

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NOS.: RULE TITLES:
5K-4.020 Food Permits; Requirements and Fees

5K-4.021 Food Manager Certification

5K-4.033 Direct Sale Farm Operation

PURPOSE AND EFFECT: The purpose of this rule development is to provide regulatory and economic relief to small farm operations that produce and sell poultry and egg products. In accordance with the implementing language in House Bill 5001 of the 2010 Legislature, an assessment of small farm operations was completed by the Florida Department of Agriculture and Consumer Services and a report entitled, Small Farms: Recommendations to Minimize Costs While Ensuring Food Safety, was provided to the Senate President and Speaker of the House of Representatives of the Florida Legislature by the Commissioner of Agriculture in January 2011. Since completion and delivery of that report, the Department has worked with interested operators of small farm operations to develop the enclosed proposed rule language that defines a Direct Sale Farm Operation.

The effect of this proposed rule is to define a Direct Sale Farm Operation as a food establishment and set a minimum fee on such operation. Proposed rule language establishes the regulatory parameters for a Direct Sale Farm Operation; specifies that for the purposes of this rule a “farm” has the same meaning as provided in Section 823.14, Florida Statutes; exempts Direct Sale Farm Operators from Food Manager Certification requirements; and, allows for recognition and use of exemptions granted by the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS), provided regulatory specifications are met as required by the USDA. Documents detailing the requirements and specifications for such exemptions are adopted by reference in the proposed rule.

SUBJECT AREA TO BE ADDRESSED: Creation of a new food establishment in rule identified as a Direct Sale Farm Operation including a definition of such operation; establishment of a permit fee; providing the regulatory parameters for such operation; and, allowing for USDA exemptions applicable to such operation.

RULEMAKING AUTHORITY: 500.09, 500.12(1)(b), 500.12(1)(f), 500.12(6), 570.07(23) FS.

LAW IMPLEMENTED: 500.04, 500.09, 500.10, 500.12(1)(a), (b), (c), (d), (f), 500.12(2), 500.12(6), 500.12(7), 500.121, 500.171, 500.172, 500.177, 570.15, 570.50(1), (2) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:
DATES AND TIMES: August 29, 2012, 2:00 p.m. – 4:00 p.m.; August 31, 2012, 2:00 p.m. – 4:00 p.m.; September 13, 2012, 2:00 p.m. – 4:00 p.m.

PLACES:

(08/29/12) – The Conner Building, The Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

(08/31/12) – The Doyle Conner Building, Division of Plant Industry Auditorium, 1911 S.W. 34 Street, Gainesville, Florida 32608

(09/13/12) – The Florida Citrus Building, The Florida Room, 500 Third Street N.W., Winter Haven, Florida 33881-3403

Pursuant to the provisions of 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: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, MS #C18, Tallahassee, FL 32399-1650, telephone number: (850)245-5595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, MS #C18, Tallahassee, FL 32399-1650, telephone number: (850)245-5595

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.020 Food Permits; Requirements and Fees.

(1) As used in this rule, the following definitions shall apply in determining food permit fees:

(a) through (e) No change.

(f) Direct sale farm operation. A farm based food establishment which offers only dressed poultry or whole shell eggs for direct sale to the consumer. No additional processing or food preparation allowed. For purposes of this rule, “farm” has the same meaning as provided in Section 823.14, Florida Statutes.

~~(g)~~ Food salvage center. A firm specializing in sorting, segregating and re-working damaged foods, primarily for wholesale distribution.

~~(h)~~ Food storage warehouse. A cold storage warehouse, a dry storage warehouse, or a commercial food distribution center.

(i)(h) Grocery store. A retail food store stocking a wide variety of foods and engaged in retail food processing which contains four or fewer check-out registers and less than 15,000 total square footage, including display, preparation and storage areas.

(j)(f) Health food store. A retail food store engaged primarily in the sale of prepackaged vitamins, minerals, nutritional supplements and foods intended for health conscious persons but with no food service or retail food processing.

(k)(j) Health food store with food service. A health food store where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided, regardless of whether consumption is on or off the premises, or whether there is a charge for the food, but with no retail food processing.

(l)(k) Limited Sales. Any business fitting any of the definitions in this subsection with gross food sales less than \$15,000.00 annually.

(m)(f) Meat market. A retail food store engaged primarily in the cutting, processing and selling of meats or poultry, or both. A limited number of other foods may be stocked, but inventory and sales are predominantly meat or poultry or both.

(n)(m) Minor food outlet. Any retail establishment that sells groceries and may offer food service to the public limited to coffee from urns, or iced or frozen drinks, but neither the grocery sales nor the food service is a major retail function based on allocated space or gross sales. No retail food processing may be performed.

(o)(n) Minor food outlet, only non-perishable foods. A minor food outlet which sells, stores or offers only commercially prepackaged, non-potentially hazardous, non-perishable foods and at which there is no food processing activity, no food service or any activity related to repackaging of foods. Commercially prepackaged ice, not bagged on the premises, may be sold.

(p)(o) Minor food outlet with limited food service. A minor food outlet where food is prepared and intended for individual portion service, but limited to the display of snack foods or pastries, and/or heating or cooking of hot dogs, sausages, prepackaged pizza or meat pastries, regardless of whether consumption is on or off the premises or whether there is a charge for the food, and without retail food processing.

(q)(p) Minor food outlet with significant food service. A minor food outlet that has retail food processing activities consisting of on-site cooking or other preparation of hot entrees, chicken (fried, roasted or grilled), sandwiches, salads, or desserts for consumption on or off the premises. The term also applies to such foods brought to a location for sale on individual customer order or by buffet-style display.

(r)(q) Mobile vendor. Persons selling foods other than fresh fruits or vegetables from trucks, trailers or similar self-propelled conveyances.

(s)(r) Processor, other non-perishable foods. A processor or packager of grain products, snack foods, candy, table syrup, honey, coffee, tea, spices or other non-perishable foods not defined elsewhere in this section.

(t)(s) Processor, other perishable foods. A processor of cheese, packaged sandwiches, bulk or packaged salads, or other perishable foods not defined elsewhere in this section.

(u)(t) Rabbit or game processor. A processor of rabbits, quail, deer, or other bird or animal species normally considered game, excepting any equine, bovine, goat, sheep, swine, or chickens, turkeys, ducks, geese, squab, ratites or guineas.

(v)(u) Retail bakery. A food establishment that bakes breads, pastries or other similar baked goods, primarily for retail sale on the premises.

(w)(v) Retail bakery with food service. A retail bakery where food other than breads, pastries or other similar baked goods is prepared and intended for individual portion service, and includes the site at which individual portions are provided, regardless of whether consumption is on or off the premises, or whether there is a charge for the food.

(x)(w) Retail food processing. The cutting, grinding, or slicing of meats or cheeses for bulk or packaged display; the preparation and wrapping or packaging of sandwiches, salads, or other foods for retail display; the smoking or cooking of meat, poultry, or fish for retail display or on customer request; the steaming, cracking, or cooking of crustaceans or shellfish for retail display or on customer request; the on-premises baking of breads or pastries; or the peeling, cutting, or trimming and packing of fruit or vegetables for retail display.

(y)(x) Salvage store. A retail food store specializing in salvage foods.

(z)(y) Seafood market. A retail food store engaged primarily in the sale of seafood. A limited number of other foods may be stocked, but inventory and sales are predominantly fish, crustaceans, or shellfish.

(aa)(z) Seafood processor. A processor of fresh or saltwater finfish, crustaceans, other forms of aquatic animal life (including, but not limited to, alligator, frog, aquatic turtle, jellyfish, sea cucumber, and sea urchin and the roe of such animals) other than birds or mammals, and all mollusks, where such animal life is intended for human consumption, primarily for wholesale distribution.

(bb)(aa) Semi-permanent vendor. Persons selling foods other than fresh fruits and vegetables from a pushcart, flea market stand, roadside stand, kiosk or similar structure and which may offer ancillary food service.

(cc)(bb) Supermarket. A retail food store stocking a wide variety of foods and engaged in retail food processing which contains five or more check-out registers or 15,000 or greater total square footage, including display, preparation and storage areas.

~~(dd)~~~~(ee)~~ Tomato Packing House means any establishment that washes, packs, or otherwise treats tomatoes in their unpeeled, natural form before they are marketed.

~~(ee)~~~~(dd)~~ Wholesale bakery. A food establishment that bakes breads, pastries or other similar baked goods, primarily for wholesale distribution.

(2) through (3) No change.

(4)(a) No change.

(b) The following schedule of fees is established for each food permit.

Bottling Plant	385
Bottled Water Plant	500
Canning Plant	490
Convenience Store	330
Convenience Store with Limited Food Service	430
Convenience Store with Significant Food Service	475
<u>Direct Sale Farm Operation</u>	<u>100</u>
Food Salvage Center	470
Food Storage Warehouse	355
Grocery Store	540
Health Food Store	300
Health Food Store with Food Service	415
Limited Sales	130
Meat Market	455
Minor Food Outlet	300
Minor Food Outlet, Only Non-perishable Foods	190
Minor Food Outlet with Limited Food Service	415
Minor Food Outlet with Significant Food Service	470
Mobile Vendor	300
Packaged Ice Plant	250
Processor, Other Non-perishable Foods	335
Processor, Other Perishable Foods	490
Rabbit or Game Processor	390
Retail Bakery	355
Retail Bakery with Food Service	490
Salvage Store	470
Seafood Market	410
Seafood Processor	520
Semi-permanent Vendor	195
Supermarket	650
Tomato Packing House	100
Wholesale Bakery	530

(5) through (6) No change.

Rulemaking Specific Authority 500.09, 500.12(1)(b), 500.12(1)(f), 570.07(23) FS. Law Implemented 500.04, 500.09, 500.10, 500.12(1)(a), (b), (c), (d), (f), 500.12(2), 500.12(7), 500.121, 500.171, 500.172, 500.177, 570.15 FS. History–New 1-10-93, Formerly 5E-6.020, Amended 8-8-95, 3-11-98, 3-6-01, 10-30-01, 1-1-03, 11-1-04, 11-5-07, 10-28-08, 3-1-09, _____.

5K-4.021 Food Manager Certification.

(1) through (2) No change.

(3) Food establishments shall designate in writing its food manager or managers. The designation shall be posted in a conspicuous place within the food establishment. The following types of food establishments are not required to designate a certified food manager:

(a) Food establishments that are not required to obtain a food permit in accordance with subsections 500.12(1)(a)1.-3., F.S.;

(b) Food establishments that store, sell, or store and sell only pre-packaged, non-potentially hazardous foods that arrive at the food establishment in a pre-packaged state and that are not opened or otherwise further processed by the food establishment;

(c) Food establishments that only process seafood and that are in full compliance with the mandatory HACCP provisions in paragraph 5K-4.002(1)(a), F.A.C.

(d) Tomato packing houses.

(e) Direct sale farm operation.

(4) through (11) No change.

Rulemaking Specific Authority 500.12(6), 570.07(23) FS. Law Implemented 500.12(6) FS. History–New 1-11-94, Formerly 5E-6.021, Amended 1-23-97, 5-25-98, 3-1-09, _____.

5K-4.033 Direct Sale Farm Operation.

(1) PURPOSE.

This rule establishes the regulatory parameters for a farm based food establishment, which provides direct sales to consumers only, at the farm location of the permitted operator or at roadside stands, at farmers markets, or at similar open-air market locations where farmers interface directly with the end consumer. Products permitted for direct sale farm operations are limited to whole shell eggs and dressed poultry products only.

(2) REQUIREMENTS – POULTRY.

(a) For purposes of this rule, a poultry grower may slaughter and process, on his or her own premises within the State of Florida, no more than 20,000 birds grown on his or her own farm in a calendar year and be permitted as a direct sale farm operation. This poultry may be sold as human food when the criteria for a *Producer/Grower – 20,000 Limit Exemption* as identified in the *USDA Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act* (revision date April 1, 2006) is met and such exemption is granted by the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS). This exemption must be met in accordance with the *Poultry Product Inspection Act*, Section 464(c)(1)(C) &(c)(3) and Title 9 Code of Federal Regulations §381.10(a)(5) and (b)(1) and (2) as administered by the USDA Food Safety Inspection Service and identified in the *USDA Guidance for Determining Whether a*

Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act (revision date April 1, 2006).

(b) Dressed poultry sold or offered for sale by a direct sale farm operation must also meet the applicable requirements of Chapter 583, Florida Statutes and Chapter 5K-5, Florida Administrative Code.

(3) REQUIREMENTS – SHELL EGGS.

(a) For purposes of this rule, a shell egg producer that maintains a flock of laying hens of no more than 1000 birds within any calendar year, on his or her own premises in the State of Florida, for the purpose of producing shell eggs for human consumption, may be permitted as a direct sale farm operation. Shell egg producers with flocks in excess of 1000 laying hens shall be permitted as a shell egg processor and subject to the regulatory requirements of such classification.

(b) A direct sale farm operation that sells or offers for sale shell eggs must also meet the applicable requirements of Chapter 583, Florida Statutes and Chapter 5K-6, Florida Administrative Code.

(4) REQUIREMENTS – GENERAL.

(a) A direct sale farm operation may only sell or offer for sale their products at the permitted farm location, at a roadside stand, at a farmer’s market or at similar open-air market locations where farmers interface directly with the end consumer.

(b) Direct sale farm operation products may only be sold within the State of Florida and may not be sold or offered for sale in interstate commerce.

(c) A direct sale farm operation may not sell or offer for sale direct sale farm products over the internet, by mail order, or at wholesale. Direct sale farm operators may use the internet to advertise and promote their products and receive requests for direct sale farm products that may be picked up for purchase at the permitted farm location, roadside stand, farmer’s market or similar open-air market locations, or by direct delivery to the purchasing consumer.

(d) Inspection of the premises of a direct sale farm operation to determine compliance with this rule will be based upon receipt of complaint or to provide information during the opening inspection.

(f) Only the permitted direct sale farm operator, direct family member or employee of the direct sale farm operation may sell direct sale farm products, deliver products or serve as a sales representative for the permitted direct sale farm operation. No brokers or dealers in agricultural products as defined in Section 604.15(2), F.S., may be used to sell direct sale farm operation products.

(5) MATERIALS ADOPTED BY REFERENCE. All documents and materials referenced in this rule are hereby adopted and incorporated by reference and are available as follows:

(a) The Poultry Products Inspection Act, revision date February 1, 2010, is accessible through the internet on the USDA FSIS website at: <http://www.flrules.org/Gateway/reference>.

(b) Title 9, Volume 1, Parts 1 to 199, Code of Federal Regulations, revised as of January 1, 2000, is available through the internet on the U.S. Government Printing Office via GPO Access website at: <http://www.flrules.org/Gateway/reference>.

(c) The USDA Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act; revision date April 1, 2006, is available through the internet on the USDA FSIS website at: <http://www.flrules.org/Gateway/reference>.

Rulemaking Authority 500.12(6), 570.07(23) FS. Law Implemented 500.12(6) FS. History—New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09981	Implementation of Florida’s System of School Improvement and Accountability

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate a new writing standard for FCAT 2.0 Writing beginning with 2012-13 school year.

SUBJECT AREA TO BE ADDRESSED: FCAT 2.0 Writing.

RULEMAKING AUTHORITY: 1008.34 FS.

LAW IMPLEMENTED: 1008.34 FS.

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

DATES AND TIMES: August 24, 2012, 3:00 p.m. – 4:00 p.m.; August 27, 2012, 3:00 p.m. – 4:00 p.m.; and August 28, 2012, 3:00 p.m. – 4:00 p.m.

PLACES: August 24th – JA World Facility, 1130 Coconut Creek Blvd., Coconut Creek, FL 33066; August 27th-Edgewater High School Auditorium, 3100 Edgewater Drive, Orlando, FL 32804; August 28th – Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1706, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ed Croft, Director, Accountability Reporting, Accountability Research and Measurement, 325 West Gaines Street, Room 1401, Tallahassee, FL 32399, Ed.Croft@fldoe.org. You may submit comments on the Department website at <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099822
 RULE TITLE: School Improvement Rating for Alternative Schools

PURPOSE AND EFFECT: The purpose and effect of this rule development is to incorporate changes on the process of the crediting back of assessment results from students at alternative schools to their home schools. In addition, technical edits need to be made to align the calculation of school improvement ratings more closely with the school grades calculation.

SUBJECT AREA TO BE ADDRESSED: Improvement ratings for alternative schools.

RULEMAKING AUTHORITY: 1008.34, 1008.341 FS.

LAW IMPLEMENTED: 1008.34, 1008.341 FS.

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

DATES AND TIMES: August 24, 2012, 4:00 p.m. – 5:00 p.m.; August 27, 2012, 4:00 p.m. – 5:00 p.m.; and August 28, 2012, 4:00 p.m. – 5:00 p.m.

PLACES: August 24th – JA World Facility, 1130 Coconut Creek Blvd., Coconut Creek, FL 33066; August 27th – Edgewater High School Auditorium, 3100 Edgewater Drive, Orlando, FL 32804; August 28th – Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1706, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ed Croft, Director, Accountability Reporting, Accountability Research and Measurement, 325 West Gaines Street, Room 1401, Tallahassee, FL 32399, Ed.Croft@fldoe.org. You may submit comments on the Department website at <https://app1.fldoe.org/rules/default.aspx>

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

STATE BOARD OF ADMINISTRATION

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

PURPOSE AND EFFECT: To discuss proposed amendments to Rule 19-8.010, F.A.C., Reimbursement Contract.

SUBJECT AREA TO BE ADDRESSED: Reimbursement Contract requirements for the 2013/2014 Contract Year.

RULEMAKING AUTHORITY: 215.555 FS.

LAW IMPLEMENTED: 215.555 FS.

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

DATE AND TIME: August 30, 2012, 9:00 a.m. – 12:00 Noon (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308. Persons who wish to participate by telephone may dial 1(888)670-3525 and enter conference code 7135858151.

Pursuant to the provisions of 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: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300, (850)413-1341, tracy.allen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracy Allen at the number or email listed above

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-14.022	Slot Machine, Slot Machine Component, and Progressive System Requirements
61D-14.024	Logic Compartment
61D-14.044	Identification of Program Storage Media, and Slot Machine Technical Requirements

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.

SUBJECT AREA TO BE ADDRESSED: These proposed rules will implement a process whereby slot facilities perform the clearing of Random Access Memory (RAM clears) on machines independently while maintaining safeguards that ensure the integrity of the machines.

RULEMAKING AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (f), (g), (h), (i) 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: August 30, 2012, 2:00 p.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)717-1098. If you are 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 BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-32.001 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language clarifying the requirement of reactivating an inactive license.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

Building Code Administrators and Inspectors Board

RULE NOS.: 61G19-6.0035 RULE TITLES: Application for Provisional and/or Standard Certification
61G19-6.015 Inactive Status

PURPOSE AND EFFECT: Rule 61G19-6.0035, F.A.C.: This proposed amendment implements recent statutory change through the addition of fire safety as a recognized category of experience suitable for licensure. Rule 61G19-6.015, F.A.C.: This proposed amendment implements recent statutory changes limiting the amount of continuing education the Department of Business and Professional Regulation and the Boards housed therein may require of licensees who wish to reactivate delinquent or inactive licenses.

SUBJECT AREA TO BE ADDRESSED: Inactive License and Application for Provisional and/or Standard Certification.

RULEMAKING AUTHORITY: 455.271, 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.6.09, 468.627 FS.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-10.001 RULE TITLE: Fees: Application, Examination, Certification and Renewal

PURPOSE AND EFFECT: This proposed amendment brings parity to the renewal fees assessed public and private building code administrators, inspectors, and plans examiners.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 455.217, 468.606 FS.

LAW IMPLEMENTED: 455.217(2), 455.219, 455.271(7), 468.627 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-5.002
 RULE TITLE: Continuing Education Programs
 PURPOSE AND EFFECT: The Board proposes the rule amendment to update the name of the organization identified in the rule.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Programs.

RULEMAKING AUTHORITY: 456.013(6)-(9), 484.044, 484.047(4) FS.

LAW IMPLEMENTED: 456.013(6)-(9), 484.047(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.003
 RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to amend the rule language to update the licensure form.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Registration.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.005
 RULE TITLE: Documentation of Eligibility for Registration

PURPOSE AND EFFECT: The Board proposes the amendment to this rule update the form revision date.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Registration.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.115
 RULE TITLE: Requirements for Renewal of Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board proposes the creation of this rule to effectuate requirements for renewal of applications.

SUBJECT AREA TO BE ADDRESSED: Requirements for Renewal of Prosthetic or Orthotic Residency or Internship.

RULEMAKING AUTHORITY: 468.803(3) FS.

LAW IMPLEMENTED: 468.803(3) FS.

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

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

Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

Section II Proposed Rules

DEPARTMENT OF STATE

RULE NOS.:	RULE TITLES:
1-1.008	Rule Numbering and Rule Titles
1-1.009	Definitions
1-1.010	Style and Form for Filing Rules; Certification Accompanying Materials
1-1.011	Publication of Notices in the Florida Administrative Register (FAR)

PURPOSE AND EFFECT: The proposed rule will implement Chapter 2012-31, Laws of Florida by replacing the Florida Administrative Weekly with the Florida Administrative Register created by that chapter. It will describe the manner and timing of filing material to be noticed in the online Florida Administrative Register which will be published daily.

SUMMARY: The proposed rule explains that the Florida Administrative Register is published each business day of the year excluding holidays recognized by Section 110.117, F.S. and that notices to be published in the Register must be submitted to the Administrative Code and Register Section by 3:00 p.m. on the business day prior to the business day on which it is to be published in the Register. Notices that would have been published on business days that fall on a holiday will be published in the next business day following the holiday.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The publication of the Florida Administrative Register does not have a direct or indirect adverse financial impact on small business. It has been determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the legislature.

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: 120.55(1)(c) FS.

LAW IMPLEMENTED: 120.55(1)-(6) 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: Liz Cloud, Program Administrator, Administrative Code and Weekly, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6271

THE FULL TEXT OF THE PROPOSED RULES IS:

1-1.008 Rule Numbering and Rule Titles.

(1) A decimal numbering system similar to that used in the Florida Statutes shall be used to designate all rules filed with the Administrative Code and ~~Register Weekly~~ Section, except emergency rules. Emergency Rules are numbered as specified in subsection (2) of this rule.

(a) The Administrative Code and ~~Register Weekly~~ Section of the Department of State shall assign each agency, or closely related group of state agencies, a title number. (Example: The title number assigned to the Department of State is 1).

(b) The following title numbers are assigned to the corresponding agencies:

- 1 – Department of State
- 2 – Department of Legal Affairs
- 3 – Department of Banking and Finance (Transferred to Title 69)
- 4 – Department of Insurance (Transferred to Title 69)
- 5 – Department of Agriculture and Consumer Services
- 6 – Department of Education
- 7 – Department of Business Regulation (Transferred to Title 61)
- 8 – Department of Commerce (Repealed by Section 3, Chapter 96-320, Laws of Florida)
- 9 – Department of Community Affairs
- 10 – Department of Health and Rehabilitative Services (Transferred to Titles 58, 59, 64 and 65)
- 11 – Department of Law Enforcement
- 12 – Department of Revenue
- 13 – Department of General Services (Transferred to Title 60)
- 14 – Department of Transportation
- 15 – Department of Highway Safety and Motor Vehicles
- 16 – Department of Natural Resources (Transferred to Titles 40, 49, 62, 66 and 68)
- 17 – Department of Environmental Regulation (Transferred to Title 62)
- 18 – Board of Trustees of the Internal Improvement Trust Fund

- 19 – State Board of Administration
- 20 – Department of Citrus
- 21 – Department of Professional Regulation
(Transferred to Titles 59, 61 and 64)
- 22 – Department of Administration (Transferred to
Title 60)
- 23 – Parole Commission
- 24 – Pardon Board
- 25 – Public Service Commission
- 26 – Assessment Administration Review Commission
- 27 – Executive Office of the Governor
- 28 – Administration Commission
- 29 – Regional Planning Councils
- 30 – Regional Transportation Authorities
- 31 – Loxahatchee River Environmental Control District
- 32 – State Fair Authority
- 33 – Department of Corrections
- 34 – Commission on Ethics
- 35 – Metropolitan Planning Organizations
- 36 – Englewood Water District
- 37 – Advisory Council on Inter-Governmental
Relations
- 38 – Department of Labor and Employment Security
(Dissolved pursuant to Chapter 2002-194, Laws of
Florida)
- 39 – Game and Fresh Water Fish Commission
(Transferred to Title 68)
- 40 – Water Management Districts
- 41 – Commission for the Transportation Disadvantaged
- 42 – Florida Land and Water Adjudicatory Commission
- 43 – Fiscal Accounting Information Board
- 44 – Information Resource Commission
- 45 – Expressway Authorities
- 46 – Marine Fisheries Commission (Transferred to Title
68)
- 47 – High Speed Rail Transportation Commission
- 48 – Florida Keys Aqueduct Authority
- 49 – Regional Utility Authorities
- 50 – Alligator Point Resource Board
- 51 – Hillsborough County Consolidated Taxicab
Commission
- 52 – Port of Palm Beach District
- 53 – Department of the Lottery
- 54 – Interlocal Agencies
- 55 – Department of Veterans’ Affairs
- 56 – Clean Florida Commission
- 57 – Spaceport Florida Authority
- 58 – Department of Elder Affairs
- 59 – Agency for Health Care Administration
- 60 – Department of Management Services
- 61 – Department of Business and Professional
Regulation
- 62 – Department of Environmental Protection
- 63 – Department of Juvenile Justice
- 64 – Department of Health
- 65 – Department of Children and Family Services
- 66 – Navigation Districts
- 67 – Florida Housing Finance Corporation

- 68 – Fish and Wildlife Conservation Commission
- 69 – Department of Financial Services
- 70 – Department of Military Affairs
- 71 – Agency for Enterprise Information Technology
- 72 – Board of Governors
- 73 – Department of Economic Opportunity

(c) If more than one major activity or division exists within an agency, an uppercase letter shall be added to the title number to distinguish the major activities or divisions. Individual agencies within a group of closely related agencies sharing a title number shall also be designated by an uppercase letter following the title number. Letters added to title numbers are considered a part of the title number. (Example: Department of State adding to title number 1 the letters A, B, etc., so that they read 1A, 1B, etc.).

(d) If a unit of government which has independent rulemaking authority performs a function within a major activity of an agency or is a part of an individual agency which is one of a closely related group of agencies sharing a common title number, the title number and letter shall be followed by an Arabic numeral which shall be part of the title number. (Example: 6C1, 6C2, etc.)

(e) If more than one function exists within a division, within a major activity of an agency or within an agency included in a group of closely related agencies sharing a title number, a hyphen followed by a separate chapter number shall be used to designate rules applicable to each function. (Example: 1A-1 and 6C1-2).

(f) A decimal point shall follow each chapter number. The digits immediately following the decimal point shall identify rules within a chapter. Each rule shall be numbered with a minimum of three digits after the decimal point. (Example: 1-1.008).

(g) Following is a description of each component of a rule citation for Rule 1-1.008: Title Number (1); Division (B); Chapter (30); and the three digit identification number (.001).

(2) The rule number for an emergency rule shall be designated as follows:

(a) Emergency rule numbers shall begin with the title number assigned to an agency as specified in paragraph (1)(b) of this rule. (Example: The title number assigned to the Department of State is 1).

(b) Alphabetical and numerical designations required by paragraphs (1)(c) and (1)(d) of this rule may be added to the title number. These alphabetical and numerical designations become part of the title number. (Example: 1A, 6C1, etc.).

(c) The letters “ER” and the last two digits of the calendar year in which the rule is filed shall immediately follow the title number. (Example: 1AER07 or 6C1ER07).

(d) A hyphen shall separate the last two digits of the calendar year and an additional numerical designation. The additional numerical designation indicates the number of

emergency rules promulgated by the agency for that calendar year. (Example: 1AER07-1 and 1AER07-2 or 6C1ER07-6 and 6C1ER07-7).

1. The numerical designation is cumulative, starting with the number one. The numerical designation is determined by calculating the total number of emergency rules adopted by all divisions, major activities, and units of government within an agency assigned to the same title number.

2. The numerical designation restarts on January 1 of each year.

(3) Sub-units of rules are indicated as follows:

(a) Subsections by an Arabic numeral in parentheses.

(b) Paragraphs within a subsection by a lowercase letter in parentheses.

(c) Subparagraphs within a paragraph by an Arabic numeral followed by a decimal point.

(d) Sub-subparagraphs within a paragraph by a lowercase letter followed by a decimal point.

(e) A new sub-unit of rule text shall not be created unless the new sub-unit contains two or more parts. (Example: subsection (1) shall not be added unless there is at least a subsection (2). Similarly, paragraph (a) shall not be added unless there is at least a paragraph (b)).

(4) The rule number and the first line of each sub-unit rule text shall be indented 0.25".

(5) The Administrative Code and Register Weekly Section may, upon proper notification, change the rule number or any sub-unit of a rule when the change is needed to preserve the overall integrity of the numbering system used in the Florida Administrative Code.

(6) The adopting agency shall submit a rule title for each rule, which shall immediately follow the rule number. The rule title is not part of the substantive language of the rule and may be altered by the Administrative Code and Register Weekly Section if it does not sufficiently indicate the content of the rule to make it useful for indexing purposes.

(7) Rule numbers and rule titles will be listed at the beginning of each rule chapter when published in the Florida Administrative Code.

(8) A rule section in its entirety, may be transferred, with no changes to the text, to a new location in the Florida Administrative Code and shall be renumbered accordingly by the agency by writing a letter to the Administrative Code and Register Weekly Section requesting such transfer of a rule section. Transferring a rule in this manner does not require notification in the Florida Administrative Register Weekly.

(9) An agency shall not reassign numbers of repealed or transferred rules.

PROPOSED EFFECTIVE DATE October 1, 2012.

Rulemaking Authority 120.55(1)(d) FS. Law Implemented 120.55(1)(c) FS. History—New 5-29-80, Formerly 1-1.01, Amended 10-1-84, 11-14-85, 4-10-90, 6-17-92, 4-1-96, 9-13-98, 6-20-02, Formerly 1S-1.001, Amended 3-8-09, Formerly 1B-30.001, Amended 10-1-12.

1-1.009 Definitions.

Definitions as used in Rule Chapter 1-1, F.A.C.

(1) "Amended Rule" means a rule which is being or has been altered by adding, deleting or rephrasing text currently published in the Florida Administrative Code.

(2) "Coding" is a method by which rule text is underlined to indicate that text is new and stricken through to indicate that text is deleted.

(3) "File for Adoption" means delivery of a signed certification packet to and acceptance by an official in the Administrative Code and Register Weekly Section who is authorized to file official rulemaking documents.

(4) "General Notice" means any notice published in the Florida Administrative Register Weekly not defined as a "Rule Notice."

(5) "Law Implemented" means the language of the enabling statute being carried out or interpreted by an agency through rulemaking.

(6) "Proposed Rule" is a rule which is not yet adopted, but is currently undergoing rulemaking.

(7) "Promulgate" is the formal term used to refer to the rulemaking process authorized by Chapter 120, F.S.

(8) "Repealed Rule" is a rule which has been or is currently being revoked or rescinded.

(9) "Rule Certification Form" is the form signed by the person authorized to certify that the agency has complied with the statutory time limitations, that all rulemaking requirements have been met and that there is no administrative determination pending on the rule being filed for adoption.

(10) "Rule Chapter" refers to a number that identifies a major group of similar rules relating to a particular function within a division, within a major activity of an agency or within an agency included in a group of closely related agencies sharing the same title number. For example, "1-1" is a rule chapter which contains several individual rules of the Department of State, relating to a particular function.

(11) "Rule Notice" refers to a Notice of Rule Development, Notice of Proposed Rulemaking, Notice of Intent to Adopt a Rule, Notice of Change, Notice of Withdrawal, Notice of Correction or a Notice of Emergency Rules.

(12) "Rule Number" is the entire rule number comprised of the title number, the chapter number, the decimal point with at least ~~and the~~ three digit identification number.

(13) "Rule Title" is the description of the rule which sufficiently indicates its content.

(14) "Rulemaking" means the adoption, amendment or repeal of a rule.

(15) "Rulemaking Authority" means the statutory language that explicitly authorizes or requires an agency to adopt, develop, establish, or otherwise create any statement coming within the definition of the term rule. (Notice: prior to July 1, 2008, this term was "Specific Authority." In the history notes for rules promulgated after the effective date of this rule, the term "Rulemaking Authority" should be used rather than "Specific Authority." History notes for rules promulgated prior to the effective date of this rule, using "Specific Authority," shall remain undisturbed, until and unless such rules are amended.)

(16) "Sub-unit" means a subsection, paragraph, subparagraph or sub-subparagraph of a rule.

(17) "Title Number" is the number assigned to each agency or closely related group of state agencies by the Department of State.

(18) "Transferred Rule" is a rule which has been renumbered and relocated from one rule chapter to another, with no changes in the text of the rule. The history note of the transferred rule includes the former rule number.

PROPOSED EFFECTIVE DATE October 1, 2012.

Rulemaking Authority 120.55(1)(d) FS. Law Implemented 120.55(1)(c) FS. History—New 9-2-93, Amended 4-1-96, Formerly 1S-1.0015, Amended 3-8-09, Formerly 1B-30.0015, Amended 10-1-12.

1-1.010 Style and Form for Filing Rules; Certification Accompanying Materials.

(1) An agency shall file a complete rule certification packet when filing a rule for adoption with the Administrative Code and Register Weekly Section.

(a) A complete rule certification packet for all rules, except emergency rules, shall consist of the following:

1. A cover letter designating the agency's contact person for the rule filed for adoption. The letter shall include the contact person's phone number, physical mailing address and email address.

2. One compact disc, DVD or a 3.5" diskette containing the coded text of the rule(s).

3. If materials incorporated are filed electronically in accordance with Rule 1-1.013, F.A.C., the submitting agency shall provide a copy of the email approval confirmation with the certification form required by this rule. If the agency determines that filing incorporated materials electronically will violate federal copyright laws, then the agency shall file one original certified copy of the materials incorporated by reference in accordance with Rule 1-1.013, F.A.C.

4. One original and two copies of the following:

a. The signed rule certification form.

b. The coded text of the rule, including the legal citations and history notes.

c. A summary of the rule.

d. A detailed written statement of the facts and circumstances justifying the rule.

e. A summary of any hearings held on the rule. A summary of any hearing held on the rule shall include the time, date and place of the hearing. When no public hearing is held, the summary shall include the following statement: "No timely request for a hearing was received by the agency, and no hearing was held".

(b) For emergency rules, a complete rule certification packet filed with the Administrative Code and Register Weekly Section shall consist of the following:

1. A cover letter designating the agency's contact person for the rule filed for adoption. The letter shall include the contact person's phone number, physical mailing address and email address.

2. One compact disc, DVD or 3.5" diskette containing the coded text of the rule, if the emergency rule filed by the agency is statutorily permitted to exceed the 90-day effective period specified in Section 120.54(4)(c), F.S. Emergency rules with a maximum effective period of 90 days, as permitted by Section 120.54(4)(c), F.S., are not required to submit a compact disc, DVD or 3.5" diskette containing the coded text of the rule.

3. If materials incorporated are filed electronically in accordance with Rule 1-1.013, F.A.C., the submitting agency shall provide a copy of the email approval confirmation with the certification form required by this rule. If the agency determines that filing incorporated materials electronically will violate federal copyright laws, then the agency shall file one original certified copy of the materials incorporated by reference in accordance with Rule 1-1.013, F.A.C.

4. One original and two copies of the following:

a. The signed rule certification form.

b. The coded text of the rule, including legal citations and history notes.

c. A statement of the specific facts and reasons for finding an immediate danger to the public health, safety or welfare.

d. A statement of the agency's reasons for concluding that the procedure used is fair under the circumstances.

(2) All documents, except the cover letter, required by subsection (1) of this rule shall be formatted as follows:

(a) Typed on white, letter-size (8 1/2" x 11") paper, double spaced.

(b) Margins shall be one inch at the top, bottom and on each side of the page.

(c) The font of the text shall be 10 point Times New Roman.

(3) An agency adopting a rule shall file the original and two copies of the rule certification form as specified in paragraphs (3)(a) through (e) of this rule. More than one rule may be listed on a rule certification form so long as the rules are from the same rule chapter, and so long as the adoption

packet includes the rules ~~that as they~~ were included in the same notice in the Florida Administrative Register Weekly. A separate rule certification form shall be filed for each rule chapter affected.

(a) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(3), F.S.:

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE

I hereby certify:

[] (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

[] (3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

[] (a) Are filed not more than 90 days after the notice; or

[] (b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

[] (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

[] (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

[] (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

[] (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

[] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the ombudsman in the Executive Office of the Governor Small Business Regulatory Advisory Committee.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective Date: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(b) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(6), F.S., entitled "Adoption of Federal Standards":

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE
PURSUANT TO SECTION 120.54(6),
FLORIDA STATUTES
(ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

[] (1) That the time limitations prescribed by Section 120.54(6), F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no non-frivolous objection, under Section 120.54(6)(c), F.S., pending on those portions of any rule covered by this certification; and

[] (3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 120.54(6)(a), F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).
(List in Columns)
Under the provisions of Section 120.54(6)(b), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective Date: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(c) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 120.54(1)(i)5., F.S.:

CERTIFICATION OF (NAME OF AGENCY)
ADMINISTRATIVE RULES FILED WITH THE
DEPARTMENT OF STATE
PURSUANT TO SECTION 120.54(1)(i)5.,
FLORIDA STATUTES

I hereby certify:

[] (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and

[] (2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

[] (3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

[] (a) Are filed not more than 90 days after the notice; or

[] (b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

[] (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

[] (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

[] (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

[] (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

[] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the ombudsman in the Executive Office of the Governor ~~Small Business Regulatory Advisory Committee~~.

[] (4) All rules covered by this certification are filed within the time limitations of Section 120.54(1)(i)5., F.S., and no objection to the rules in the certification was filed with the Department by a substantially affected person with 14 days after the date of publication of the notice of intent pursuant to Section 120.54(1)(i)5., F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).
(List in Columns)

Under the provision of Section 120.54(1)(i)5., F.S., the rules take effect 20 days from the date filed with the Department of State:

Effective Date: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(d) The following rule certification form shall be used in filing new, amended or repealed rules under the provisions of Section 403.8055, F.S.:

CERTIFICATION OF DEPARTMENT OF ENVIRONMENTAL PROTECTION ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE PURSUANT TO SECTION 403.8055, FLORIDA STATUTES (ADOPTION OF FEDERAL STANDARDS)

I hereby certify:

- [] (1) That the time limitations prescribed by Section 403.8055, F.S., and all applicable rulemaking requirements of the Department of State have been complied with; and
[] (2) That there is no non-frivolous objection, under Section 403.8055(4), F.S., pending on any rule covered by this certification; and
[] (3) All rules covered by this certification are filed not less than 21 days after the notice required by Section 403.8055(1), F.S.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provisions of Section 403.8055(2), F.S., the rule(s) take effect upon the date designated below (but not earlier than the date of filing):

Effective Date: (month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(e) The following rule certification form shall be used in emergency rules under the provisions of Section 120.54(4), F.S.:

CERTIFICATION OF (NAME OF AGENCY) EMERGENCY RULE FILED WITH THE DEPARTMENT OF STATE

I hereby certify that an immediate danger to the public health, safety or welfare requires emergency action and that the attached rule is necessitated by the immediate danger. I further

certify that the procedures used in the promulgation of this emergency rule were fair under the circumstances and that the rule otherwise complies with Section 120.54(4), F.S. The adoption of this rule was authorized by the head of the agency and this rule is hereby adopted upon its filing with the Department of State.

Rule No(s).

(List in Columns)

Under the provision of Section 120.54(4)(d), F.S., this rule takes effect upon filing unless a later time and date less than 20 days from filing, is set out below:

Effective Date: (month) (day) (year)

Signature, Person Authorized to Certify Rules

Title

Number of Pages Certified

(4) An agency adopting a new rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two coded copies of the new rule with the Administrative Code and Register Weekly Section. The text of the new rule shall be coded by underlining the rule number, rule title, rule text, legal citations and history notes. Each page shall be numbered.

(5) An agency adopting an amendment to an existing rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two coded copies of the amended rule with the Administrative Code and Register Weekly Section. Each page shall be numbered.

(a) An amended rule shall be coded as specified in subparagraph 1-1.011(3)(c)2., F.A.C.

(b) Any subsection, paragraph, subparagraph or sub-subparagraph not being amended shall not be included and shall be noted as "No change", unless inclusion is necessary to make the publication of the amended rule complete and meaningful.

(c) If an amendment to a rule substantially rewords the rule, the rule shall be prepared and coded as described in subparagraph 1-1.011(3)(c)3., F.A.C.

(6) An agency repealing an existing rule pursuant to Section 120.54(3)(e), F.S., shall file the original and two copies of the existing rule with the Administrative Code and Register Weekly Section. Rules that repeal existing rules shall contain the words, "The following rules are hereby repealed:" followed by the rule number and title of the rule or rules being repealed and the complete text of each repealed rule with a diagonal line

drawn through the entire text of the rule. The text of repealed rules shall be provided by making a copy of the rule text as it appears in the Florida Administrative Code. Each page shall be numbered.

(7) An agency adopting an emergency rule pursuant to Section 120.54(4), F.S., shall file the original and two coded copies of the emergency rule with the Administrative Code and Register Weekly Section. Each page shall be numbered. The text of the emergency rule shall be coded as follows:

(a) When an emergency rule's requirements create a new rule, the emergency rule shall be coded as described in subsection (4) of this rule.

(b) When an emergency rule for the period in effect changes the requirements or text of an existing rule, it shall be coded in the same manner as an existing rule is coded pursuant to subparagraph 1-1.011(3)(c)2., F.A.C. The emergency rule shall cross-reference the existing rule number. If the change to the existing rule is substantial, it shall be coded in the same manner as described in subparagraph 1-1.011(3)(c)3., F.A.C.

(c) When an emergency rule for the period in effect supersedes or suspends in its entirety the effect or text of an existing rule, it shall be coded in the same manner as a repeal of an existing rule pursuant to subparagraph 1-1.011(3)(c)4., F.A.C., and subsection (6) of this rule. The emergency rule shall cross-reference the existing rule number.

(8)(a) If the effective date of a rule is later than 20 days after being filed, the effective date shall be stated in the rule text immediately following the final text. The effective date shall be preceded by the words, "PROPOSED EFFECTIVE DATE:". The effective date shall also be provided on the rule certification form if the effective date of the rule is later than 20 days after being filed. The effective date of the rule will not be published in the Florida Administrative Code as part of the rule text, but will appear in the history note.

(b) If the effective date of an emergency rule is other than immediately upon filing, the effective date of the emergency rule shall be stated in the rule text immediately following the text. The effective date shall be preceded by the words, "PROPOSED EFFECTIVE DATE:". The effective date shall also be provided on the rule certification form if the effective date of the emergency rule is other than immediately upon filing.

(9) The Administrative Code and Register Weekly Section shall reject any proposed rule filed for final adoption that does not comply with all statutory rulemaking requirements and/or the requirements of this chapter.

(10) Technical changes, such as non-substantive changes, errors in punctuation, misspellings, corrections of tense, changes of address or telephone number, or similar changes that do not affect the construction or meaning of the rule, may be accomplished by writing a letter to the Administrative Code and Register Weekly Section. Such changes do not require notification in the Florida Administrative Register Weekly.

PROPOSED EFFECTIVE DATE October 1, 2012.

Rulemaking Authority 20.10(3), 120.54(1)(i)6, 120.54(1)(j), 120.55(1)(d) FS. Law Implemented 120.54(1)-(4), (6), 120.55, 403.8055 FS. History—New 5-29-80, Formerly 1-1.02, Amended 12-30-81, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 10-1-96, 9-13-98, 8-23-99, 6-20-02, Formerly 1S-1.002, Amended 3-8-09, 1-1-11, Formerly 1B-30.002, Amended 10-1-12.

1-1.011 Publication of Notices in the Florida Administrative Register Weekly (FAR FAW).

(1)(a) The Florida Administrative Register Weekly (FAR FAW) is published each business day of the week ~~Friday of the year~~ except those business days ~~Fridays~~ that are observed as official state holidays designated by Section 110.117, F.S. When a business day ~~Friday~~ is observed as a holiday, publication shall be on the next business last working day of the week ~~in which the Friday holiday is observed.~~

(b) All notices to be published in the FAR FAW must be received by the Administrative Code and Register Weekly Section, by 3:00 p.m. each business day to be published the next business day ~~before 12:00 Noon Wednesday, the week prior to publication. When Wednesday, Thursday, or Friday of the week of submission is observed as a holiday, the deadline for receiving notices shall be 12:00 Noon on Monday, the week prior to publication.~~

(2) All notices to be published in the FAR FAW must be submitted electronically through the Department of State's e-rulemaking website: www.flrules.org/agency/login.asp.

(a) Agencies shall contact the Administrative Code and Register Weekly Section to designate one or more agency administrator(s) to manage the agency's submissions on the e-rulemaking website. The agency administrator's duties include managing the agency submissions, payment profiles, rule notices, general notices, public comments and designating rule and chapter numbers on the e-rulemaking website.

(b) A billing profile shall be completed on the e-rulemaking website prior to the submission of notices for publication in the FAR FAW.

(3) The following applies to all rule notices submitted for publication in the FAR FAW:

(a) A single rule notice may contain more than one rule if the rules share the same chapter number.

(b) Rule notices shall not contain any markup revision, redlining or automatic numbering.

(c) All rule notices shall be coded as follows:

1. A new rule shall be coded by underlining all text, including spaces and punctuation. (Example: (1) The petitioner shall contact the agency.)

2. An amended rule shall be coded by underlining new text and by striking through deleted text. New text shall appear before deleted text. The space immediately before and immediately after the new text or deleted text shall not be coded. (Example: The petitioner party shall contact the agency)

head within 30 days.). New text inserted in an amended rule shall not immediately precede remaining text or stricken text. (Example of incorrect coding: The ~~petitioner~~party shall contact the agency head.). (Example of correct coding: The petitioner party shall contact the agency.)

a. Newly inserted subsections, paragraphs, subparagraphs or sub-subparagraphs shall be coded in the same manner as the following examples. (Example of incorrect coding: (1~~2~~) or (a) ~~+~~). (Example of correct coding: (1)(~~2~~) or (a)~~+~~).

b. A portion of a word shall not be amended without completely striking through existing text and inserting new text unless the amendment changes the capitalization of the word. (Examples of incorrect coding: ~~petitioner~~arty or ~~administrator~~ion). (Example of correct coding: petitioner party or administrator administration). A change in capitalization is coded by adding the newly inserted letter immediately before the deleted letter. (Example of correct coding: Ppetitioner).

c. Any subsection, paragraph, subparagraph, or sub-subparagraph not being amended shall not be included and shall be noted as "No change", unless inclusion is necessary to make the publication of the amended rule complete and meaningful.

3. If an amendment to a rule is so extensive that coding would hinder, rather than assist the understanding of the amendment, the notice shall only contain the underlined new text. The rule number and the existing rule title, legal citations and history note lines shall not be underlined. Amendments to the rule title, legal citations, or history notes shall be coded to indicate new or deleted text. The following directory line shall be inserted immediately before the rule number and rule title of the substantially reworded rule: "Substantial rewording of Rule _____ follows. See Florida Administrative Code for present text." The present text of the rule shall not be included in the notice.

4. Rule repeals shall be coded by underlining the word "Repealed" in the history note. The full text of the rule is not required to be published in the FAR FAW. Only a reference to the rule number, rule title, legal citations and history notes must be published, provided that the rule summary portion of the notice fully describes the subject matter of the repealed rule text. Partial rule repeals will be treated in the same manner as an amendment.

(4) The following applies to all notices submitted for publication in the FAR FAW:

- (a) Margins shall be set at 1" at the top, bottom and sides.
- (b) Text shall be left justified.
- (c) The font shall be 10 point Times New Roman.
- (d) Indents shall be set at 0.25".

(5) The following templates containing the required format for notices to be published in the FAR FAW may be accessed from the e-rulemaking website: www.flrules.com/agency/login.asp:

(a) Except when the intended action is the repeal of a rule; negotiated rulemaking undertaken pursuant to Section 120.54(2)(d), F.S.; the adoption of an emergency rule pursuant to Section 120.54(4), F.S.; or the adoption of a rule pursuant to Section 120.54(1)(i)5., 120.54(6) or 403.8055, F.S., agencies shall provide notice of the development of proposed rules by publishing a Notice of Rule Development in the FAR FAW. If the text of the rule is included in the notice, the text shall be coded as described in subsection (3) of this rule. The following notice format shall be used, but only one of the rule development workshop alternatives and one of the preliminary text alternatives shall be selected for publication in the FAR FAW:

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

PURPOSE AND EFFECT:

SUBJECT AREA TO BE ADDRESSED:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

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:

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

(or)

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 REGISTER WEEKLY;

DATE AND TIME:

PLACE:

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(or)

NOT AVAILABLE

(or)

AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

(b) A Notice of Proposed Rule shall be published in the FAR FAW before filing any rule for adoption, except emergency rules adopted pursuant to Section 120.54(4), F.S., or rules adopted pursuant to Section 120.54(1)(i)5., 120.54(6) or 403.8055, F.S. Rule text included in the Notice of Proposed

Rule shall be coded as described in subsection (3) of this rule. The following format shall be used for a Notice of Proposed Rule, but only one of the alternatives listed in the hearing portion of the format should be selected for publication in the FAR FAW.

NOTICE OF PROPOSED RULE

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

PURPOSE AND EFFECT:

SUMMARY:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this rule will ___ or will not ___ have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has ___ or has not ___ been prepared by the agency.

The Agency has determined that the proposed rule is ___ or is not ___ expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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 (formerly "Specific Authority"):

LAW IMPLEMENTED:

___ 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 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):

(or)

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

DATE AND TIME:

PLACE:

(or)

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

THE FULL TEXT OF THE PROPOSED RULE IS:

(TEXT OF RULE)

NAME OF PERSON ORIGINATING PROPOSED RULE:
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR FAW:

(c) A Notice of Intent to Adopt a Rule shall be published in the FAR FAW before a rule adopted pursuant to Section 120.54(6), F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES (ADOPTION OF FEDERAL STANDARDS)

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person)

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

THE FULL TEXT OF THE PROPOSED RULE IS:

(d) A Notice of Intent to Adopt a Rule shall be published in the FAR FAW before a rule adopted pursuant to Section 120.54(1)(i)5., F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE PURSUANT TO SECTION 120.54(1)(i)5., FLORIDA STATUTES

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:

RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(1)(i)5., F.S.

~~WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person):~~

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

THE FULL TEXT OF THE PROPOSED RULE IS:

(e) A Notice of Intent to Adopt a Rule shall be published in the ~~FAR FAW~~ before a rule adopted pursuant to Section 403.8055, F.S., may be filed for adoption. Rule text shall be coded as described in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF INTENT TO ADOPT A RULE
PURSUANT TO SECTION 403.8055, FLORIDA STATUTES
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NAME OF AGENCY
Division or Board
RULE NO.:

RULE TITLE:

PURPOSE, EFFECT AND SUMMARY:
RULEMAKING AUTHORITY (formerly "Specific Authority"):

LAW IMPLEMENTED:
THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: (Name and address of contact person)

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-2000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

(f) A Notice of Change pursuant to the requirements of Section 120.54(3)(d)1., F.S., shall be filed when changes are made to proposed rule text. The rule text published in the Notice of Proposed Rule shall be used as the basis for coding the additional rule changes included in the Notice of Change. Coding of rule text in the Notice of Change shall be as described in subsection (3) of this rule. The following notice format shall be used:

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

NOTICE OF CHANGE

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

(Text of proposed rule changes)

(g) A Notice of Withdrawal shall be used when withdrawing proposed rules. The following notice format shall be used:

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. ____, No. ____, (date), Florida Administrative ~~Register Weekly~~ has been withdrawn.

(h) A Notice of Emergency Rule shall be published in the first available issue of the ~~FAR FAW~~ following filing the emergency rule for adoption. Emergency rules shall be coded as specified in subsection (3) of this rule. The following notice format shall be used:

NOTICE OF EMERGENCY RULE

NAME OF AGENCY

Division or Board

RULE NO.:

RULE TITLE:

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE:

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:

SUMMARY OF THE RULE:

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:

THE FULL TEXT OF THE EMERGENCY RULE IS:

(TEXT OF RULE)

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE:

(i) The following format shall be used to notice a petition for variance or waiver:

NOTICE OF VARIANCE OR WAIVER

NAME OF AGENCY

NOTICE IS HEREBY GIVEN that on (date), the (name of agency) received a petition for a variance or waiver.

Petitioner's Name:

Rule No.:

Nature of the rule for which variance or waiver is sought:

A copy of the Petition for variance or waiver may be obtained by contacting:

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

(j) The following format shall be used to notice the disposition of a petition for variance or waiver:

NOTICE OF DISPOSITION OF VARIANCE OR WAIVER
 NOTICE IS HEREBY GIVEN that on (date), the (name of agency) has issued an order.

Petitioner's Name:

Date Petition Filed:

Rule No.:

Nature of the rule for which variance or waiver is sought:

Date Petition Published in the Florida Administrative Register Weekly:

General Basis for Agency Decision:

A copy of the Order may be obtained by contacting:

(k) The following format shall be used for preparing notices of public meetings, hearings, or workshops:

NOTICE OF PUBLIC MEETINGS, HEARINGS, OR
 WORKSHOPS

The (name of agency) announces a (public meeting, hearing or workshop) to which all persons are invited:

DATE AND TIME:

PLACE:

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A copy of the agenda may be obtained by contacting:

(l) The following format shall be used for notices of petitions for declaratory statements:

NOTICE OF PETITION FOR DECLARATORY
 STATEMENT

NOTICE IS HEREBY GIVEN THAT (name of agency) _____, has received a petition for a declaratory statement from (name of petitioner). The petition seeks the agency's opinion as to the applicability of (statute, rule or order number) as it applies to the petitioner.

(m) The following format shall be used for notices of dispositions of declaratory statements:

NOTICE OF DISPOSITION OF DECLARATORY
 STATEMENT

NOTICE IS HEREBY GIVEN THAT (name of agency) has issued an order disposing of the petition for declaratory statement filed by (petitioner's name) on (date of petition). The following is a summary of the agency's disposition of the petition: (Insert a statement that the petition was denied and the reasons for the denial or that the petition was granted and set out a summary of the substance of the response.)

(n)1. The following format shall be used for notice of the invalidation of a proposed or effective rule:

NOTICE OF THE INVALIDATION OF A PROPOSED
 OR EFFECTIVE RULE

(name of agency) HEREBY GIVES NOTICE that an administrative law judge or a court has determined that (rule no.) is invalid. The time for filing an appeal of this decision expired (date). (If desired insert optional summary of the hearing officer's determination.)

2. If the rule declared invalid is a proposed rule, the rule number inserted in the notice shall be prefixed by the word "proposed."

(6) The department shall reject any notice that does not comply with the requirements specified in this rule.

PROPOSED EFFECTIVE DATE October 1, 2012.

Rulemaking Authority 120.55(1)(d) FS. Law Implemented 120.54(2), 120.542(6), (8), 120.55(1), (3) FS. History--New 5-29-80, Formerly 1-1-021, Amended 7-12-81, 12-30-81, 7-8-82, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 9-2-93, 4-1-96, 10-1-96, 9-13-98, 6-20-02, Formerly 1S-1.003, Amended 3-8-09, Formerly 1B-30.003, Amended 10-1-12.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Liz Cloud, Administrative Code and Weekly Section

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 3, 2012

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-5.011
 RULE TITLE: Enforcement

PURPOSE AND EFFECT: The proposed rule amendment is intended to update guidelines for enforcement of convenience store program violations.

SUMMARY: The proposed rule amendment will increase the extension of time which may be granted for correcting violations from 30 to 90 days.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its

members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1million within five years as established in Sections 120.541(2)(a)1., 2., and 3., F.S.

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: 812.176 FS.

LAW IMPLEMENTED: 120.57, 812.173 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-5.011 Enforcement.

(1) Before the Department may take action to enforce a provision of the "Convenience Business Security Act," Sections 812.1701-.175, F.S., an inspection of a convenience business or businesses must be performed and properly documented on the form entitled "Convenience Business Security Inspection Form," CBS-2 (Revised 4/09), effective 8-4-09, which is incorporated by reference in these rules.

(2) The owner or principal operator of a convenience business must respond to a notice of violation and provide proof of compliance by submitting to the Office of the Attorney General a completed form entitled "Voluntary Compliance Agreement," CBS-3 (Revised 4/09), effective 8-4-09, which is incorporated by reference in these rules.

(3) Upon a showing that the owner or principal operator of a convenience business has a good faith intention to correct a violation and there is no evidence of unnecessary delay, the Office of the Attorney General may grant a 90 ~~30~~-day extension of time for correcting violations. However, if a violation is not timely corrected, civil fines may be imposed in the following amounts:

(a) \$1,000 for violation of any of the security requirements of Section 812.173(1) and (2), F.S.;

(b) \$2,000 for violation of the silent alarm requirements in Section 812.173(3), F.S.; or the employee training requirement in Section 812.174, F.S.;

(c) \$5,000 for violation of any of the security requirements in Section 812.173(4), F.S.;

(d) \$5,000 for any violation of the requirements indicated in paragraphs (a)-(c) above if the violation is found during the investigation of any of the crimes specified in subsection 812.173(4), F.S.

(4) When a civil fine is imposed, the Office of the Attorney General shall issue a certified, return receipt requested letter to the owner or principal operator demanding payment to the State of Florida within 21 days of receipt.

(5) The allegations contained in a notice of civil fine will become binding and final, and the right to an administrative hearing will be deemed waived, unless a request for administrative hearing under Sections 120.569 and 120.57, F.S., is filed with the Office of the Attorney General within 21 days after receipt of the notice of civil fine.

Rulemaking Authority 812.176 FS. Law Implemented 120.57, 812.175 FS. History--New 4-20-93, Amended 6-25-96, 4-28-98, 8-4-09_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Nuss, Chief, Bureau of Criminal Justice Programs
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Attorney General Pam Bondi
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 20, 2012

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NO.: 60L-32.007
 RULE TITLE: Selected Exempt Service
 Extraordinary Payment Plan

PURPOSE AND EFFECT: The Department proposes repealing this section as the provision sunset on July 1, 2012.

SUMMARY: An agency may propose, for Department approval, an agency-wide plan to compensate excluded Selected Exempt Service (SES) employees below the bureau chief or bureau chief comparable level who are directed to work hours in excess of the contracted hours in the regular work period in response to an unforeseen extraordinary event or occurrence to provide agency mission critical services to the public. The Department proposes repealing this section as the provision sunset on July 1, 2012.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. For these reasons, a SERC has not been prepared by the agency and legislative ratification is not required.

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: 110.1055, 110.201(1), 110.602, 110.605(1), (2) FS.

LAW IMPLEMENTED: 110.201, 110.603 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, September 4, 2012, 8:30 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, FL 32399-0950

Pursuant to the provisions of 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. Mailea Adams at Mailea.Adams@dms.myflorida.com or (850)413-9503. If you are 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: Mr. Phil Spooner at Phil.Spooner@dms.myflorida.com or (850)488-2445

THE FULL TEXT OF THE PROPOSED RULE IS:

60L-32.007 Selected Exempt Service Extraordinary Payment Plan.

Rulemaking Authority 110.1055, 110.201(1), 110.602, 110.605(1), (2) FS. Law Implemented 110.201, 110.603 FS. History—New 5-21-09, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon D. Larson, Director, Human Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Craig J. Nichols

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2012

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NO.: 60L-32.0071
 RULE TITLE: Selected Exempt Service
 Extraordinary Payment Plan

PURPOSE AND EFFECT: The Department proposes reestablishing the provisions of Rule 60L-32.007, F.A.C., that sunset July 1, 2012.

SUMMARY: An agency may propose, for Department approval, an agency-wide plan to compensate excluded Selected Exempt Service (SES) employees below the bureau chief or bureau chief comparable level who are directed to work hours in excess of the contracted hours in the regular work period in response to an unforeseen extraordinary event or occurrence to provide agency mission critical services to the public. The Department proposes reestablishing the provisions of Rule 60L-32.007, that sunset July 1, 2012.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. For these reasons, a SERC has not been prepared by the agency and legislative ratification is not required.

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: 110.1055, 110.201(1), 110.602, 110.605(1), (2) FS.

LAW IMPLEMENTED: 110.201, 110.603 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, September 4, 2012, 10:00 a.m.

PLACE: The Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, FL 32399-0950

Pursuant to the provisions of 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. Mailea Adams at Mailea.Adams@dms.myflorida.com or (850)413-9503. If you are 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: Mr. Phil Spooner at Phil.Spooner@dms.myflorida.com or (850)488-2445

THE FULL TEXT OF THE PROPOSED RULE IS:

60L-32.0071 Selected Exempt Service Extraordinary Payment Plan.
Notwithstanding the provisions of subsection 60L-34.0031(3), F.A.C., an agency may propose, for Department approval, an agency-wide plan to compensate excluded Selected Exempt Service (SES) employees below the bureau chief or bureau chief comparable level who are directed to work hours in excess of the contracted hours in the regular work period in response to an unforeseen extraordinary event or occurrence to provide agency mission critical services to the public subject to the following:

(1) The plan must be activated in writing by the agency head or designee and must document how the unforeseen extraordinary event or occurrence impacts recipients of agency mission critical services to justify plan activation.

(2) Plan activation shall be contingent upon the availability of adequate budget and funds for the compensation payments and shall include a beginning and ending date.

(3) The agency head or designee shall notify the Executive Office of the Governor, the President of the Senate, the Speaker of the House and the Department immediately upon each plan activation or extension by providing a copy of the activation or extension letter and any supporting documentation.

(4) Payment shall be made at the employee's straight time hourly regular rate of pay on an hour-for-hour basis for any hours worked in excess of the contracted hours during the regular work period.

(5) All hours worked in excess of the contracted hours in the regular work period and compensated as a result of a plan activation for an extraordinary event or occurrence shall be recorded in the State Personnel System Human Resource Information System using the code designated for SES Extraordinary Pay unless otherwise instructed by the Department.

(6) A record must be maintained of all hours worked and payments made in connection with each plan activation.

Rulemaking Authority 110.1055, 110.201(1), 110.602, 110.605(1), (2) FS. Law Implemented 110.201, 110.603 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Sharon D. Larson, Director, Human Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Scott Stewart
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

DEPARTMENT OF MANAGEMENT SERVICES

Division of Administrative Hearings

RULE NOS.:	RULE TITLES:
60Q-6.102	Definitions
60Q-6.103	Pleadings and Proposed Orders
60Q-6.104	Representation and Appearance of Counsel
60Q-6.106	Consolidation and Venue
60Q-6.107	Amendment and Dismissal of Petition for Benefits
60Q-6.108	Filing and Service
60Q-6.110	Mediation, Generally
60Q-6.113	Pretrial Procedure
60Q-6.114	Discovery
60Q-6.115	Motion Practice
60Q-6.116	Prosecution of Claims and Petitions for Benefits
60Q-6.117	Emergency Conferences
60Q-6.118	Expedited Hearings
60Q-6.120	Summary Final Order
60Q-6.122	Motion for Re-hearing and Amending or Vacating Order
60Q-6.123	Settlements Under Section 440.20(11), Florida Statutes
60Q-6.124	Payment of Attorney's Fees and Costs Other Than Pursuant to Section 440.20(11), Florida Statutes
60Q-6.125	Sanctions
60Q-6.126	Disqualification or Recusal of Judges
60Q-6.127	Procedure for Relief from Appellate Filing Fee and Costs

PURPOSE AND EFFECT: Procedural rules for adjudication of workers' compensation claims were implemented on February 23, 2003, pursuant to the mandate in Section 440.45, Florida Statutes, that the Division of Administrative Hearings adopt procedural rules. Amendments to the rules have previously been made in 2006 and 2010. Since Sections 440.015 and 440.44(2), Florida Statutes, require that the workers' compensation system be efficient and self-executing and that the Division of Administrative Hearings assume an active and forceful role in achieving that goal, it is necessary to amend the existing rules to conform with subsequent statutory changes and to incorporate changes that will improve the adjudicatory process based upon experience in utilizing the existing rules.

SUMMARY: The procedural rule revisions improve definitions, implement mandatory electronic filing, streamline the service of pleadings, promote the timely resolution of attorney's fees and costs, discourage duplication and unnecessary filings, encourage timely orders, streamline mediation, provide for voluntary mediation, promote timely discovery and entry of discovery orders, streamline motion practice, allow JCCs to approve stipulations, and streamline the appointment of expert medical advisors, with a resulting more efficient and self-executing adjudicatory process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During a six-city rule development workshop conducted via video teleconferencing on July 6, 2012, numerous participants representing business and individual interests within the workers' compensation industry, as well as the experience of the Chief Judge and Deputy Chief Judge, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the amendments to the rules will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time or by the date the record was left open to receive comments, July 16, 2012. The proposed rule amendments will largely result in a streamlining of the workers' compensation appeals program that should save the participating parties money when proceeding through the process.

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: 61.14(8)(a), 440.25(4)(h), 440.25(4)(i), 440.45(1)(a), 440.45(4) FS.

LAW IMPLEMENTED: 61.14(8)(a), 440.105(3)(c), 440.192, 440.20(11), 440.25(1)-(4), 440.271, 440.29(2), 440.30, 440.32, 440.33(1), 440.34, 440.345, 440.442, 440.45(1)(a), 440.45(4), 440.45(5) FS.

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

DATE AND TIME: Wednesday, August 22, 2012, 8:00 a.m. – 9:30 a.m.

PLACE: Room (TBD), Marriott World Center, 8701 World Center Drive, Orlando, Florida 32821

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Lisa Mustain, Administrative Services Director, (850)488-9675. If you are 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: Robert S. Cohen, Director and Chief Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, (850)488-9675

THE FULL TEXT OF THE PROPOSED RULES IS:

60Q-6.102 Definitions.

(1) "Claim" means each assertion of a legal right or benefit under Chapter 440, F.S.:

(2) through (3) No change.

(4) "Office of the Judges of Compensation Claims" (OJCC) means the office within the Department of Management Services, Division of Administrative Hearings, where the ~~Deputy Chief Judge~~ ~~deputy chief judge~~ and judges of compensation claims preside.

(5) "~~Electronic transmission~~" or "Electronic electronic filing" means uploaded to the appropriate case docket using the electronic judges of compensation claims' e-filing system (e-JCC) accessed through a link on the OJCC website at www.jcc.state.fl.us.

(6) through (9) No change.

(10) "Petition for benefits" means a pleading invoking the jurisdiction of the OJCC and subject to the requirements of ~~Section~~ ~~Sections~~ 440.192(1) through (4), F.S.

(11) "Pleading" means a petition for benefits or an amended petition, a motion, a response to a petition or a motion, a voluntary dismissal, a voluntary agreement to provide benefits, a pretrial stipulation, a stipulation changing the issues pending in a case, or a notice.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.192(1), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.103 Pleadings and Proposed Orders.

(1) No change.

(a) Be typewritten or printed on 8 1/2" by 11" white paper, unless electronically filed ~~by electronic transmission~~.

(b) through (f) No change.

(2) through (3) No change.

(4) Proposed Orders. Except as provided in Rule 60Q-6.115(3), F.A.C., proposed orders shall not be submitted unless requested by the judge. They shall be clearly identified as proposed orders and shall be sent to all other parties or, if

represented, their attorneys of record prior to being submitted to the judge. Proposed orders shall be a separate document and not be included as a part of a motion.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.192(1), (2)(a), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.104 Representation and Appearance of Counsel.

(1) through (2) No change.

(a) No change.

(b) A motion to substitute or to withdraw, which reflects that it has been served on the client and all other parties or, if represented, their attorneys ~~the party's attorney~~ of record, is granted.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.106 Consolidation and Venue.

(1) The judge, on the judge's own initiative or on the motion of any party, may consolidate any claims or petitions, pending before the judge for the purpose of a hearing or for any other purpose, except for a claim for reimbursement from the Special Disability Trust Fund.

(2) through (4) No change.

(5) For accidents occurring outside of the state, the Deputy Chief Judge's ~~deputy chief judge's~~ initial determination of venue may be changed by order of the assigned judge.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(d), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.107 Amendment and Dismissal of Petition for Benefits.

(1) A petition that does not contain the information required by Section ~~Sections~~ 440.192(2) through (4), F.S., shall be dismissed.

(2) through (3) No change.

~~(4) Upon motion by the employer or carrier, the judge may require the claimant to file a verified motion for attorney's fees and costs and adjudicate the verified motion for attorney's fees and costs.~~

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.192, ~~440.25(4)(d), (i), 44.44(2)~~, 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.108 Filing and Service.

(1) No change.

(a) No change.

(b) Any pleading or other paper filed in a proceeding shall be served on all other parties or, if represented, their attorneys of record at the time the document is filed. Petitions for benefits shall be served on the parties as provided in Section

440.192(1), and copies of the petitions shall be served on counsel for the opposing parties, if known, at the time the petition is filed as provided in this rule. Service shall be by electronic mail, facsimile, or U.S. mail. The use of electronic mail by parties or attorneys is approved only when the serving party or attorney uses the opposing party's or attorney's e-mail address registered with the OJCC, as listed in e-JCC. Electronic mail sent by the OJCC on behalf of the serving party through the e-JCC program shall be the only approved alternative to certified U.S. mail for service of petitions for benefits and responses to petitions for benefits. In the event a represented party files a pleading or other paper with the OJCC by electronic means, that party shall be required to serve the other party or parties, or their designated representative, with a copy of that pleading or paper simultaneously by electronic means, if available.

(c) The following documents shall not be filed with the OJCC unless relevant to an issue to be heard and not more than 10 ~~ten~~ days but at least two days before the scheduled hearing: requests or notices to produce and objections or responses thereto, deposition transcripts, correspondence between counsel or parties, correspondence to the judge or the judge's staff, subpoenas and returns of service.

(d) Except for filing using e-JCC, electronic mail or facsimile transmission of documents to the judge shall be used only when the judge authorizes such use for that document; otherwise, the document will not be considered.

(e) No change.

(f) Any attorney, party, or other person who electronically files any document ~~by electronic transmission~~ shall be responsible for any delay, disruption, interruption of the electronic signals, and readability of the document, and accepts the full risk that the document may not be properly filed as a result.

(g) through (i) No change.

(2) No change.

(a) through (c) No change.

(d) Placing the document in the U.S. United States mail, except when the original pleading or paper was filed with the OJCC by electronic means, in which case simultaneous electronic service on the other party or parties must be made, as referenced in paragraph (1)(b) above; or

(e) Transmitting the document by facsimile or ~~by electronic transmission, including~~ electronic mail. Service by electronic mail on a party or attorney is only effective if the serving party or attorney uses the opposing party's or attorney's e-mail address registered with the OJCC, as listed in e-JCC. Service of a petition for benefits or response to a petition for benefits sent by electronic mail shall be effectuated, and deemed received by the opposing party at the same time that service is effectuated, upon electronic mailing if

sent by the OJCC on behalf of the serving party through the e-JCC program to the registered e-mail address of the opposing party as listed in e-JCC.

(f) All documents served by e-mail must be attached to an e-mail message containing the subject line beginning with the words “SERVICE OF OJCC DOCUMENT” in all capital letters followed by the name of the injured worker, employer, and OJCC number, if any.

(3) Service by delivery, by facsimile ~~transmission~~, or by electronic mail ~~transmission~~ after 5:00 p.m. shall be deemed to have been made on the next day that is not a Saturday, Sunday, or legal holiday.

(4) When service is made by U.S. mail, the copy shall be mailed ~~by United States mail~~, postage prepaid, to the last known address of the party or, if represented, the party’s attorney of record.

(5) Service by U.S. mail shall be complete upon mailing.

(6) When service of any pleading other than a petition is made by U.S. mail, five ~~5~~ days shall be added to the time allowed for the performance of any act required to be done, or allowed to be done, within a certain time after service.

(7) All orders shall be electronically filed with the OJCC in Tallahassee on the same day that the order is transmitted to the parties by electronic mail ~~transmission~~ or U.S. mail.

(8) All attorneys filing documents in workers’ compensation proceedings before the OJCC shall register to use the e-JCC electronic filing system. Each such attorney shall register an e-mail address and thereby consent to receive documents from other counsel and the OJCC at that address. Each attorney shall be responsible for amending that e-mail address as necessary for it to remain current.

(9) Only attorneys, mediators, adjusters, and parties are permitted to register with the e-JCC system.

(10) The OJCC will maintain a list of all e-JCC registrants and their e-mail addresses.

(11) All self-insurers, third-party administrators, and carriers shall register a single, general delivery, e-mail address with the OJCC for receipt of all electronically served documents, including petitions for benefits. The e-JCC system will maintain a list of all registered companies, and their e-mail addresses. Each such self-insurers, third-party administrators, and carrier shall be responsible for amending that e-mail address as necessary for it to remain current.

(12) Any other party may register an e-mail address with the OJCC.

(13) The OJCC will maintain a list of all registered parties and counsel and their respective e-mail addresses.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.192, 440.25(1), (4)(a), (4)(c), (4)(e), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.110 Mediation, Generally.

(1) through (2) No change.

(a) through (c) No change.

(d) Parties to a workers’ compensation claim may jointly request voluntary mediation services from the OJCC. Such requests will be considered as individual state mediator calendars permit. Any voluntary mediation will be conducted only if all parties so stipulate. Any voluntary mediation will be governed by these rules. Failure to appear at a voluntary mediation shall not be a basis for the imposition of sanctions.

(3) No change.

(4) If the parties settle all issues, or all issues except for attorney’s fees, prior to the scheduled mediation conference, the attorney or unrepresented claimant who has filed a petition for benefits shall ~~must~~ file a pleading in order to cancel the corresponding mediation. The pleading must be filed prior to the scheduled mediation and shall indicate the manner in which each issue was resolved.

(5) The following persons shall attend the mediation conference: the claimant; the claims representative of the carrier/servicing agent, which representative must have full authority to settle the issues; the employer, if uninsured; the insured or self-insured employer, if the employer/servicing agent does not have full authority to settle the issues; and the attorneys for the parties. The appearance of an attorney for a party does not dispense with the required attendance of the party. No party shall appear at the mediation conference by telephone unless such appearance is approved in advance by the mediator. Any party appearing by telephone has stipulated to be bound by that party’s attorney of record’s ~~record~~ signature on the mediation report.

(a) The mediator shall have discretion to allow any party and/or that party’s attorney of record to appear at the mediation conference by telephone upon the party’s written request furnished to the mediator and the opposing party or, if represented, the party’s attorney of record no fewer than five ~~5~~ days prior to the mediation conference. The expense of telephonic attendance shall be borne by the person or party attending by telephone.

(b) No change.

(6) Failure to attend the mediation conference without a showing of having shown good cause, or the failure to appear at the mediation conference with full authority to resolve the issues, shall subject the party or the attorney to sanctions.

(7) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(1)-(4), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.113 Pretrial Procedure.

(1) No change.

(2) The parties or, if represented, their attorneys of record shall confer and complete a written pretrial stipulation and file it no later than two ~~2~~ business days before the pretrial hearing.

The judge may cancel the pretrial hearing if the stipulation is timely filed. In pretrial stipulations and at any pretrial hearing, the parties shall:

- (a) No change.
- (b) State each party's position ~~regarding~~ ~~on~~ the date of accident, jurisdiction over the subject matter and over the parties, the injuries alleged, venue, and timely notice of the pretrial hearing and of the final hearing;
- (c) No change.
- (d) Identify all exhibits, including impeachment and rebuttal exhibits;
- (e) through (g) No change.
- (3) No change.
- (4) Where mediation has been waived by the Deputy Chief Judge ~~deputy chief judge~~, the parties shall file a pretrial stipulation that conforms to the requirements of subsection (2) of this rule no later than 30 days following the waiver order.
- (5) through (7) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(2)-(4), 440.29(2), 440.33(1), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.114 Discovery.

- (1) Any party may commence with discovery methods specifically authorized by statute, including depositions, issuance of subpoenas and requests for production, prior to or after invoking the jurisdiction of the judge.
- (2) through (5) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.30, 440.33(1), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.115 Motion Practice.

- (1) Any request for an order or for other relief shall be by motion and shall have a title describing the relief requested. The judge may treat any non-standard request for relief from an unrepresented party as a motion. All motions shall be in writing unless made on the record during a hearing and shall fully state the relief requested and the grounds relied upon. Any document referenced in any motion shall either have been filed prior to the motion or be attached to the motion.
- (2) through (3) No change.
- (4) If the motion has not been amicably resolved, the movant shall file the motion. When time allows, the other parties may, within 15 fifteen days of service of the written motion, file a response in opposition. Written motions may be ruled on by the judge before the expiration of the response period and provide for filing an objection to the order within 10 days of the order, or the judge shall rule will normally be disposed after the response period has expired, based on the motion, together with any supporting or opposing memoranda.

The judge shall not hold hearings on motions except in exceptional circumstances and for good cause shown in the motion or response.

- (5) No change.
- (6) Motions to expedite discovery or the final hearing shall set forth good cause and shall be served by electronic mail ~~or~~ facsimile ~~transmission~~, hand delivery, or overnight delivery. Any opposition to the motion must be filed within four days from the date the motion is served.

Rulemaking Authority 440.25(4)(h), 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(h), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.116 Prosecution of Claims and Petitions for Benefits.

- (1) No change.
- (2) A claim or petition may be dismissed by the claimant or petitioner without an order by filing, or announcing on the record, a ~~notice of~~ voluntary dismissal at any time before the conclusion of the final hearing. Unless otherwise stated in the notice, the dismissal is without prejudice, except that a second notice of voluntary dismissal shall operate as an adjudication of denial of any claim or petition for benefits previously the subject of a voluntary dismissal.
- (3) through (4) No change.
- (5) ~~Except as authorized by statute~~, The judge may enter an order reflecting the terms of any written stipulation or agreement between the parties ~~only where one of the parties to the stipulation or agreement alleges that another party has failed or refused to comply with the stipulation or agreement and an order is necessary for immediate enforcement; otherwise, the parties shall not request that the judge approve a stipulation or agreement or reduce it to an order.~~

(6) Any attorney or unrepresented claimant who has filed a petition for benefits must file a pleading with the judge in order to cancel the corresponding final hearing. The pleading must be filed prior to the scheduled final hearing and shall indicate the manner in which each issue was resolved. Upon receipt of such cancellation pleading, the judge shall change the status of the affected petition or petitions in the OJCC database. Cases with no currently pending issues scheduled for mediation or hearing shall be reflected in the OJCC database as "inactive." Upon changing a case status from active to inactive, the OJCC central clerk shall issue an order documenting such status change.

(7) No more than 10 days but no less than at least two business days prior to the final hearing, each party is required to file a brief memorandum consisting of a statement of relevant facts and written argument. All depositions and documentary evidence, including known impeachment and rebuttal evidence a party intends to offer into evidence, shall be filed with the memorandum. In the event of a re-scheduling or continuance, documents timely filed pursuant to this rule need

not be re-filed prior to the re-scheduled or continued hearing. Documentary evidence not timely filed may be excluded from evidence, absent a written stipulation of the parties or an order extending the deadline for filing for good cause shown.

(8) Any party calling a witness in need of translation services shall be responsible to provide therefor. The OJCC will not provide translation services except in exceptional circumstances and upon written request filed with the Deputy Chief Judge ~~deputy chief judge~~ at least 10 ~~ten~~ days prior to the mediation or hearing for which such services are sought and for good cause shown.

(9) through (10) No change.

(11) Unless otherwise ordered by the judge, w~~Within 10 ten~~ days of the order appointing an expert medical advisor, the parties shall jointly submit to the appointed advisor a composite of all documents and records which the parties agree the advisor will review. Any party may move for an order to permit submission of additional or non-stipulated records.

(12) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4), 440.29(2), 440.33(1), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.117 Emergency Conferences.

(1) A written request for an emergency conference shall be filed and served by electronic ~~mail transmission~~ or facsimile on all other parties or, if represented, their attorneys of record. It shall set forth in detail the facts giving rise to the request, its legal basis, the factual or medical basis for the claim that there is a bona fide emergency involving the health, safety, or welfare of an employee, and the specific relief sought. Any documents relied upon should be specifically referenced or attached.

(2) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(g), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.118 Expedited Hearings.

(1) through (3) No change.

(4) Stipulated Pretrial Outline. The pretrial process will be as described in Rule 60Q-6.113, F.A.C. ~~At least 15 days before the final hearing, a joint stipulated pretrial outline shall be filed and shall include the following:~~

- ~~(a) A concise statement of the nature of the controversy;~~
- ~~(b) A brief, general statement of each party’s position;~~
- ~~(c) A list of all exhibits including impeachment and rebuttal exhibits to be offered at the hearing, noting any objections thereto, and the grounds for each objection. No additional documentary evidence will be admitted at the hearing;~~

~~(d) A list of the names and addresses of all witnesses, including impeachment and rebuttal witnesses, to be called at the hearing by each party, with expert witnesses being so designated, together with a summary of the expected testimony;~~

~~(e) A concise statement of those facts which are admitted and will require no proof at hearing, together with any reservations directed to any such admission;~~

~~(f) A list of all pending motions or other matters which require action by the judge; and~~

~~(g) A composite of all documentary evidence relied upon.~~

(5) The trial memoranda process shall be as described in subsection 60Q-6.116(7), F.A.C.

Rulemaking Authority 440.25(4)(i), 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(i), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.120 Summary Final Order.

(1) No change.

(2) Any party may file a motion for a summary final order when there is no genuine issue as to any material fact and the granting of the motion would be dispositive of the issues raised by the subject petition. A summary final order shall be rendered if the judge determines from the pleadings and depositions, together with affidavits, if any, that no genuine issue as to any material fact exists and that the moving party is entitled as a matter of law to the entry of a final order. A summary final order may be rendered on the issue of entitlement to a benefit alone, although there is a genuine issue as to the amount of the benefits. No motion for summary final order may be filed less than 45 days prior to a scheduled final hearing.

(3) No change.

(4) When a motion for summary final order is denied, the judge shall impose sanctions pursuant to subsections 60Q-6.125(5) and (6), F.A.C., if the judge determines that the motion violates subsection 60Q-6.125(2), F.A.C.

(5) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(h), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10,_____.

60Q-6.122 Motion for Re-hearing and Amending or Vacating Order.

(1) through (2) No change.

(a) To challenge rulings that were outside the scope of the issues presented,; or

(b) No change.

(3) through (5) No change.

(6) Notwithstanding subsection 60Q-6.115(4), F.A.C., if the motion for re-hearing is directed to an appealable order, the moving party may schedule a hearing on the motion.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.123 Settlements Under Section 440.20(11), Florida Statutes.

(1) No change.

(a) No change.

1. through 4. No change.

5. A status statement from the Department of Revenue, unless such information is available to the OJCC directly through data exchange with the Department of Revenue, and a status statement from the Clerk of the Circuit and County Courts, Central Depository, unless such information is available to the OJCC directly through data exchange with the applicable county Clerk, from the county in which the claimant resides at the time the settlement documents are filed and the county in which the claimant resided on the date of accident as to whether the claimant has or owes any child support arrearage and, if so, the amount thereof;

6. If the claimant is not a Florida resident, or was not a Florida resident on the date of accident, the judge may require the substantial equivalent of the status statements in subparagraph (1)(a)5. from the equivalent authorities in the state or county of residence at either the time of settlement or on the date of accident;

7. A sworn statement by the employee that all existing child support obligations have been disclosed in the joint petition;

8. A letter or statement in the settlement stipulation from counsel stating that the carrier will issue a check in the amount of the arrearage or such other amount to be approved by the judge and that the check will be sent to the Department of Revenue or the Clerk of the Circuit and County Courts, Central Depository;

9. Any other documents in the possession of the parties or their attorneys, including any prior attorney's fee lien, that is material to the disposition of the settlement, and a certificate from claimant's counsel that diligent efforts have been made to identify any liens and the position of any lienholder(s) regarding settlement;

10. For settlements under Section 440.20(11)(a), F.S., the notice(s) of denial; and

11. For settlements under Section 440.20(11)(b), F.S., the required notice to the employer, a maximum medical improvement report establishing overall physical maximum medical improvement and psychiatric maximum medical improvement if the latter applies, available information concerning the need for future medical care or an explanation as to why the information cannot be reasonably obtained, and other essential medical information.

(b) through (d) No change.

(2) Settlements under ~~Section~~ Sections 440.20(11)(c), (d), and (e), F.S.

(a) No change.

1. through 4. No change.

5. An attorney's fee data sheet setting forth the benefits obtained by claimant's counsel and the value of those benefits, and, depending upon the date of accident and the type of benefit involved, if the claimant's attorney seeks a fee in excess of the statutory percentage, an affidavit specifying the particular statutory criteria forming the basis for the variance; ~~and~~

6. A status statement from the Department of Revenue, unless such information is available to the OJCC directly through data exchange with the Department of Revenue, and a status statement from the Clerk of the Circuit and County Courts, Central Depository, unless such information is available to the OJCC directly through data exchange with the applicable county Clerk, from the county in which the claimant resides at the time the settlement documents are filed and the county in which the claimant resided on the date of accident as to whether the claimant has an arrearage or owes past due child support and, if so, the amount thereof; a sworn statement by the employee that all existing child support obligations have been disclosed in the joint petition; and a letter from counsel stating that the carrier will issue a check in the amount of the arrearage and/or past due child support or such other amount to be approved by the judge or that claimant's counsel will deposit the settlement proceeds in a trust account and will issue a check in the amount of the arrearage and/or past due child support or such other amount to be approved by the judge and that the check will be sent to the Department of Revenue or the Clerk of the Circuit and County Courts, Central Depository;.

7. If the claimant is not a Florida resident, or was not a Florida resident on the date of accident, the judge may require the substantial equivalent of the status statements in subparagraph (2)(a)6. from the equivalent authorities in the state or county of residence at either the time of settlement or on the date of accident; and

8. The OJCC may obtain child support arrearage data from the Florida Department of Revenue and the Clerk of the various Circuit and County Courts. The OJCC shall list the counties for which such information is available to the OJCC on the internet. For those agencies/counties listed, parties may obtain child support arrearage information through written inquiry to the OJCC.

~~(3)~~(b) No change.

~~(4)~~(3) No change.

~~(5)~~(4) The judge shall consider the disclosed costs to the extent necessary to ~~determine~~ conclude that they do not include the attorney's overhead or other fees. A claim for cost reimbursement in the amount of \$250 or less need not be set forth with specificity or detail.

Rulemaking Authority 61.14(8)(a), 440.45(1)(a), (4) FS. Law Implemented 61.14(8)(a), 440.105(3)(c), 440.20(11), 440.34, 440.345, 440.45(1)(a), (4), (5) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.124 Payment of Attorney’s Fees and Costs Other Than Pursuant to Section 440.20(11), Florida Statutes.

- (1) through (2) No change.
- (3) No change.

(a) Any motion for attorney’s fees/or for costs shall be verified and filed, and shall include:

1. A statement of the facts relied on in support of the motion;
2. The statutory and legal basis relied upon;
3. A recitation of all benefits secured for the claimant through the attorney’s efforts, including projected future benefits reduced to present value;
4. The statutory fee based on the benefit secured;
5. A detailed chronological listing of all time devoted to the claim, if applicable; and
6. No change.

(b) Within 30 days after the motion is served, the opposing party or parties shall file a verified response to the motion, which includes a detailed recitation of all matters which are disputed in the form outlined in subparagraphs (3)(a)1.-6. Failure to file a timely and specific response to a motion for attorney’s fees and costs detailing matters that are disputed shall, absent good cause, result in acceptance of the allegations in the motion as true.

- (c) No change.
- (d) Unless the judge orders otherwise, the parties shall exchange exhibits and written witness lists no later than 10 days before the date of the attorney’s fee and/or cost hearing.

(e) No change.

(4) Upon motion by any party, the judge may require the claimant to file a verified motion for attorney’s fees and costs and adjudicate the verified motion for attorney’s fees and costs.

~~(5)~~(4) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.32, 440.34, 440.345, 440.45(1)(a), (4), (5) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.125 Sanctions.

- (1) No change.
- (2) Representations to the Judge. By filing a pleading or other document or presenting argument ~~argument~~ before the judge at hearing, an attorney or unrepresented party is certifying to the best of that person’s knowledge, information, and belief, formed after inquiry reasonable under the circumstances, that:

(a) through (b) No change.

(c) The allegations and other factual contentions are true and have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and

- (d) No change.
- (3) through (6) No change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.32, 440.33(1), (2), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, 10-31-10, _____.

60Q-6.126 Disqualification or Recusal of Judges.

- (1) No change.
- (2) Upon entry of an order of disqualification or after the ~~voluntary~~ recusal of a judge, the Deputy Chief Judge ~~deputy chief judge~~ shall re-assign the case to another judge.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.442, 440.45(1)(a), (4) FS. History–New 2-23-03, Amended _____.

60Q-6.127 Procedure for Relief from Appellate Filing Fee and Costs.

The procedure for relief from payment of the appellate filing fee and from the costs of the preparation of the record on appeal for the review of any order of a judge on the ground ~~grounds~~ of indigency shall be in accordance with Fla. R. App. P. 9.180.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.271 FS. History–New 11-1-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David W. Langham, Deputy Chief Judge of Compensation Claims

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Robert S. Cohen, Director and Chief Judge

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: 5M-15.001 RULE TITLE: Purpose

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 24, June 15, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-15.001	Definitions
5M-15.002	Dispute Regarding Exemption
5M-15.003	Eligibility for a Binding Determination
5M-15.004	Documentation of Dispute
5M-15.005	Exemption Criteria
5M-15.006	Binding Determination Process
5M-15.007	Final Agency Action

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. 38, No. 24, June 15, 2012 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s analysis of the economic impact of the rule did not trigger any of the requirements in Section 120.541(1), Florida Statutes, for preparing a Statement of Economic Regulatory Costs (SERC). As part of this analysis, the Department relied upon the fact that the rule only provides for a determination made by the Department, and does not prescribe any particular actions. Additionally, no interested party submitted additional information regarding the economic impact.

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.

THE FULL TEXT OF THE PROPOSED RULES IS:

NOTE: Rule 5M-5.001 has been withdrawn and Rules 5M-5.002 through 5M-5.008 renumbered 5M-5.001 through 5M-5.007.

5M-15.001 Definitions.

No change.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History–New _____.

5M-15.002 Dispute Regarding Exemption.

No change.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History–New _____.

5M-15.003 Eligibility for a Binding Determination.

In order for the Department to conduct a binding determination under Section 373.407, F.S., the following conditions must exist:

(1) through (2) No change.

(3) There must be a dispute between the landowner and the water management district as to the applicability of the exemption. The dispute must be documented as provided in Rule 5M-15.004 ~~5M-15.005~~.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History–New _____.

5M-15.004 Documentation of Dispute.

No change.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History–New _____.

5M-15.005 Exemption Criteria.

No change.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History–New _____.

5M-15.006 Binding Determination Process.

(1) through (2) No change.

(3) The steps the Department will take to arrive at a binding determination include, but are not limited to:

(a) Confirm that the eligibility requirements in Rule 5M-15.003 ~~5M-15.004~~ are met.

(b) through (c) No change.

(d) Consult best management practices applicable to the operation and adopted by rule of the Department in Title 5M, Florida Administrative Code manuals applicable to the operation and adopted by the Department under Title 5M, F.A.C., and applicable conservation practice standards contained in Section IV of the Natural Resources Conservation Service Field Office Technical Guide.

(e) No change.

(4) Based on the information obtained pursuant to this section, the Department will evaluate whether the landowner meets the criteria listed in Rule 5M-15.005 ~~5M-15.006~~, and will formulate a report containing a binding determination. In the report, the Department will explain the basis for its conclusions and provide references to any documents or other

sources of information or guidance used in making its determination. The Department will send the written report, by regular or electronic mail, to the affected water management district and landowner.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History—New_____.

5M-15.007 Final Agency Action.

No change.

Rulemaking Authority 373.407 FS. Law Implemented 373.406(2), 373.407 FS. History—New_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.211 Restraint of Pregnant Inmates
 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. 38, No. 28, July 13, 2012 issue of the Florida Administrative Weekly.

The change is in response to concerns raised by the Joint Administrative Procedures Committee on July 18, 2012. The change is to subsection 33-602.211(8), F.A.C., which shall read as follows:

(8) Pregnant inmates will not be restrained in any manner during labor, delivery, or postpartum recovery unless the warden makes an individualized determination that the prisoner presents an extraordinary circumstance. However, under no circumstances shall leg, ankle, or waist restraints be used on any prisoner who is in labor or delivery, as provided defined in Chapter 2012-41, Laws of Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.659 Forms and Instructions
 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. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

Reason for Change:

A change is required to the proposed rules to clarify that Form No. LEG-R.016.01 (4/09) is not being amended or incorporated as part of this rulemaking and to ensure that those forms that contain maps and/or language being revised as part of this rulemaking are properly incorporated by reference.

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter or into a specific District rule as indicated. Copies of these forms may be obtained from the District offices or the District’s website at www.watermatters.org.

(1) GROUND WATER

(a) through (f) No change.

(g) WELL VERIFICATION FOR ALL NON-DOMESTIC USE WELLS LOCATED IN THE MOST IMPACTED AREA OF THE SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.016.01 (4/09), incorporated by reference in subsection 40D-3.101(1), F.A.C.

(h) through (u) No change.

(v) NET BENEFIT SUPPLEMENTAL FORM – SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.010.01 (~~(4/09)~~), incorporated by reference in paragraph 40D-2.101(6)(a), F.A.C.

(w) SOUTHERN WATER USE CAUTION AREA GROUND WATER REPLACEMENT CREDIT APPLICATION, FORM NO. LEG-R.011.02 (~~(08/11)~~), incorporated by reference in paragraph 40D-2.101(6)(b), F.A.C.

(x) through (ff) No change.

(gg) WATER USE PERMIT APPLICATION – MINING AND DEWATERING MATERIALS OTHER THAN PHOSPHATE, FORM NO. LEG-R.048.01 (~~(08/11)~~), incorporated by reference in paragraph 40D-2.101(2)(d), F.A.C.

(hh) through (mm) No change.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.083, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1) and (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09, 1-27-10, 4-12-10, 4-27-10, 9-5-10, 9-12-10, 12-7-10, 1-16-11, 6-16-11_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application

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. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

Reason for Change:

A change is required to the proposed rules to ensure that those forms that contain maps and/or language being revised as a part of this rulemaking are properly incorporated by reference. Additionally, Form No. LEG-R.010.01 is being amended to reflect that the form is incorporated in paragraph 40D-2.101(6)(a), F.A.C.

40D-2.091 Publications and Forms Incorporated by Reference.

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District’s website at www.WaterMatters.org or from the District upon request:

(a) Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (~~__~~)(~~42-42-11~~).

(b) No change.

(2) The following forms for reporting information to the District are hereby incorporated by reference, and are available from the District upon request:

(a) No change.

(b) Irrigation Water Use Form – Annual Crops, Southern Water Use Caution Area, Form No. LEG-R.017.01 (~~__~~)(~~4/09~~).

(c) Irrigation Water Use Form – Annual Recreation/Aesthetic/Golf, Southern Water Use Caution Area, Form No. LEG-R.018.01 (~~__~~)(~~4/09~~).

(d) Irrigation Water Use Form – Summer/Fall Seasonal, Southern Water Use Caution Area, Form No. LEG-R.019.01(~~__~~)(~~4/09~~).

(e) Irrigation Water Use Form – Winter/Spring Seasonal, Southern Water Use Caution Area, Form No. LEG-R.020.01(~~__~~)(~~4/09~~).

(f) through (m) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99,

8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11,_____.

40D-2.101 Content of Application.

(1) No change.

(2) The following District application forms shall be used to obtain a new WUP or to renew an existing WUP. All permit application forms described herein have been approved by the District Governing Board and are incorporated by reference into this chapter. Forms are available upon request from the District’s website at www.WaterMatters.org or from District offices.

(a) Individual Water Use Permit.

Application for a new or renewal of an existing Individual Water Use Permit shall be made using the Individual Water Use Permit Application, Form No. LEG-R.029.01 (~~__~~)(~~42/40~~). Applicants shall also submit one or more of the following Supplemental Forms as appropriate for each type of water use proposed in the permit application:

1. through 5. No change.

(b) General Water Use Permit.

Application for a new or renewal of an existing general WUP shall be made using the General Water Use Permit Application Form, No. LEG-R.028.01 (~~__~~)(~~42/40~~). Applicants shall also submit one or more supplemental forms listed in paragraph (2)(a) above as appropriate for each type of water use proposed in the permit application. Applicants seeking an initial, renewal, or modification of a general WUP for a combined annual average daily water demand of less than 100,000 gallons per day for public supply use may submit the Small General Water Use Permit Application – Public Supply Attachment, Form No. LEG-R.045.00 (12/09), in lieu of the Water Use Permit Application Supplemental Form – Public Supply, Form LEG-R.033.01 (09/09).

(c) Small General Water Use Permit.

Application for a new small general WUP shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01(~~__~~)(~~42/40~~). To renew a small general WUP issued solely for agricultural use, application shall be made using the Application to Renew a Small General Water Use Permit for Agricultural Use Form, No. LEG-R.036.01(~~__~~)(~~42/40~~). Application to renew all other small general WUPs shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01 (~~__~~)(~~42/40~~). One or more of the following Attachment Forms for a specific water use shall be submitted with the application form if the application proposes one of the specified water uses:

1. through 4. No change.

(d) Mining and Dewatering WUP.

Application for a new or renewal of an existing WUP for mining and dewatering uses other than phosphate mining shall be made using the Water Use Permit Application – Mining and Dewatering Materials Other Than Phosphate, Form No. LEG-R.048.01 (~~___~~)(08/11), incorporated herein by reference. The application shall be categorized as an application for an individual or general WUP based upon the combined annual average daily water demand as provided in subsection 40D-2.041(2), F.A.C. Application for a new or renewal of a WUP for phosphate mining shall be made using the individual or general WUP application form and the Water Use Permit Application Supplemental Form – Mining or Dewatering, Form No. LEG-R.032.00 (3/09) incorporated herein by reference.

(3) through (4) No change.

(5) Optional Application Forms.

The following forms may be used by applicants in support of permit applications, are hereby incorporated by reference and are available from the District’s website at www.WaterMatters.org or from the District offices:

(a) through (b) No change.

(6) Southern Water Use Caution Area Application Forms.

In addition to the permit application and information forms identified in subsections (1)-(5) above, all applicants for permits in the Southern Water Use Caution Area (SWUCA) shall submit the “Supplemental Form – Southern Water Use Caution Area,” Form No. LEG-R.007.02 (~~___~~)(4/09) incorporated herein by reference. Applicants in the SWUCA shall also submit the following application and supplemental forms as appropriate for the intended water use type as described in Chapters 3 and 4 of the Water Use Permit Information Manual, Part B “Basis of Review.” All SWUCA application and supplemental information forms may be obtained from the District’s website at www.WaterMatters.org or from District offices:

(a) Net Benefit Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.010.01 (~~___~~)(4/09), incorporated herein by reference; and

(b) Southern Water Use Caution Area Ground Water Replacement Credit Application, Form No. LEG-R.011.02 (~~___~~)(8/11), incorporated herein by reference.

(7) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0363, 373.116, 373.117, 373.1175, 373.216, 373.229, 373.236, 403.0877 FS. History—Readopted 10-5-74, Amended 10-24-76, 1-6-82, 2-14-82, Formerly 16J-2.06, Amended 10-1-89, 10-23-89, 2-10-93, 7-15-99, 1-1-03, 1-1-07, 11-25-07, 9-10-08, 7-1-09, 8-30-09, 10-26-09, 1-27-10, 4-27-10, 6-16-11, 12-12-11,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012

RULE TITLE: Provisional Certificates

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. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

The changes are as follows:

(1) No change.

~~(2) Provisional certificates are not renewable, and are valid for the following terms:~~

~~(a) Three years for inspectors.~~

~~(b) Three years for plans examiners.~~

~~(c) Three years for building code administrators or building officials.~~

~~(2)(3)~~ Provisional inspector or plans examiner certificates shall only be issued to applicants who demonstrate at the time of their application that they possess all of the standards and eligibility requirements for standard certification as set forth in Section 468.609(2), F.S. Provisional building code administrator certificates shall only be issued to applicants who demonstrate at the time of their application that they possess all of the standards and eligibility requirements for standard certification as set forth in Section 468.609(3), F.S.

~~(3)(4)~~ Provisional certificates shall only be issued to persons employed by an agency of government and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed at the time the provisional certificate was originally issued.

~~(4)(5)~~ The Board shall restrict provisional certificate holders by limiting their work, when such restrictions are determined by the Board’s evaluation of the facts of each application to be necessary to protect the public health, safety and welfare.

~~(5)(6)~~ Following the submission of an application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for up to a maximum of one hundred twenty (120) days from the date the application is submitted, and subject to the following conditions:

(a) through (d) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-30.001
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The correction is as follows:

The Notice of Change which published on June 29, 2012, in Vol. 36, No. 26 of the Florida Administrative Weekly stated, "The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee."

Some of the changes to the rule made in the Notice of Change were previously noticed in the Notice of Proposed Rule. Therefore, the changes made to the rule in the Notice of Change were changes made in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

This correction does not affect the substance of the Notice of Change published on June 29, 2012.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-30.001
 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. 38, No. 4, January 27, 2012 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. Number 11. in the Notice of Change published for this rule on June 29, 2012 in Vol. 38, No. 26 of the F.A.W., states that (2)(e)n. shall be removed from the rule in its entirety. No such subsection exists. This was a scrivener's error.

2. The second sentence of subsection (2) shall now read as follows:

For the purposes of this rule, the descriptions of the violations are abbreviated and the full statute or rule cited should be consulted to determine the prohibited conduct.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM

3. (2)(k)1.k. shall now read as follows:

64B16-28.902 and 64B16-28.203 (transfer of prescription files and drugs)	\$1,500 fine	Revocation
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4. (2)(k)1.l. shall now read as follows:

1. Failure to complete less than ten (10) hours	\$500 fine	\$1,500 fine
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5. (2)(k)1.l.2. shall now read as follows:

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 fine	\$2,500 fine
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6. (2)(k)1.m. shall now read as follows:

m. Failure to maintain program requirements for certification, training, or continuing education programs or providers. Rule 64B16-26.601, F.A.C.	\$500 fine	Revocation
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7. (2)(k)1.n. shall now read as follows:

n. Failure to retain continuing education records. Rule 64B16-26.603, F.A.C.	\$250 fine	\$1,500 fine
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8. (2)(k)1.o.1. through 3. shall now read as follows:

1. Pharmacist	\$500 fine	Revocation
2. Pharmacy Intern	\$250 fine	Revocation
3. Permittee	\$500 fine	Revocation

9. (2)(k)1.p. shall now read as follows:

p. Failure to have current policies and procedures. Rules 64B16-28.141, .450, F.A.C.	\$500 fine	Revocation
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10. (2)(k)1.q. shall now read as follows:

q. Failure to have or maintain standards for an automated pharmacy system in a community pharmacy. Rule 64B16-28.141, F.A.C.	\$500 fine and 12 hours Laws & Rules or MJPE	Revocation
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11. (2)(k)1.r. shall now read as follows:

r. Failure to have or maintain standards for a central fill pharmacy. Rule 64B16-28.450, F.A.C.	\$500 fine and 12 hours Laws & Rules or MJPE	Revocation
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12. (2)(k)1.s. shall now read as follows:

s. Failure to have or maintain standards for an institutional pharmacy. Rules 64B16-28.602, .6021, .605, .606, .702, F.A.C.	\$500 fine and 12 hour Laws & Rules or MJPE	
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13. (2)(k)1.t. shall now read as follows:

t. Failure to maintain or have standards for a special pharmacy Rules 64B16-28.800, .810, .820, .840, .850, .860, .870, F.A.C.	\$500 fine and 12 hour Laws & Rules or MJPE	
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14. (2)(k)1.u. shall now read as follows:

t. Failure to maintain standards for animal control shelters	\$500 fine	Revocation
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
69J-7.004	Participating Contractors – Application and Participation Agreement
69J-7.005	My Safe Florida Home Program, Forms For Use Regarding Grants
69J-7.007	Grants – Medical Condition Exception

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 28, July 13, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Securities

RULE NO.:	RULE TITLE:
69W-700.028	Small Corporate Offering Registration (“SCOR” Offering)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 18, May 4, 2012 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on July 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., from the Florida Department of Corrections (DOC) on behalf of three former trainees employed on Temporary Employment Authorization (TEA) status pursuant to paragraph 11B-27.00213(4)(b), F.A.C., and Section 943.131, F.S. Paragraph 11B-27.00213(4)(b), F.A.C., requires trainees employed on TEA status who are separated from employment while TEA trainees to wait four years from the date of separation before obtaining another TEA position. The three trainees named in the petition were inadvertently omitted from the list of 190 similarly situated TEA trainees for whom a waiver was obtained by DOC in June of 2011. The waiver requested in this petition is identical to the one

previously granted in June of 2011. DOC requests that the Commission waive the requirement in rule that a TEA trainee wait four years from the separation date from DOC before seeking another TEA employment. The TEAs were terminated as a result of budget cuts and were all in good standing at the time of the termination.

The petition supports the requested waiver by stating that the three trainees affected would suffer a substantial hardship, because they would be unable to seek TEA employment for four years from the date of separation from DOC. The petition further states that denial of the petition would violate principles of fairness because 190 TEA trainees who were terminated at the same time as the three mentioned in this petition were granted a waiver of the rule to seek TEA employment without waiting four years from the date of separation.

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 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on July 31, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C., by Rockledge Police Department on behalf of Nichole Parrish. The rule requires candidates to become employed within four years of beginning a basic recruit training course. The Petitioner wishes to certify Ms. Parrish whose status became inactive during the employment process. The Petitioner states that Ms. Parrish signed a conditional offer of employment for a reserve law enforcement officer position with the agency in November of 2011. Administrative changes forced Ms. Parrish's employment status to languish for many months. In January of 2012, the Petitioner attempted to complete Ms. Parrish's hiring, but could not because her law enforcement certificate was inactive. Petitioner wishes to hire Ms. Parrish and states that it would create a hardship for the agency and for Ms. Parrish if the rule waiver were not granted and Ms. Parrish had to retake basic recruit training. The agency further states that it would violate principles of fairness for Ms. Parrish to be punished for falling victim to circumstances that were beyond her control. The CJSTC entertained a similar request from Pasco County Sheriff's Office on behalf of Brian Call in case number VAR-2007-24. The order granting the waiver in VAR-2007-24 was reported in Florida Administrative Weekly Vol. 33, No. 38, September 21, 2007.

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 or by telephoning (850)410-7676.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that on July 25, 2012, the State Board of Administration of Florida (SBA), Florida Hurricane Catastrophe Fund, received a petition for Variance or Waiver from Rules 19-8.010 and 19-8.028, F.A.C., from American Integrity Insurance Company of Florida, Inc. The above referenced rules address, among other things, the timing of selections of optional coverage. The Petitioner is requesting that the deadlines be waived and an untimely cancellation of optional coverage be allowed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Joanos, Agency Clerk, SBA, P. O. Box 13300, Tallahassee, Florida 32317-3300 or Tina.Joanos@sbafla.com. Any interested person or other agency may submit written comments on the Petition for Emergency Waiver or Variance. To be considered, comments must be received by the close of business on the 5th day following publication of this notice in the August 10, 2012, edition of the Florida Administrative Weekly. Comments should be sent to the Agency Clerk at the address provided above.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Florida Public Service Commission, received a petition for waiver from subparagraphs 25-6.0423(5)(c)2. and 4., Florida Administrative Code, by Florida Power & Light Company and Progress Energy Florida, Inc., in Docket No. 120009-EI – Nuclear cost recovery clause. The rule prescribes the time frame within which the utility must file revisions to its fuel and purchased power cost recovery filings. Comments on the petition should be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact Michael Lawson, Office of the General Counsel, at the above address or telephone (850)413-6076.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

WATER MANAGEMENT DISTRICTS

The Suwannee River Water Management District (SRWMD) hereby gives notice that on July 31, 2012, granted a Final Order. This Order (12-0006) granted variance/waiver under Section 120.542, F.S., to Richard and Rebecca Tenaglia, 1799 N.W. 82nd Terrace, Bell, FL 32619. The petition for variance was received by SRWMD on May 18, 2012. Notice of receipt of petition requesting variance was published in F.A.W., Vol. 38, No. 22, on June 1, 2012. No public comment was received. This Order provides variance/waivers from SRWMD from subsection 40B-4.3030(9), F.A.C., as to the zero rise

certification requirement, subsection 40B-4.3030(4), F.A.C., as to buildings elevated on piles with no use of fill one foot above 100-year flood elevation, and paragraph 40B-4.3020(1)(d), F.A.C., as to building plans prepared or submitted by Florida licensed engineer. Petitioner request these waivers and variance due to severe financial distress as a result of health related issues, located in Township 8 South, Range 14 East, Section 19, in Gilchrist County. The petition was assigned ERP Number 11-0039, R. Tenaglia District Floodway Project. SRWMD granted the petition because the petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that a substantial hardship would be created if the petitioners were required to comply with this rule.

A copy of the Order or additional information may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN that on July 18, 2012, the South Florida Water Management District, received a petition for Variance (Application 120718-7) from The Thirty-Three Sixty Condominium Association Inc. (3360 Condominium), 3360 South Ocean Blvd., Palm Beach, FL 33480. The property is located in Palm Beach County, Section 35, Township 44 South, Range 43 East. The petition seeks relief from provisions in Chapter 40E-24.201, F.A.C., pertaining to mandatory year-round landscape irrigation conservation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, by telephone: (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on August 24, 2012, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk. For additional information, contact: Patrick Martin, (561)682-2176 or e-mail: pmartin@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for American Financial Realty. 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

with 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 2012-247).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Trafalgar Court. 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-246).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Westgate Towers. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 3.3.2, and 3.4.5(d), 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 with firefighters' emergency operations, platform guards (aprons), and car illumination, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-245).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Boardwalk Caper V, Building 6 & 7. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.4(u), 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 electrical protective devices (emergency stop switch) which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-248).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Peabody Orlando. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, and 3.10.4(u), 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 with firefighters' emergency operations, and electrical protective devices (emergency stop stitch) which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-249).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Anglers Cove Condominium. 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 requires upgrading the elevators toe guards, 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 (VW2012-243).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Anglers Cove Condominium. Petitioner seeks a variance of the requirements of ASME A17.1, Section

2.10.2.1, and 2.4.6.2(c), 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 top rail, and components of top car clearances 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 2012-242).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 2, 2012 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Better Lunch located in Celebration, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Petition for this variance was published in Vol. 38, No. 29 on July 20, 2012. The Order for this Petition was signed on July 26, 2012, and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tanks for the handwash and three-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks are provided with hot and cold running water under pressure. The handwash sink must also be equipped with soap, approved hand drying device and a handwashing sign. If the ownership of Celebration Office Condos changes, an updated, signed agreement for access to potable water and the mop sink facility is required immediately.

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, Lydia.Gonzalez@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on July 31, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, and Paragraph 4-301.11, 2001 FDA Food Code from Cargo Bay Cafe located in Orlando, FL. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an adequate number of facilities to maintain all potentially hazardous food at proper temperatures. They are requesting to utilize the mopsink, dishwashing and additional cold holding facilities located within another licensed establishment under a different ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, Lydia.Gonzalez@dbpr.state.fl.us.

DEPARTMENT OF HEALTH

The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Johnny Miracola, filed on July 12, 2011. The Petitioner was seeking a permanent variance or waiver of subsection 64B12-16.003(4) and Rule 64B12-16.008, F.A.C., with regard to an apprentice completing 6,240 hours of training within a five year limit after first registering with the Department and the required time limit for completing the Apprenticeship Sponsor Attestation form. The Notice of Petition for Variance or Waiver was published in Vol. 37, No. 45, of the November 10, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on November 4, 2011.

The Board's Order, filed on November 22, 2011, grants the Petition for Variance or Waiver. The Petitioner has demonstrated that application of the rules of the Board of Opticianry to his circumstance will impose a substantial hardship. The Petitioner has demonstrated that he meets the requirements of Section 120.542, F.S.

A copy of the Order or additional information may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Board of Physical Therapy Practice, received a petition for a variance or waiver of Rule 64B17-3.001, F.A.C., filed by David Barouch, which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

Comments on this petition should be filed with the Board of Physical Therapy Practice at the above address within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that on July 26, 2012, the Board of Physical Therapy Practice, received a petition for variance or waiver of Rule 64B17-3.001, F.A.C., filed by Angelica M. Garcia, which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

Comments on this petition should be filed with the Board of Physical Therapy Practice at the above address within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that on July 6, 2012, the Physical Therapy Practice, received a petition for a variance or waiver of Rule 64B17-3.003, F.A.C., filed by Mohamed Torky, which requires that an applicant demonstrating that he or she meets the requirements of Rule 64B17-3.001, F.A.C., may be licensed to practice physical therapy by endorsement by presenting evidence satisfactory to the Board that the applicant has active licensure in another jurisdiction and has passed an examination before a similar, lawful, authorized examining board in physical therapy in such other jurisdiction if their standards for licensure are as high as those maintained in Florida.

Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, at the above address or telephone (850)245-4373, ext. 3480.

DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE IS HEREBY GIVEN that on June 11, 2012, the Department of Economic Opportunity, received a petition for waiver from the City of LaBelle. It has been assigned the case number DEO-12-102.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Subsection 73C-23.031(29) and paragraph 73C-23.041(2)(d), F.A.C. The City of LaBelle is requesting a waiver of the requirement that an Economic Development subgrant project be “on time” in order to be eligible to apply for a subsequent subgrant., paragraph 73C-23.041(2)(d), F.A.C. The City is also requesting a waiver of the requirement that an Economic Development subgrant not be extended for more than twelve months in order to be eligible to apply for a subsequent subgrant, subsection 73C-23.031(29), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on July 13, 2012, the Department of Economic Opportunity, received a petition for waiver from the City of Fort Meade. It has been assigned the case number DEO-12-103.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State, Division of Elections** on behalf of the Elections Canvassing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2012, 9:00 a.m.

PLACE: Cabinet Meeting Room, LL03 The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elections Canvassing Commission will meet to certify the official results for the 2012 Primary Election per Section 102.111, F.S.

Pursuant to the provisions of 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: Brenda Milton, Assistant, Division of Elections, (850)245-6268; Brenda.Milton@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristi Bronson, Bureau of Election Records, Florida Department of State, (850)245-6200, Kristi.Bronson@dos.state.myflorida.com.

The **Department of State, Division of Cultural Affairs** announces grant panel meetings, to which all persons are invited.

DATES AND TIME: 9:00 a.m. – 5:00 p.m. or until conclusion of business (Meetings are subject to change or cancellation; please call to confirm the meeting date and time.)

- August 29, 2012 Multidisciplinary and Literature Levels 1 and 2
- August 30, 2012 Multidisciplinary Level 3 and Projects
- September 4, 2012 Arts in Education and Underserved Cultural Community Development
- September 5, 2012 Culture Builds Florida
- September 6, 2012 Folk Arts
- September 7, 2012 Local Arts Agency and State Service Organizations
- September 10, 2012 Dance
- September 12, 2012 Community Theatre
- September 13, 2012 Professional Theatre
- September 14, 2012 Presenter
- September 17, 2012 Fellowship Music Composition
- September 18, 2012 Fellowship Choreography
- September 19, 2012 Music Levels 1 and 2
- September 20, 2012 Music Level 3 and Projects
- September 21, 2012 Media Arts
- September 24, 2012 Visual Arts
- September 27, 2012 Museums Levels 1, 2 and Projects
- September 28, 2012 Museums Level 3
- October 1, 2012 Fellowship Interdisciplinary
- October 2, 2012 Fellowship Literature
- October 3, 2012 Fellowship Folk Arts
- October 4, 2012 Fellowship Theatre

PLACE: All meetings will be held via teleconference. Please visit: <http://www.florida-arts.org/documents/panels/teleconference.instructions.cfm>, for more instructions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2013-2014 General Program Support, Specific Cultural Projects, and 2013 Individual Artist Fellowship grant programs.

A copy of the meeting agenda may be obtained by contacting the Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request accommodations or services, contact the division at least 48 hours prior to the above stated schedule Call: (850)245-6470 or email: Maureen.Mckloski@dos.myflorida.com. You may also contact the Division by calling Florida Relay at 711.

For more information, please contact: Division of Cultural Affairs, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399, (850)245-6470.

The Florida **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, September 7, 2012, 9:00 a.m.

PLACE: Division of Cultural Affairs, Brokaw-McDougall House, 329 North Meridian, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review procedures regarding Cultural Facility Grant Panel Meeting Scoring Process and the Florida Artists Hall of Fame Voting policy, and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore, (850)245-6490, by email: Rachelle.Ashmore@DOS.MyFlorida.com, Division's website: www.florida-arts.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 48 hours before the workshop/meeting by contacting: Maureen McKloski, (850)245-6475 or by email: Maureen.McKloski@DOS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachelle Ashmore, (850)245-6490, email: Rachelle.Ashmore@DOS.MyFlorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Please call: (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Women's Hall of Fame Conference Call.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority**, Long Range Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2012, 1:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop relating to the Long Range Planning of the Florida State Fairgrounds.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonia Velez, (813)627-4221.

The Pesticide Registration Evaluation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 6, 2012, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7940.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, (850)617-7940 or from the PREC Web Site: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section; 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

The Department of Agriculture and Consumer Services announces a hearing to which all persons are invited.

DATE AND TIME: August 28, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Department of Agriculture and Consumer Services, Eyster Auditorium, 3125 Conner Blvd., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a hearing concerning the amendment of the Florida Propane Gas Safety, Education and Research Market Order. All Testimony shall be received under oath and a full and complete record of the proceedings shall be made and filed by the Department in its office. All interested persons shall have a period of not less than 7 days following the public hearing for filing written briefs with the department concerning this action. A copy of the agenda may be obtained by contacting: Lisa Bassett, (850)921-1600.

Pursuant to the provisions of 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: Lisa Bassett, (850)921-1600. If you are 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 EDUCATION

The **Florida Rehabilitation Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 5, 2012, 9:00 a.m. – 11:00 a.m. (or until finished)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8502459823

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Committee.

A copy of the agenda may be obtained by contacting: Any interested parties that need further information may contact: The FRC, (850)245-3397. Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The FRC, (850)245-3397. If you are 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: Persons who want to be notified of such meetings may request to be put on a mailing list by writing: Roy Cosgrove at the Council's address, 2002-A Old St. Augustine Rd., Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: The FRC, (850)245-3397.

DEPARTMENT OF REVENUE

NOTICE OF CHANGE/RESCHEDULING: This notice serves to reschedule the August 14, 2012, meeting of the Communications Services Tax Working Group to August 21, 2012. (Notice of the August 14, 2012, meeting was published in the August 3, 2012, edition of the Florida Administrative Weekly.) The Department of Revenue announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 21, 2012, 10:00 a.m. – 5:00 p.m. (This meeting is a reschedule of the August 14, 2012, meeting.)

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1820, Tallahassee, Florida. The public can also participate in this meeting through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx, and conference calling technology. The requirements to participate are access to the Internet and a telephone. The public can

participate in this electronic workshop by accessing the broadcast from their home or office. Specific information about how to participate in this electronic meeting from your home or office will be included in the Agenda for this meeting posted on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to continue the work of the Communications Services Tax Working Group as set forth in Section 12 of Chapter 2012-70, Laws of Florida. The purpose of the working group is to study and report on tax issues related to the sale of communications services. A report of the working group is due to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2013. The working group is tasked with the responsibility to: a) Review national and state tax policies relating to the communications industry; b) Review the historical amount of tax revenue that has been generated by the communications services taxes imposed or administered under Chapter 202, Florida Statutes, for the purposes of determining the effect that laws passed in the past 5 years have had on declining revenues; c) Review the extent to which this revenue has been relied on to secure bonded indebtedness; d) Review the fairness of the state's communications tax laws and the administrative burdens it contains, including whether the applicability of the tax laws is reasonably clear to communications services providers, retailers, customers, local government entities and state administrators; e) Identify options for streamlining the administrative system; and f) Identify options that remove competitive advantages within the industry as it relates to the state's tax structure without unduly reducing revenue to local governments.

A copy of the agenda may be obtained by contacting: Andrea Moreland, Director of Legislative and Cabinet Services, (850)617-8324 or morelana@dor.state.fl.us. A copy of the agenda will be published on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/ and also <http://dor.myflorida.com/dor/opengovt/meetings.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: Andrea Moreland, (850)617-8324. If you are 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: Andrea Moreland, Director of Legislative and Cabinet Services, (850)617-8324, morelana@dor.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: The first Thursday of every month, 9:30 a.m. (as needed)

PLACE: Florida Department of Transportation, District II District Office, 1109 South Marion Ave., Lake City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Florida Department of Transportation's District II Access Management Review Committee for the purpose of reviewing accessibility, driveway, and median opening issues not resolved in the District's Preliminary Review Process and full movement median openings not meeting the spacing standards in Administrative Chapter 14-97, F.A.C., by a threshold of 10% or more.

A copy of the agenda may be obtained by contacting: Jerry Ausher, District II, Traffic Operations Engineer, 2198 Edison Ave., MS #2815, Jacksonville, FL 32204, (904)360-5630.

Pursuant to the provisions of 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: Jerry Ausher, (904)360-5630. If you are 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 **Department of Transportation (FDOT)** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, September 12, 2012, Open House: 5:00 p.m.; Presentation: 6:00 p.m.

PLACE: Wildwood Community Center, 6500 County Road 139, Wildwood, Florida 34785

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Nos. 43018815201 & 43018715201.

Project Description: State Road (SR) 35 (US 301) at SR 44 and County Road 466 at SR 35 (US 301) Intersection Improvements.

The proposed improvements consist of widening the southbound lanes along US 301 at the SR 44 intersection to facilitate dual left turn lanes turning east onto SR 44 and widening westbound CR 466 at the US 301 intersection to facilitate dual left turn lanes turning south onto US 301. These improvements will also require relocation of existing drainage inlets, upgrading pedestrian features to comply with the Americans with Disabilities Act (ADA), and construction of a raised traffic separator at the intersections. The project limits are from 225 feet south of the SR 44 intersection to 710 feet north of the intersection along US 301 and from 500 feet west of the US 301 intersection to 650 feet east of the US 301 intersection along County Road 466. The projects are funded for construction in fall of 2016 and fall of 2013 respectively.

Pursuant to the provisions of 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: Robert Neil, PE, SRD, Inc., (813)621-3250 or via e-mail: bneil@srdeng.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Robert Neil, PE at the phone number above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Either Mr. Taleb Shams, PE, FDOT, Project Manager, (386)943-5231 or e-mail: Taleb.Shams@dot.myflorida.com AND/OR Mr. Robert Neil, PE, SRD, Inc., (813)621-3250, e-mail: bneil@srdeng.com.

Additional information on the project is also available at: www.cflroads.com.

STATE BOARD OF ADMINISTRATION

The **State Board of Administration**, Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.

DATE AND TIME: One or more days between the period Monday, August 13, 2012 and Friday, August 31, 2012 (excluding weekends). Unless otherwise provided on the SBA's website, all meetings shall begin at 9:00 a.m. (EST) and continue until the meeting is concluded. The actual meeting dates and times will be posted on the SBA's website: <http://www.sbafla.com> at least 7 days prior to the meeting.

PLACE: The Hermitage Centre, Room 116 (Hermitage Conference Room), 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting(s) of the IAC to discuss responses to a Request for Quote for a consultant to perform a compensation study the IAC is undertaking to ensure interests are aligned and human capital risk issues are prudently addressed, and to select or approve the selection of one or more consultants. In addition, a discussion of any other matters within the purview of the IAC may be addressed. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or email: diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or email: james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Children and Youth Cabinet Human Trafficking Workgroup** announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2012, 10:00 a.m. – 12:00 Noon
PLACE: Department of Juvenile Justice, 2737 Centerview Drive, Secretary's Conference Room, Tallahassee, Florida 32399-3100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup will meet to continue their work on the Human Trafficking Summit, hear updates on the Safe Harbor Act Implementation and Intake Identification Project, and other projects.

A copy of the agenda may be obtained by contacting: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2012, 10:00 a.m.

PLACE: Lafayette County Emergency Operations Center, 194 Southwest Virginia Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 32653.

Pursuant to the provisions of 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: (352)955-2200. If you are 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2012, 1:00 p.m.

PLACE: Lafayette County Emergency Operations Center, 194 Southwest Virginia Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of 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: (352)955-2200. If you are 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 **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: CEDS Strategy Committee Follow-up Meeting, Thursday, August 23, 2012, 3:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the annual business of updating of the Region's Comprehensive Economic Development Strategy (CEDS). The

Council maintains a CEDS through coordination with the US Commerce Department's Economic Development Administration.

Pursuant to 13 CFR Chapter III Sections 303.6 and 303.7 [75 FR 4259 published January 27, 2010], copies of the proposed annual CEDS plan update shall be available for public review and comment at least 30 days.

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.

METROPOLITAN PLANNING ORGANIZATIONS

The **Local Coordinating Board/Transportation Disadvantaged (LCB-TD)** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2012, 1:30 p.m.

PLACE: 2401 S.E. Monterey Road, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input on transportation disadvantaged services.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: 1(866)836-7034. If you are 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: Margaret Brassard, MPO, Administrative Assistant II, (772)221-1498.

The **Local Coordinating Board/Transportation Disadvantaged (LCB-TD)** announces a hearing to which all persons are invited.

DATE AND TIME: August 27, 2012, 3:00 p.m.

PLACE: Commission Chambers, Administrative Building, 2401 S. E. Monterey Road, 1st Floor, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input on transportation disadvantaged services.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: 1(866)836-7034. If you are 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: Margaret Brassard, MPO, Administrative Assistant II, (772)221-1498.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2012, 1:00 p.m. (ET)

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: NFWMD, July 2012 Governing Board Meeting – to consider District business and the Fiscal Year 2012-2013 Revised Tentative Budget.

OTHER MEETINGS TO BE HELD ON:

Thursday, August 23, 2012:

10:30 a.m. (ET) District Lands Committee Meeting

11:30 a.m. (ET) Regulations Committee Meeting

12:00 Noon (ET) Committee of the Whole – Administration, Budget, and Finance- to discuss Fiscal Year 2012-2013 Revised Tentative Budget

1:05 p.m. (ET) Public Hearing on Regulatory Matters

A copy of the agenda may be obtained by contacting: April Murray, NFWMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet (www.nfwmd.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 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. If you are 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.

Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 23, 2012, 10:00 a.m. – 12:30 p.m.

PLACE: Toho Water Authority, 951 Martin Luther King Boulevard, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>.

NOTE: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering Committee.

A copy of the agenda may be obtained by contacting: John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, Florida 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com/> seven days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. If you are 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: Woody Boynton Jr., Assistant Executive Director, St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, (386)329-4101, email: wboynton@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6787, email: dpowell@sfwmd.gov; Rand Frahm, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211,

The **Central Florida Water Initiative (CFWI)**, Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water

email: rand.frahm@water matters.org; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com.

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 10:00 a.m.
 PLACE: SWFWMD, Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Governing Board Audit Committee Meeting; Consider committee business including review and evaluation of proposals from independent financial auditing firms. A portion of the meeting may be closed to the public if oral presentations are requested from the firms. Governing Board members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & 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, Bureau Chief, 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).

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: Christy.Aulicino@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4132 (Ad Order EXE0223).

The **South Florida Water Management District** announces a workshop to which all persons are invited.

Lower West Coast Water Supply Plan Regional Workshop #4
 DATE AND TIME: August 28, 2012, 9:30 a.m. – 11:30 a.m.
 PLACE: SFWMD, Big Cypress Basin, 2660 Horseshoe Drive, North, Naples, FL 34104

GENERAL SUBJECT MATTER TO BE CONSIDERED: Overview of Draft Lower West Coast Water Supply Plan Update.

A copy of the agenda may be obtained by contacting: Linda Hoppes, (561)682-2213, lhoppes@sfwmd.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 7 days before the workshop/meeting by contacting: District Clerk’s Office, (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).

For more information, you may contact: Linda Hoppes, (561)682-2213, lhoppes@sfwmd.gov.

The **South Florida Water Management District** announces a workshop to which all persons are invited.

Lower West Coast Water Supply Plan Regional Workshop #5
 DATE AND TIME: August 28, 2012, 2:00 p.m. – 4:00 p.m.
 PLACE: SFWMD, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Overview of Draft 2012 Lower West Coast Water Supply Plan Update.

A copy of the agenda may be obtained by contacting: Linda Hoppes, (561)682-2213, LHoppes@sfwmd.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 7 days before the workshop/meeting by contacting: District Clerk’s Office, (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).

For more information, you may contact: Linda Hoppes, (561)682-2213, lhoppes@sfwmd.gov.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 29, 2012, 9:00 a.m.
 PLACE: SFWMD, Building B-1, 3rd Floor, Storch Room, 3301 Gun Club Road, West Palm Beach, FL 33406; Conference Call: Local SFWMD: (561)682-6700; Nationwide Toll Free: 1(866)433-6299, Meeting ID #: 1323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lake Belt Mitigation Committee.

Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation.

A copy of the agenda may be obtained by contacting: Lourdes Elias, (561)682-2706. or <http://www.sfwmd.gov/miamidade>, Click on “Task Force and Coordination Teams” in the Related Links section.

Pursuant to the provisions of 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: District Clerk's office, (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).

For more information, you may contact: South Florida Water Management District, Attention: Lourdes Elias, MSC #4110, 3301 Gun Club Road, P. O. Box 24680, West Palm Beach, FL 33416-4680.

SPACE FLORIDA

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 2:30 p.m. – 4:00 p.m. (Eastern Time)

PLACE: Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll, 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 3 days before the workshop/meeting by contacting: Juanell Kirkendoll, 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, jkirkendoll@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

NOTICE OF CHANGE – The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATE AND TIME: The conference call will take place on Friday, August 17, 2012, 10:00 a.m. – 11:30 a.m. (EST)

PLACE: Conference Call: 1(888)670-3525, Conference Code: 9620760613

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of initiatives the Advisory Council and the Department wish to undertake.

A copy of the agenda may be obtained by contacting: Joshua Spagnola, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2155, email: spagnolaj@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: Joshua Spagnola, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2155, email: spagnolaj@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: Joshua Spagnola, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2155, email: spagnolaj@elderaffairs.org.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2012, 10:00 a.m.

PLACE: This meeting will be in the form of a webinar.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The webinar will provide a presentation and discussion of the 2012-2013 capitation rates for the Program of All-Inclusive Care for the Elderly (PACE).

Link to register for the webinar: <https://www2.gotomeeting.com/register/270924530>; Conference Call: 1(888)670-3525, Participant Code: 3250882671

System Requirements:

PC-based attendees

Required: Windows® 7, Vista, XP or 2003 Server

Macintosh®-based attendees

Required: Mac OS® X 10.5 or newer

A copy of the agenda may be obtained by contacting: Tiffany Graves, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2188 or gravest@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: Tiffany Graves, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2188 or gravest@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: Tiffany Graves, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2188 or email: gravest@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 10:00 a.m.

PLACE: This is a telephonic meeting held at the Florida Commission on Human Relations. Please contact Casey Snipes at (850)488-7082, ext. 1001 for the call-in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commissioners will discuss and vote on this slate of nominees for the Florida Civil Rights Hall of Fame.

A copy of the agenda may be obtained by contacting: Casey Snipes, (850)488-7082, ext. 1001 or email: casey.snipes@fchr.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 5 days before the workshop/meeting by contacting: Casey Snipes, (850)488-7082, ext. 1001 or email: casey.snipes@fchr.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Casey Snipes, (850)488-7082, ext. 1001 or casey.snipes@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 21, 2012, 2:00 p.m.

PLACE: To participate in the telephone conference call, contact US Toll Free: 1(888)670-3525, then enter the Participant Passcode: 2966335023 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982.

Pursuant to the provisions of 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982. If you are 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 28, 2012, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

Pursuant to the provisions of 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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. If you are 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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 21, 2012, 1:30 p.m. or soonest thereafter

PLACE: Zora Neale Hurston Building, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss the effects of loss mitigation on real estate transactions.

A copy of the agenda may be obtained by contacting: Lori Crawford, email: lori.crawford@dbpr.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lori Crawford, email: lori.crawford@dbpr.state.fl.us.

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 24, 2012, 11:00 a.m.

PLACE: Embassy Suites Orlando Airport, Lindbergh Board Room, 5835 T. G. Lee Boulevard, Orlando Florida 32822

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 copy of the agenda may be obtained by contacting: Janet Compton, 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 Compton, 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 Compton, Executive Director, FMHRC, P. O. Box 3047 Tallahassee, FL 32315, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, August 30, 2012, 9:30 a.m.

PLACE: St. Johns River Water Management District, Blue Cypress Conference Room, 525 Community College Parkway, S.E., Palm Bay, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on draft nutrient total maximum daily loads (TMDLs) for impaired waters in the Indian River Lagoon Basin, to be adopted in Rule 62-304.520, F.A.C. TMDLs to be presented at the public workshop include nutrient TMDLs for Sykes Creek/Barge Canal (WBID 3044B) and the Goat Creek Marine Segment (WBID 3107A). Draft TMDL reports for these impaired waters will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl/>) by

August 15, 2012, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on these draft TMDLs through September 17, 2012. Written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station #3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: jan.mandrup-poulsen@dep.state.fl.us. This rule development has been given OGC case number 12-1363.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Evaluation and TMDL Section, MS #3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.

Pursuant to the provisions of 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. Pat Waters, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Division of Air Resource Management announces a hearing to which all persons are invited.

DATE AND TIME: September 18, 2012, 10:00 a.m.

PLACE: Department of Environmental Protection, The Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces the opportunity for the public to request a hearing or offer comments on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act. Specifically, DEP proposes that the U.S. Environmental Protection Agency (EPA) remove from Florida's SIP five Rules 62-210.100, 62-212.100, 62-297.100, 62-296.407, and 62-296.413, F.A.C. A public hearing will be held, if requested, at the date, time, and place given above. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any request for a public hearing must be submitted by September 10, 2012, to: Marnie Brynes, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS #5500, Tallahassee, FL 32399-2400, email: Marnie.Brynes@dep.state.fl.us. Any comments must be submitted to Jim Pennington at the above address or Jim.Pennington@dep.state.fl.us, with a copy to Ms. Brynes, by September 10, 2012. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website: <http://sharepoint.dep.state.fl.us/PublicNotices/default.asp>. Persons may also contact: Ms. Brynes, (850)717-9029, to find out if the hearing has been cancelled. The materials comprising

DEP's proposed SIP revision are accessible from the above website by clicking on the September 18 hearing link. The materials may also be inspected during normal business hours at the DEP, Division of Air Resource Management Offices, 2600 Blair Stone Road, Tallahassee, Florida or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office.

A copy of the agenda may be obtained by contacting: Mr. Pennington by letter or e-mail or by calling: (850)717-9102.

Pursuant to the provisions of 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. Brynes, (850)717-9029, email: Marnie.Brynes@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).

For more information, you may contact: Mr. Pennington by letter or e-mail or by calling: (850)717-9102.

DEPARTMENT OF HEALTH

The **Department of Health**, Pain Management Clinic Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 17, 2012, 10:30 a.m.

PLACE: Conference Call: 1(888)670-3525, Participation Code: 794 062 0467

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller, (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller, (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by 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 **Board of Acupuncture** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 7, 2012, 9:00 a.m. (EST) or shortly thereafter

PLACE: Florida Hotel and Conference Center, 1500 Sand Lake Rd., Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256, (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: Paula Mask, (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 Probable Cause Panel of the **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 2:45 p.m. (EST) or shortly thereafter

PLACE: Conference Call: 1(888)670-3525; Participant Code: 4319491106

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, (850)245-4161 or 4052 Bald Cypress Way, #C-06, 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: Paula Mask, (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 **Department of Health, Board of Medicine**, Dietetic and Nutrition Practice Council announces a telephone conference call to which all persons are invited.

DATES AND TIME: April 24, 2013; July 24, 2013; October 22, 2013, 9:30 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the Participant Code: 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Dietetic and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, FL 32399-3255, by visiting our website: <http://doh.state.fl.us/mqa/dietetics/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Nursing Home Administrators** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 31, 2012, 9:00 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the web site: 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: Sherra W. Causey, (850)245-4444, Ext. 3617. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Physical Therapy Practice** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 19, 2013; April 16, 2013; June 18, 2013; August 20, 2013; October 15, 2013; December 10, 2013, 11:30 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the participant code 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting. A meeting or portion of a probable cause panel meeting is public only if a case or cases are public by reason of reconsideration.

A copy of the agenda may be obtained by contacting: Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, Florida 32399-3255, by visiting our website: <http://doh.state.fl.us/mqa/physical/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: January 22, 2013; March 26, 2013; May 21, 2013; July 23, 2013; September 24, 2013; November 26, 2013, 8:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, After dialing the meet me number, when prompted, insert the 4389078941 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting. A meeting or portion of a probable cause panel meeting is public only if a case or cases are public by reason of reconsideration.

A copy of the agenda may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, FL 32399-3255, by visiting our website: <http://doh.state.fl.us/mqa/psychology/index.html> or by calling: Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 8, 2013; June 7, 2013; September 13, 2013; November 8, 2013, 8:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the 4389078941 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credentials Committee Meeting.

A copy of the agenda may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, Florida 32399-3255, by visiting our website: <http://doh.state.fl.us/mqa/psychology/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 22, 2013; June 21, 2013; September 27, 2013; November 22, 2013, 8:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, After dialing the meet me number, when prompted, insert the 4389078941 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quorum Meeting.

A copy of the agenda may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, Florida 32399-3255, by visiting our website: <http://doh.state.fl.us/mqa/psychology/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Respiratory Care** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 19, 2013; April 16, 2013; June 18, 2013; August 20, 2013; October 15, 2013; December 10, 2013, 8:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the participant code 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting. A meeting or portion of a probable cause panel meeting is public only if a case or cases are public by reason of reconsideration.

A copy of the agenda may be obtained by contacting: the Board of Respiratory Care, 4052 Bald Cypress Way, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, FL 32399-3255, by visiting our website at: <http://doh.state.fl.us/mqa/respiratory/index.html> or by calling: Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

If you are 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 **Children's Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 17, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room #301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health, will meet to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health, (850)245-4200, ext. 2238, email: Gail_Vail@doh.state.fl.us.

The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 5, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Meet-Me Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for evaluating a Lifeguarding and Swimming Instructor training program proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the program to the department. The person to contact regarding this conference call meeting, agenda and pertinent information is: Robert Pryor, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742, (850)245-4444, ext. 2369, e-mail: bob_pryor@doh.state.fl.us. If you wish to participate in the above referenced conference call, you must call Robert Pryor to obtain the telephone number.

A copy of the agenda may be obtained by contacting: Pat Duncan, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742, (850)245-4444, ext. 2366, e-mail pat_duncan@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Pat Duncan, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, Florida 32399-1742, (850)245-4444, ext. 2366, e-mail: pat_duncan@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, SunCoast Region announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Department of Children and Families, 2295 Victoria Avenue, Ft. Myers, FL 33906

GENERAL SUBJECT MATTER TO BE CONSIDERED: Designation of Park Royal Hospital in Ft. Myers, FL, as a Baker Act Receiving Facility.

A copy of the agenda may be obtained by contacting: Susan Nunnally, (941)316-6152, Susan_Nunnally@dcf.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 3 days before the workshop/meeting by contacting: Susan Nunnally, (941)316-6152 or email: Susan_Nunnally@dcf.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).

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a workshop to which all persons are invited.

DATE AND TIME: August 23, 2012, 1:30 p.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop on WCIND policies.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Avenue, Venice, FL 34285.

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 Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 24, 2012, 2:00 p.m.
 PLACE: 1314 Maricini Road, Jupiter, FL 33477
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Opening of bids for the DMMA NA-1 Construction Project.

A copy of the agenda may be obtained by contacting: David Roach, (561)627-3386 or droach@aicw.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 7 days before the workshop/meeting by contacting: The District at the above telephone number or e-mail. If you are 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2012, 8:30 a.m.
 PLACE: Room 329, 620 S. Meridian St., Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Florida Wildlife Legacy meeting to discuss goal focused projects for the upcoming grant cycle.

A copy of the agenda may be obtained by contacting: Stasey Whichel, State Wildlife Grant Program Coordinator, (850)488-3831.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 17, 2012, 11:00 a.m.
 PLACE: Adjutant General's Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, Florida 32084
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

A copy of the agenda may be obtained by contacting: Ms. Sondra Vaughn, (904)823-0201.

Pursuant to the provisions of 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: Ms. Sondra Vaughn, (904)823-0201. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Sondra Vaughn, (904)823-0201.

POLK STATE COLLEGE

The **Polk State College**, Kenneth C. Thompson Institute of Public Safety announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 30, 2012, 2:00 p.m.
 PLACE: Polk State College, Kenneth C. Thompson Institute of Public Safety, Room WCJ146, 999 Avenue H, N.E., Winter Haven, FL 33881

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Approve minutes from January 26, 2012 meeting
2. Old Business
3. New Business
 - a. Presentation by Director Scott Wilder
 - b. Presentation by Sheriff Benton
4. Training Issues
5. Other Issues
6. Adjournment

A copy of the agenda may be obtained by contacting: Debbie Bull, Secretary at the Polk State college address listed above.

For more information, you may contact: Captain William T. Mann, Director or Debbie Bull, Secretary, (863)669-2908.

FLORIDA HEALTH MAINTENANCE ORGANIZATION CONSUMER ASSISTANCE PLAN

The **Florida Health Maintenance Organization Consumer Assistance Plan** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2012, 1:30 p.m.
 PLACE: Conference Call: 1(877)434-2293 Passcode 8504251634; Legends 12 Conference Room, Doral Golf Resort, 4400 N.W. 87th Avenue, Miami, FL 33178

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Annual Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Terri Jay, terri.jay@akerman.com or website: www.flhmocap.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: Terri Jay, email: terri.jay@akerman.com or (850)425-1628. If you are 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: Terri Jay, email: terri.jay@akerman.com or (850)425-1628.

PASCO-PINELLAS AREA AGENCY ON AGING

The **Area Agency on Aging of Pinellas-Pasco** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 20, 2012, 9:30 a.m.

PLACE: Medical Center of Trinity, Conference Room B, 9330 State Road 54, Trinity, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black, (727)570-9696, ext. 233.

Pursuant to the provisions of 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: Brenda Black, (727)570-9696, ext. 233. If you are 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: Brenda Black, (727)570-9696, ext. 233.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.**, Audit Committee of its Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 21, 2012, 12:00 Noon

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, (850)222-1882.

The **Florida Self-Insurers Guaranty Association, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 21, 2012, 3:00 p.m.

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, FL 32308, (850)222-1882.

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.

FLORIDA ATLANTIC RESEARCH & DEVELOPMENT AUTHORITY

The **Florida Atlantic Research & Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2012, 8:00 a.m.

PLACE: C. Scott Ellington Technology Business Incubator, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Christine Burren, email: cc@research-park.org.

The **Florida Atlantic Research & Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2012, 2:00 p.m.

PLACE: C. Scott Ellington Technology Business Incubator, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Christine Burren-cc@research-park.org.

H. LEE MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The **Moffitt Cancer Center** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 16, 2012, 3:00 p.m.

PLACE: Conference Call: 1(877)791-9829, Passcode: 2475242

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cancer Control Research Advisory Council (CCRAB) Sub-Committee-Goal III – Treatment & Access to Care general membership meeting.

A copy of the agenda may be obtained by contacting: Kimberley.Buccini@Moffitt.org.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 17, 2012, 9:30 a.m.

PLACE: SSRC Administrative Offices, Building C, Conference Room 103, 2002 Old St. Augustine Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of potential SSRC Legislative Budget Request.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

FLORIDA PORTS COUNCIL

The **Florida Ports Financing Commission Nominating Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 10:00 a.m.

PLACE: Call-In Number: (312)340-6650, Access Code: 9348585

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council Offices, (850)222-8028.

Pursuant to the provisions of 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: Toy Keller, Florida Ports Council Offices, (850)222-8028. If you are 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: Toy Keller, Florida Ports Council Offices, (850)222-8028.

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The **Regional 10 Criminal Justice Training School** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2012, 9:30 a.m.

PLACE: Southwest Florida Public Service Academy, 4312 Michigan Avenue, Fort Myers, FL 33905

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda:

1. Pledge of Allegiance.
2. Approval of minutes of May 22, 2012.
3. Introduction to guests.
4. FDLE report – Dawn Radick.
5. Academy report from Sarasota County Technical Institute.
6. Academy report from Southwest Fl Public Service Academy.
7. Old business.
8. New business.
9. Schedule of next meeting.
10. Adjournment.

A copy of the agenda may be obtained by contacting: Angela Esteves, (239)334-3897.

STUDY COMMITTEE ON INVESTOR-OWNED WATER AND WASTEWATER UTILITY SYSTEMS

NOTICE OF CANCELLATION – The **Study Committee on Investor-Owned Water and Wastewater Utility Systems** announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation Notice: August 16, 2012, 11:00 a.m. – 5:00 p.m.

PLACE: Knott Building, Room 116K, 404 S. Monroe Street, Tallahassee, FL 32399-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first meeting of the Study Committee on Investor-Owned Water and Wastewater Utility Systems has been cancelled and will be rescheduled for September 6, 2012. See Notice of Meeting in this Issue.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850)413-6978 or JChase@psc.state.fl.us.

The **Study Committee on Investor-Owned Water and Wastewater Utility Systems** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 6, 2012, 11:00 a.m. – 5:00 p.m.

PLACE: Knott Building, Room 116K, 404 S. Monroe Street, Tallahassee, FL 32399-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 2 of Chapter 2012-187, Laws of Florida, creates a Study Committee on Investor-Owned Water and Wastewater Utility Systems (Study Committee). The purpose of the Study Committee is to identify issues of concern of investor-owned water and wastewater utility systems, particularly small systems, and their customers and research possible solutions. In addition, the committee shall consider: (a) the ability of a small investor-owned water or wastewater utility to achieve economies of scale when purchasing equipment, commodities, or services; (b) the availability of low interest loans to a small, privately owned water or wastewater utility; (c) any tax incentives or exemptions, temporary or permanent, which are available to a small water or wastewater utility; (d) the impact on customer rates if a utility purchases an existing water or wastewater utility system; (e) the impact on customer rates of a utility providing service through the use of a reseller; and (f) other issues that the committee identifies during its investigation. By February 15, 2013, the Study Commission shall provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing its findings and making specific legislative recommendations, including proposed legislation intended to implement its recommendations. The Study Committee will be meeting over the next several months to accomplish the purposes identified in the legislation.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850)413-6978 or JChase@psc.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Katherine Pennington, (850)413-6960. If you are 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: JoAnn Chase, (850)413-6978, JChase@psc.state.fl.us.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.**, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2012, 11:00 a.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Preparation for September 2012 Enterprise Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Michele Miller, (407)956-5636.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Michele Miller, (407)956-5636. If you are 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: Michele Miller, (407)956-5636.

The **Enterprise Florida, Inc.** and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Morris Hall, Basement of the House Office Building, 402 South Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Defense Support Task Force makes recommendations to the Governor and Legislature to promote, protect and enhance Florida's military missions and installations and to improve the state's military-friendly environment for service members, military dependents, military retirees, and businesses which bring military and base-related jobs to Florida. The Task Force routinely reviews and discusses a wide range of military and defense-related issues that support this mission.

A copy of the agenda may be obtained by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.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 1 day before the workshop/meeting by contacting: Donna Cucinella, (850)878-4566, email: dcucinella@eflorida.com; Bruce Grant, (850)878-0826, email: bgrant@eflorida.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: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.com.

FLORIDA TELECOMMUNICATIONS RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 13, 2012, 10:00 a.m.

PLACE: Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

A copy of the agenda may be obtained by contacting: Mr. James Forstall, Executive Director, Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301.

MGRMIAMI

The Florida **Department of Transportation (FDOT)**, District Six announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 21, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: St. Thomas University, Convocation Hall, 16401 N.W. 37 Avenue, Miami Gardens, Florida 33054

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT will host the Alternatives Public Workshop to present the results of the Palmetto Expressway PD&E Study to date and to obtain input on the alternatives under consideration. The meeting is an open house format with a short presentation at 6:30 p.m.

The purpose of the Palmetto Expressway PD&E study is to determine the number and type of travel lanes and interchange improvements required to accommodate anticipated traffic volumes and improve safety conditions throughout the project corridor. The study will also evaluate operational and safety improvements which could include Active Traffic Management and Transportation Systems Management and Operation strategies including express lanes, lane additions, major interchange modifications, and facility improvements to support express bus service.

An update reflecting recent modifications to the Golden Glades Interchange PD&E Study alternatives will also be presented at the meeting. The modifications include the extension of construction and geometric improvements along I-95 from north of Opa-Locka Boulevard to Miami Gardens Drive.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager, Florida Department of Transportation, District Six, 1000 N.W. 111 Avenue, Room 6251, Miami, Florida 33172, (305)470-5217 (Telephone), (305)640-7588 (Fax) or via email: dat.huynh@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Nicholas Danu, P.E., (305)470-5219, in writing: 1000 N.W. 111 Avenue, Room 6111-A, Miami, Florida 33172 or via email: nicholas.danu@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Mr. Nicholas Danu at least seven (7) days before the meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Huynh at the information listed above.

PARSONS BRINCKERHOFF

The **Department of Transportation** announces a public meeting to which all persons are invited.

DATES AND TIME: August 22, 2012, 9:30 a.m.; August 23, 2012, 10:00 a.m.

PLACE: Ramada Lakeland Hotel & Conference Center, 3260 U.S. Highway 98 N., Lakeland, FL 33805

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation has initiated the Polk Rail Study to identify the best solutions for regional freight movement through Polk County while minimizing community and environmental impacts. These Freight and Stakeholders Taskforce and Mayors Council meetings are an initial step in the process of seeking input from interested stakeholders.

A copy of the agenda may be obtained by contacting: Project Information Liaison Brian Bollas at (727)946-1869 or FDOT Public Information Director Cindy Clemmons (863)519-2362 or FDOT, District One, Public Information Office, P. O. Box 1249, Bartow, FL 33831 or by visiting the project website at www.polkrail.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: Brian Bollas at (727)946-1869. If you are 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: Project Information Liaison Brian Bollas at (727)946-1869 or FDOT Public Information Director Cindy Clemmons (863)519-2362 or FDOT, District One, Public Information Office, P. O. Box 1249, Bartow, FL 33831 or by visiting the project website at www.polkrail.com.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by BellSouth Telecommunications, Inc. d/b/a AT&T Florida on April 16, 2007. The following is a summary of the agency’s disposition of the petition:

The FLORIDA PUBLIC SERVICE COMMISSION received a notice of voluntary dismissal of the petition for declaratory statement from BellSouth Telecommunications, Inc. d/b/a AT&T Florida on July 19, 2012. The original Notice of Petition was published in Vol. 33, No. 18 of the May 4, 2007, issue of the Florida Administrative Weekly. Docket No. 070263-TP.

Please refer all comments to: Rosanne Gervasi, Office of the General Counsel, 2540 Shumard Oak Blvd, Tallahassee, FL 32399-0850, (850)413-6224.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Homesure of America, Inc. D/B/A Cross Country Home Services, filed on October 24, 2011. The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 45, of the November 10, 2011, Florida Administrative Weekly. The Board reconsidered the Petition at a duly-noticed public meeting held on July 13, 2012. The Petitioner requested the Board to interpret Sections 489.103(9) and 489.105(3), Florida Statutes, and whether a licensed home warranty association and service warranty association must obtain an air conditioning or mechanical contractors license to market and sell a program to provide minor routine air conditioning preventative maintenance services using CCHS’ network of licensed contractors to provide the services, where the aggregate contract price for labor, materials and all other items provided to each customer will be less than \$1,000.

The Board’s Order, filed on July 27, 2012, grants the Petition for Declaratory Statement. A contractor’s license is not required for Petitioners to offer the services as a home warranty and service warranty association licensed under Chapter 634, Florida Statutes, including arranging for and compensating licensed contractors for warranty work, so long as Petitioners do not contract for or attempt to control the means and methods of construction for any additional services not included under the warranty, for which the homeowner must hire and compensate the contractor of its choosing. The

Board defers jurisdiction to the appropriate agency to determine whether Petitioners are properly licensed under Chapter 634, Florida Statutes and the limitations therein.

A copy of the Board’s Order may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

**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

DCPS Districtwide Planning Consultant
Services/OFDC-RFQ-002-13

NOTICE TO PROFESSIONAL CONSULTANTS OFFICE OF FACILITIES PLANNING AND PROGRAMMING for Request for Qualifications (RFQ)/OFDC-RFQ-002-13 – Districtwide Planning Consultant Services. Publish date

August 10, 2012. The Office of Facilities Planning and Programming announces that Professional services are required for Districtwide Planning Consultant Services for Duval County Public Schools. The firm(s) selected will be responsible for various Districtwide Planning activities. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to: Duval County Public Schools, Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182.

PROJECT MANAGER: Richard Beaudoin, (904)390-2358.

RESPONSE DUE DATE: RFQ'S ARE DUE ON OR BEFORE SEPTEMBER 11, 2012 AND WILL BE ACCEPTED UNTIL 4:30 pm.

MBE GOALS: Encouragement.

Information on the selection process can be found at: www.duvalschools.org/static/aboutdcps/departments/facilities/selection_booklets.asp.

Selection of the Districtwide Planner Consultant.

DCPS Security Upgrades at Lake Shore Middle School No. 69/DCSB Project No. M-83980/OFDC-ITB-001-13

Invitation To Bid – For an Electrical Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida.

BIDS ARE DUE ON OR BEFORE SEPTEMBER 11, 2012, AND WILL BE ACCEPTED UNTIL 2:00 p.m. OFFICIAL PROJECT TITLE: Security Upgrades at Lake Shore Middle School No.: 69/DCSB Project No.: M-83980/OFDC – ITB-001-13.

SCOPE OF WORK: The project consists of upgrade of security system per plans and specifications. Estimated construction cost is not to exceed \$220,000. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers, 806 Roselle St., Jacksonville, FL 32204, (904)381-0777. Name of A/E Firm: John Searcy & Associates, Inc., 2700 University Blvd., W., Suite B-4, Jacksonville, FL 32217, (904)739-1231. DCSB Point of Contact: Tony Gimenez, (904)390-2945. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. MBE Participation Goal: 10% Overall Based on Available MBE's. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on August 17, 2012, 9:00 a.m. at Lake Shore Middle School, 2519 Bayview Road, Jacksonville, FL 32210. Failure to attend the pre-bid conference shall result in

disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at: www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp. The Bid Award Recommendation will be posted on the First Floor, Bulletin Board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF TRANSPORTATION

Contract E4N24 – Fixed Capital Outlay Project

Bids will be received by the District Four Procurement Office until 11:00 a.m., Friday, October 5, 2012, for the following proposal in Broward County: E4N24, Fort Lauderdale Train Station Rehabilitation and Repair. The contractor must be a licensed general contractor with experience in historical restoration work and transportation related projects.

Complete letting advertisement information for this project is available on our website: <http://www.dot.state.fl.us/contracts/administrationdistrict4/> click on October 5, 2012 or by calling: (954)777-4603.

METROPOLITAN PLANNING ORGANIZATION

REQUEST FOR PROPOSALS

“ANNUAL FINANCIAL AUDITING CONSULTANT SERVICES”

Proposals for this service must be received by the Lee County Metropolitan Planning Organization (MPO), via delivery to 815 Nicholas Parkway E., Cape Coral, Florida or via mail at Post Office Box 150045, Cape Coral, Florida 33915, by 3:00 p.m. (Local Time), Friday, September 7, 2012. Lee County MPO reserves the right to reject any or all proposals.

SCOPE OF SERVICES: The Lee MPO is an independent entity formed by Interlocal agreement made up of the following local jurisdictions; Lee County, City of Fort Myers, Bonita Springs, Sanibel, Cape Coral and the Town of Fort Myers Beach. Any MPO that expends \$500,000 or more in federal assistance in a fiscal year is required to have a single audit conducted by an independent CPA for that year in accordance with OMB Circular A-133. For the Fiscal Year 2011/2012 ending on June 30, 2012, the Lee MPO was attached to the Southwest Regional Planning Council until January 31, 2012, conducting business through a staff services agreement. The MPO is in need of an auditor to conduct an audit on the remaining portion of the fiscal year from February 1st through June 30th, 2012, with a possible renewal option for

the next two years (fiscal years ending for 2013 and 2014), subject to the review and approval by the MPO’s Executive Committee.

INVITATION TO PROPOSE: The program hereby solicits proposals for selection as on-call consultant for financial auditing services to the Lee County MPO. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION (HOW TO APPLY): A Request for Proposals document may be obtained by contacting: Ms. Meghan Marion, Lee MPO Designee, P. O. Box 150045, Cape Coral, Florida 33915, (239)244-2220, Fax: (239)790-2695 or by email: mmarion@leempo.com. Materials will be sent by regular mail or email to the requester within two business days. All requests for clarification or additional information on the RFP must be submitted in writing to the same address as above by no later than 5:00 p.m., August 27, 2012. Proposals must then be received by the Lee County MPO, via delivery at 815 Nicholas Parkway E., Cape Coral, FL 33990 or via mail: Post Office Box 150045, Cape Coral, FL 33915, by 3:00 p.m. (Local Time), Friday, September 7, 2012.

This public notice was posted in the lobby of the Offices of the Lee County MPO, 815 Nicholas Parkway E., Cape Coral, Florida 33990, on Friday, August 3, 2012. The Lee County MPO does not discriminate based on age, race, color, sex, religion, national origin, disability or marital status. Qualified minority-owned, women-owned or disadvantaged business enterprises are encouraged to apply.

DEPARTMENT OF ELDER AFFAIRS

NOTICE OF DECISION

The Area Agency on Aging of Central Florida, Inc., d/b/a Senior Resource Alliance, located at 988 Woodcock Rd., Ste. 200, Orlando, FL 32803, has decided, based on receipt of only one source of services from Brevard, Orange, Osceola and Seminole counties, to award the Older Americans Act Title IIIB, IIIC-1, IIIC-2 and IIIE programs to the following:

Brevard County to:
Aging Matters in Brevard
3600 W. King Street
Cocoa, FL 32926
All Titles

Orange County to:
Seniors First, Inc.
3113 Lawton Ave., Suite 250
Orlando, FL 32803
Title IIIB (excl Adult Day Care), IIIC-1, IIIC-2 and

Share the Care
1010 Arthur Ave
Orlando, FL 32804
Title IIIB (Adult Day Care), Title IIIE and

Informed Families
803 Sweetwater Island Circle
Longwood, FL 32779
Title IIIE-G

Osceola County to:
Osceola County Council on Aging
700 Generation Point
Kissimmee, FL 34744
All Titles

Seminole County to:
Meals on Wheels, Etc.
2801 S. Financial Ct.
Sanford, FL 32773
Title IIIB, IIIC-1, IIIC-2, IIIE-G and

Share the Care, Inc.
1010 Arthur Ave.
Orlando, FL 32804
Title IIIE

Any person who is adversely affected by the Senior Resource Alliance decision or intended decision shall file with the Senior Resource Alliance a notice of appeal in writing within 72 hours (excluding Saturdays, Sundays, and agency holidays) after receipt of the notice of the decision or intended decision.

DEPARTMENT OF MILITARY AFFAIRS

INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General Building Contractors (GC) for the following projects located at the Bonifay National Guard Armory, Bonifay, Florida and the Miramar National Guard Armory, Miramar, Florida.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 8/10/2012 AT: http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT: 211003 EST (Engagement Skills Trainer) Bonifay, Florida.

STATEMENT OF WORK: Work shall include the construction of a 50 foot by 60 foot (+/-) insulated pre-engineered metal building. This building will require a minimum of 14 foot internal clearance to accommodate the engagement Skills

Trainer (EST) equipment. The structure will include male/female latrines, storage, control room, and staging room. Special Mechanical, Electrical and Data/Telecomm requirements are expected to accommodate the EST's robust computer and projection equipment. Project must be built to LEED Silver certification level. Building must meet Florida Building Code, State Fire Marshall, local Authorities Having Jurisdiction and Area Water Management requirements.

PROJECT: 211004 EST (Engagement Skills Trainer) Miramar, Florida

STATEMENT OF WORK: Work shall include the construction of a 50 foot by 60 foot (+/-) insulated pre-engineered metal building with an attached 30 foot by 24 foot open canopy bay. This building will require a minimum of 14 foot internal clearance to accommodate the Engagement Skills Trainer (EST) equipment. The structure will include male/female latrines, storage, control room, and staging room. Special Mechanical, Electrical and Data/Telecomm requirements are expected to accommodate the EST's robust computer and projection equipment. Project must be built to LEED Silver certification level. Building must meet Florida Building Code, State Fire Marshall, local Authorities Having Jurisdiction and Area Water management requirements.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

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

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office, Contracting Branch (904)823-0255 or (904)823-0256 or e-mail: cfmocontracting@ng.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.

Tentative Schedule:	Bonifay	Miramar
Pre-Bid Meeting	8/21/12, 2:00 p.m.	8/16/12, 9:00 a.m.
Final Questions submitted	8/29/12	8/29/12
Final Addenda Published	8/31/12	8/31/12
Bid Opening RFE	9/14/12, 1:00 p.m.	9/14/12, 2:00 p.m.

MOSS & ASSOCIATES

DOC – Laundry Addition Columbia C.I. Annex, in Lake City, Florida.

Moss and Associates, LLC (CGC #042160) anticipates receiving bids for the DOC – Laundry Addition Columbia C.I. Annex, in Lake City, Florida.

Sealed bids are expected to be received and opened publicly in second week of September, 2012. Work includes Addition of a 5,000 sf Laundry Building at the Rear Support Building inside the secure perimeter of the Annex.

The scope of work will also include earthwork, site grading, chain link fence, concrete foundations and SOG, Pre-Engineered Metal Building, CMU walls, caulking, doors frames and hardware, drywall, painting, floor tile, miscellaneous specialties, fire protection, plumbing, HVAC and electrical.

Bid Packages will be available mid August. The Bid Package will contain further information important to submission of a bid including instructions to bidders, bid forms, schedule, and scope of work.

Moss and Associates, LLC, is committed to providing opportunities for M/WBE, SBE and DV Business Enterprise firms and encourages their participation.

Interested bidders may inquire about this project and obtain further information by contacting Sohail Rana, by phone: (407)730-5550 or via email: srana@mossemail.com.

JACKSONVILLE PORT AUTHORITY

REQUEST FOR PROPOSAL 12-17
ELECTRICAL WIRE/CABLE

Proposals will be received by the Jacksonville Port Authority (JAXPORT) until 2:00 p.m. (EST) on Friday, August 17, 2012, at which time they will be opened in the First Floor, Conference Room, 2831 Talleyrand Avenue, Jacksonville, FL 32206.

All proposals must be submitted in accordance with specifications No. 12-17, which may be obtained after 8:00 a.m. (EST), Thursday, August 2, 2012, from the bidding opportunities website: <http://www.jaxport.com/about-jaxport/corporate-information/projects-for-bid>

Procurement & Contract Services Department
2831 Talleyrand Avenue
Jacksonville, Florida 32206
Contact: Donna West
(904)357-3455

REQUEST FOR QUALIFICATIONS (RFQ)
PROFESSIONAL HYDROGRAPHIC SURVEYING
SERVICES

JAXPORT CONTRACT NO.: MC-1371

Sealed Statements of Qualifications (SOQ)'s will be received from Registered Surveying and Mapping Firms by the Jacksonville Port Authority until 2:00 p.m. (EST), Thursday, August 16, 2012, at which time they shall be opened in the Public Meeting Room of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida, for Professional Hydrographic Surveying Services. The Surveying and Mapping Firms shall hold a current certificate of registration under Chapter 472, Florida Statutes, for public facilities and meet the minimum qualifications.

All SOQ's must be submitted in accordance with specifications for Contract No. MC-1371, which may be examined in the Procurement Department of the Jacksonville Port Authority, located on the second floor of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida 32206. (Please telephone (904) 357-3017 for information.)

PLEASE VISIT: <http://www.jaxport.com/about-jaxport/corporate-information/projects-for-bid> or call the PROCUREMENT DEPARTMENT, (904)357-3017, PRIOR TO THE DEADLINE FOR SUBMISSIONS TO DETERMINE IF ANY ADDENDA HAVE BEEN RELEASED ON THIS CONTRACT. FAILURE TO ACKNOWLEDGE ALL ADDENDA SHALL RESULT IN REJECTION OF THE SOQ's.

Jacksonville Port Authority
2831 Talleyrand Avenue
Jacksonville, Florida 32206
(904)357-3017

Section XII
Miscellaneous

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Ocala Regional Medical Center, a private airport, in Marion County, at Latitude 29° 10' 32" and Longitude 82° 8' 12", to be owned and operated by Marion Community Hospital, Inc., 1431 S.W. 1st Avenue, Ocala, FL 34471.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation,

Aviation Office, 605 Suwannee Street, Mail Station #46, Tallahassee, Florida 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station #58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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 Peace Industry Group (USA), Inc., intends to allow the establishment of Heluva Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturer Co. Ltd. (line-make BASH) at 180 Race Track Road North, Building J 21-24, Oldsmar (Pinellas County), Florida 34677, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Heluva Scooters, Inc., are dealer operator(s): Bobby Yvonne Lee, 507 Locklie Street, Dunedin, Florida 34689; principal investor(s): Bobby Yvonne Lee, 507 Locklie Street, Dunedin, Florida 34689.

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: Meiredith Huang, Peace Industry Group (USA), Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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 Volkswagen Group of America, Inc., intends to allow the establishment of Luxury Orlando Imports, Inc., d/b/a Audi South Orlando as a dealership for the sale of Audi automobiles manufactured by Volkswagen (line-make AUDI) at Parcel # 23-29-0000-001 Southeast Corner of Conroy Road & Vineland Road, Orlando (Orange County), Florida 32801, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Luxury Orlando Imports, Inc., d/b/a Audi South Orlando are dealer operator(s): James Bender, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301; principal investor(s): AutoNation Enterprises Incorporated, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301.

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: Anthony Holbrook, Volkswagen Group of America, Inc., 2200 Ferdinand Porsche Drive, Herndon, Virginia 20171.

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 Power Group International, LLC, intends to allow the establishment of Reliable Power Equipment, LLC, d/b/a Coastal Carts as a dealership for the sale of low-speed vehicles manufactured by Tomberlin (line-make TOMB) at 16277 South Tamiami Trail, Suite A, Fort Myers (Lee County), Florida 33908, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Reliable Power Equipment, LLC, d/b/a Coastal Carts are dealer operator(s): Donald B. Imbus, 16277 South Tamiami Trail, Suite A, Fort Myers, Florida 33908; principal investor(s): Donald B. Imbus, 16277 South Tamiami Trail, Suite A, 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 Power Group International, LLC, intends to allow the establishment of Reliable Power Equipment, LLC, d/b/a Coastal Carts as a dealership for the sale of low-speed vehicles manufactured by Tomberlin (line-make TOMB) at 1410 Pine Ridge Road, Suite 17, Naples (Collier County), Florida 34108, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Reliable Power Equipment, LLC, d/b/a Coastal Carts are dealer operator(s): Donald B. Imbus, 1410

Pine Ridge Road, Suite 17, Naples, Florida 34108; principal investor(s): Donald B. Imbus, 1410 Pine Ridge Road, Suite 17, Naples, Florida 34108.

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 Chrysler Group Carco, LLC, intends to allow the establishment of TT of Duval, Inc., as a dealership for the sale and service of Ram light trucks manufactured by Chrysler Group Carco, LLC, at 9600 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of TT of Duval, Inc., are dealer operator(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401.

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: Joe Skillington, Chrysler Group Carco LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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 X-Power Motorsports, Inc., intends to allow the establishment of Wild Hog Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (line-make LINH) at 9741 South Orange Blossom Trail, Orlando (Orange County), Florida 32837, on or after September 10, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hog Scooters and Motorsports, LLC, are dealer operator(s): Jason Rupp, 8181 Via Bonita Street, Sanford, Florida 32771; principal investor(s): Patrick Paton, 8612 Granada Boulevard, Orlando, Florida 32836.

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, Suwanee, 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.

REGIONAL PLANNING COUNCILS

Request for Public Comments on the North Central Florida Comprehensive Economic Development Strategy Report
 The North Central Florida Regional Planning Council has published a draft of the Comprehensive Economic Development Strategy report for the North Central Florida Regional Planning Council region. Prior to adopting and submitting this report to the U.S. Economic Development Administration, a 30-day period of public comment is required.
PUBLICATION: The draft 2013-2017 report is available for review on the North Central Florida Regional Planning Council website at www.ncfrpc.org. Copies are also available upon request from the business address listed at the end of this notice.
DATE AND TIME: Public comment period is from publication of this notice through September 10, 2012, by 5:00 p.m.
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Comprehensive Economic Development Strategy for the North Central Florida Regional Planning Council region. Comments will be forwarded to the North Central Florida Regional Planning Council for consideration prior to adoption of the report at its September 27, 2012 meeting.
COMMENTS: Comments should be received no later than September 10, 2012 by 5:00 p.m. and should be submitted either by email: thomas@ncfrpc.org or writing: Bryan Thomas, Economic Development Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE**

The Department of Environmental Protection has determined that the Town of Greenville's proposed project to upgrade existing wastewater treatment facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$872,000. The project is expected to qualify for a State Revolving Fund grant and loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, 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.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On July 24, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Selwyn Carrington, M.D., License #ME 49240. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Irving Karten, M.D., License #ME 22118. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Donald Edward Berry, LPN, License #PN 5184954. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Angela Dean, R.N., License #RN 9170736. 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. (2011). 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.

Notice of Emergency Action

On July 24, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Billy Denica, C.N.A., License #CNA 21497. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kajuan Dew, R.N., License #RN 9293832. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Eve Marie Foster, R.N., License #RN 9251715. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Rita Rae Goodwin, LPN, License #PN 5153761. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lisbeth Rich Gordon, R.N., License #RN 933188. 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 (2011). 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.

Notice of Emergency Action

On July 31, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Bonnie Ann Houldson, R.N., License #RN 9236943. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Martha Ann Howes, R.N., License #RN 9259827. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Nikolaos Anthony Koukos, RN, License #RN 9296964. 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 (2011). 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.

 Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Andrell B. Lovette, LPN, License #PN 5201556. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Fannie McGee, C.N.A., License #CNA 259095. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Heather Lee Manning, R.N., License #RN 9294877. 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 (2011). 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.

Notice of Emergency Action

On July 31, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Tanya Monae Stephens, R.N., License #RN 9221738. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Robin Magro Webb, R.N., License #RN 2157482. 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 (2011). 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.

Notice of Emergency Action

On July 24, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Lauren Dickinson, PSI, License #PSI 24755. 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 (2011). 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.

Notice of the Availability

2012 Trauma Center Letter of Intent

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent

PURPOSE AND EFFECT: The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes.

Rule 64J-2.012, Florida Administrative Code.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, mail, or visit the Office of Trauma's website at: <http://doh.state.fl.us/demo/Trauma/index.html>

"Letter of Intent 2012"

Telephone: (850)245-4444, ext. 2756 or SunCom: 205-4440.

Fax: (850)488-2512.

Mail request to, Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, Bin #C-18 Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2012, and midnight, October 1, 2012.

CONTACTS: Bernadette Behmke, (850)245-4444, ext. 2756, or Susan McDevitt, (850)245-4444, ext. 2760, or SunCom: 205-4440.

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 Division 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 Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		Regulation
Tallahassee, Florida 32314-8050		General Counsel's Office
Phone: (850)410-9800		The Fletcher Building
Fax: (850)410-9548		Suite 526
		101 East Gaines Street,
		Tallahassee, Florida
		32399-0379
		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 31, 2012):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: FirstCity Bank of Commerce, North Palm Beach, Florida
Proposed Purchasers: Mr. Harry S. Paten and Josephine M. Hart, Boca Raton, Florida
Received: July 26, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE OF COMMENT PERIOD

The Department of Economic Opportunity is accepting comments regarding a memorandum of understanding developed with Monroe County, and the cities of Marathon, Islamorada, Key West, Key Colony Beach, and Layton, and the Florida Division of Emergency Management regarding the hurricane evacuation computer modeling variables and assumptions. The draft memorandum of understanding is available at: <http://www.floridajobs.org/community-planning-and-development/programs/areas-of-critical-state-concern/florida-keys-hurricane-evacuation>. A copy of the memorandum of understanding may also be obtained by contacting: Barbara Powell, by phone: (850)717-8504, by email: barbara.powell@deo.myflorida.com. or by regular or express mail: Department of Economic Opportunity, Division of Community Planning and Development, 107 E. Madison Street, Caldwell Bldg., MSC #160, Tallahassee, FL 32399. Comments should be submitted to the address above and must be received no later than September 9, 2012.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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RULES FILED BETWEEN July 23, 2012 and July 27, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Cultural Affairs

1T-1.040	7/23/12	8/12/12	38/16	38/24
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DEPARTMENT OF CORRECTIONS

33-102.101	7/23/12	8/12/12	38/25	
33-601.210	7/23/12	8/12/12	38/25	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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62-701.210	7/23/12	8/12/12	38/3	38/23
62-701.220	7/23/12	8/12/12	38/3	
62-701.300	7/23/12	8/12/12	38/3	
62-701.315	7/23/12	8/12/12	38/3	38/23
62-701.320	7/23/12	8/12/12	38/3	38/23
62-701.330	7/23/12	8/12/12	38/3	38/23
62-701.400	7/23/12	8/12/12	38/3	
62-701.500	7/23/12	8/12/12	38/3	38/23
62-701.510	7/23/12	8/12/12	38/3	38/23
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62-701.600	7/23/12	8/12/12	38/3	38/23
62-701.620	7/23/12	8/12/12	38/3	38/23
62-701.630	7/23/12	8/12/12	38/3	38/23
62-701.710	7/23/12	8/12/12	38/3	38/23
62-701.730	7/23/12	8/12/12	38/3	38/23
62-701.803	7/23/12	8/12/12	38/3	
62-701.900	7/23/12	8/12/12	38/3	38/23

DEPARTMENT OF HEALTH
Board of Chiropractic

64B2-12.005	7/24/12	8/13/12	38/25	
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Board of Dentistry

64B5-14.003	7/27/12	8/16/12	38/24	
64B5-14.003	7/27/12	8/16/12	38/24	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-4.201	7/23/12	8/12/12	38/20	38/26
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Developmental Services Program

65B-38.001	7/26/12	8/15/12	38/17	
65B-38.002	7/26/12	8/15/12	38/17	
65B-38.003	7/26/12	8/15/12	38/17	
65B-38.004	7/26/12	8/15/12	38/17	
65B-38.005	7/26/12	8/15/12	38/17	
65B-38.006	7/26/12	8/15/12	38/17	
65B-38.007	7/26/12	8/15/12	38/17	
65B-38.011	7/26/12	8/15/12	38/17	
65B-38.012	7/26/12	8/15/12	38/17	
65B-38.013	7/26/12	8/15/12	38/17	
65B-38.015	7/26/12	8/15/12	38/17	
65B-38.018	7/26/12	8/15/12	38/17	
65B-38.023	7/26/12	8/15/12	38/17	
65B-38.024	7/26/12	8/15/12	38/17	
65B-38.025	7/26/12	8/15/12	38/17	
65B-38.026	7/26/12	8/15/12	38/17	
65B-38.027	7/26/12	8/15/12	38/17	
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65B-38.033	7/26/12	8/15/12	38/17	

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery and Consumer Service

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69K-100.035	7/25/12	8/14/12	37/49	38/5

OIR Insurance Regulation

69O-170.101	7/24/12	8/13/12	38/5	
69O-170.103	7/24/12	8/13/12	38/5	
69O-170.105	7/24/12	8/13/12	38/5	
69O-170.107	7/24/12	8/13/12	38/5	
69O-170.109	7/24/12	8/13/12	38/5	
69O-170.111	7/24/12	8/13/12	38/5	
69O-170.115	7/24/12	8/13/12	38/5	
69O-170.117	7/24/12	8/13/12	38/5	
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69O-170.121	7/24/12	8/13/12	38/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
69O-170.123	7/24/12	8/13/12	38/5	
69O-170.126	7/24/12	8/13/12	38/5	
69O-170.127	7/24/12	8/13/12	38/5	
69O-170.129	7/24/12	8/13/12	38/5	
69O-170.131	7/24/12	8/13/12	38/5	
69O-170.133	7/24/12	8/13/12	38/5	
69O-170.135	7/24/12	8/13/12	38/5	
69O-170.137	7/24/12	8/13/12	38/5	
69O-200.004	7/24/12	8/13/12	38/5	
69O-200.005	7/24/12	8/13/12	38/5	
69O-200.006	7/24/12	8/13/12	38/5	
69O-200.009	7/24/12	8/13/12	38/5	
69O-200.014	7/24/12	8/13/12	38/5	
69O-200.015	7/24/12	8/13/12	38/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)				
DEPARTMENT OF ENVIRONMENTAL PROTECTION				
62-304.300	3/2/11	*****	38/3	
DEPARTMENT OF FINANCIAL SERVICES				
Division of Workers' Compensation				
69L-7.020	10/24/11	*****	37/24	37/3