-20.0092	35/33	35/41		62-17.625	35/38		36/20
		36/3		62-17.660	35/38	36/10	36/20
61H1-20.0093	35/33	35/41		62-17.665	35/38	35/45	36/20
		36/2				36/10	36/20
61H1-20.0094	35/43	36/3		62-17.680	35/38	35/45	36/20
61H1-20.0095	35/33	35/41				36/10	36/20
		36/2		62-17.695	35/38		36/20
61H1-20.0096	35/33	35/41		62-17.700	35/38		36/20
		36/2		62-17.710	35/38		36/20
61H1-20.0097	35/33	35/41		62-17.750	35/38	35/45	36/20
		36/2				36/10	36/20
61H1-20.0099	35/33	35/41		62-17.760	35/38		36/20
		36/2		62-204.800	36/17		36/23
61H1-20.010	35/33				36/17		36/25
61H1-20.013	35/33			62-258.421	34/51		
61H1-20.016	35/33			62-296.470	32/45c		
61H1-33.003		35/40	36/26	62-302.400	36/16	36/24	
	36/19		36/26	62-302.530	36/16	36/24	
61H1-33.006	36/19		36/26	62-302.800	36/16	36/24	
61H1-36.004	36/22			62-302.800(2)	36/7c		
61H1-36.005	36/22			62-304.325	36/23		
61H1-36.0055	36/22			62-304.415	36/18		
61J1-1.009	36/19		36/26	62-304.505	34/16	34/23	
61J1-3.001	28/41	28/43		62-304.510	29/25		
		28/46		62-304.600	35/31	36/7	
61J1-3.002	28/41	28/43				36/17	
		28/46					
61J1-4.001	36/21				36/13c		
61J1-4.003	36/15		36/22		36/13c		
61J1-4.005	28/41	28/43			36/13c		
		28/46			36/13c		
61J1-4.007	36/9	36/26			36/17		
61J1-7.004	28/41	28/43		62-304.610	35/31	36/7	
		28/46				36/17	36/26
61J1-7.005	28/41	28/43			36/13c		
		28/46			36/13c		
61J1-8.001	36/26				36/13c		
61J1-11.009	32/37				36/17		36/26
61J2-3.012	36/15			62-304.610(11)	36/13c		
61J2-14.008	36/15		36/24	62-304.800	36/23		
61J2-17.012	28/3	28/17		62-304.805	36/23		
61J2-24.001	35/52	36/21		62-306.100	36/14		

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62-306.200	36/14			62-550.822	36/10		
62-306.300	36/14			62-550.824	36/10		
62-306.400	36/14			62-555.900	36/19		
62-306.500	36/14			62-560.400	36/10		
62-306.600	36/14			62-640.100	35/44	36/23	
62-306.700	36/14			62-640.200	35/44	36/23	
62-306.800	36/14			62-640.210	35/44	36/23	
62-306.900	36/14			62-640.300	35/44	36/23	
62-330.200	36/18			62-640.400	35/44	36/23	
62-346.010	35/20			62-640.500	35/44	36/23	
62-346.020	35/20			62-640.600	35/44		
62-346.030	35/20			62-640.650	35/44	36/23	
62-346.050	35/20			62-640.700	35/44	36/23	
62-346.051	35/20			62-640.750	35/44		
62-346.060	35/20			62-640.800	35/44		
62-346.070	35/20			62-640.850	35/44	36/23	
62-346.071	35/20			62-640.860	35/44		
62-346.075	35/20			62-640.880	35/44		
62-346.080	35/20			62-730.030	36/15		36/25
62-346.090	35/20			62-730.160	36/15		36/25
62-346.091	35/20			62B-33.002	33/50c		
62-346.095	35/20			(18)(43)(60)			
62-346.100	35/20			62B-33.005	33/50c		
62-346.120	35/20			(1)(a),(1),(2)			
62-346.130	35/20			62B-33.0051	33/50c		
62-346.150	35/20			(1)(a),(2)(c)			
62-346.301	35/20			62B-33.0051	33/50c		
62-346.302	35/20			(1)(a),(2)(d)			
62-346.381	35/20			62B-56	34/23c		
62-346.900	35/20			62S-4.001	36/23		
62-348.100	35/43	36/26		62S-4.004	36/23		
62-348.200	35/43	36/26		62S-4.007	36/23		
62-348.300	35/43	36/26		62S-4.008	36/23		
62-348.500	35/43			62S-5.001	36/23		
62-348.600	35/43			62S-5.002	36/23		
62-348.700	35/43	36/26		62S-5.003	36/23		
62-348.800	35/43						
62-348.900	35/43						
62-354.071	35/2						
62-532.200	36/23			63D-1.001	36/12		
62-532.400	36/23			63D-1.002	36/12		
62-532.410	36/23			63D-1.003	36/12		
62-532.420	36/23			63D-1.004	36/12		
62-532.440	36/23			63D-1.005	36/12		
62-532.500	36/23			63D-2.001	36/12		
62-532.900	36/23			63D-2.002	36/12		
62-550.200	36/10			63D-2.003	36/12		
62-550.310	36/13			63D-3.001	36/12		
62-550.500	36/13			63D-3.002	36/12		
62-550.514	36/10			63D-3.003	36/12		
62-550.540	36/10			63D-3.004	36/12		
62-550.550	36/10			63D-3.005	36/12		
62-550.720	36/10			63D-3.006	36/12		
62-550.730	36/10			63D-3.007	36/12		
62-550.800	36/19			63D-4.001	36/12		
62-550.821	36/10			63D-4.002	36/12		

JUVENILE JUSTICE





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64B2-12.0155	36/22			64B10-11.012	35/38		
64B2-12.022	36/22			64B10-12.002	36/17		36/26
64B2-13.004		31/9	36/19	64B10-14.002	36/11		36/20
	36/12		36/19	64B10-14.004		23/40	36/20
64B2-18.002	36/22				36/11		36/20
64B3-4.001	36/20			64B10-15.001	36/9	36/17	
64B3-5.008	36/20			64B10-16.005	35/38		
64B3-6.001	36/7	36/19		64B11-2.003	36/4		36/19
64B3-12.001	36/7		36/21	64B11-3.001	36/4		36/19
64B4-3.003	36/15		36/22	64B11-4.003	36/17		
64B4-3.007	35/11			64B12-9.0015	36/5		36/19
64B4-4.005	36/15		36/22	64B12-9.002	36/5		36/19
64B5-2.0126	36/13			64B12-16.003		35/12	36/19
64B5-2.013	36/13					35/14	36/19
	36/19				36/5		36/19
64B5-2.014	30/51			64B13-4.004	36/21		
64B5-4.002	35/52			64B13-15.005	36/11		36/26
64B5-4.004	36/18		36/26	64B14-7.003		26/29	36/26
64B5-10.011	36/13		36/22		36/12		36/26
64B5-13.0046	36/19			64B15-6.011	36/11		36/19
64B5-13.005	36/19			64B15-6.013	36/25		
64B5-14.005	36/19		36/26	64B15-12.003	36/25		
64B5-15.010	27/30			64B15-12.005	36/17		36/24
64B5-16.005	36/6			64B15-14.0051	36/16		
64B5-16.006	36/6			64B15-14.0052	36/16		
64B5-16.0075	36/19			64B15-14.007	36/25		
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