

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-2.041 RULE TITLE: Materials Incorporated by Reference
 PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt by reference the forms utilized in the performance of duties relating to pesticide inspection and enforcement as prescribed in Chapter 487, Florida Statutes. The effect of this rulemaking will be to bring the forms into compliance with Section 120.55(1)(a)4., Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Pesticide inspection, sampling, analysis, and enforcement forms.

RULEMAKING AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 487.048, 487.071, 487.081, 487.159, 487.2041, 504.14, 576.051, 578.11, 580.36 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Kelly Friend, Chief of Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building 8, Tallahassee, Florida, 32399; (850) 617-7850; Kelly.Friend@freshfromflorida

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-3.020 RULE TITLE: Commercial Feed Sales Quarterly Reporting

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt by reference changes to s. 580.041, F.S. set forth in Section 30 of 2012 HB 7021 and enacted into law, July 1, 2012. The effect of this rulemaking will outline record keeping and reporting formatting of the type and tonnage of commercial feeds sold in Florida. It will further define penalties against distributors or registrants who are in violation of the referenced reporting requirements.

SUBJECT AREA TO BE ADDRESSED: Quarterly reporting of commercial feed sales by a distributor or registrant.

RULEMAKING AUTHORITY: 570.07(23), 580.036(2) FS.

LAW IMPLEMENTED: 580.041 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Kelly Friend, Chief of Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building 8, Tallahassee, Florida, 32399; (850) 617-7850; Kelly.Friend@FreshFromFlorida.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

PURPOSE AND EFFECT: Section 601(h)(4)(B) of the Water Resources Development Act of 2000 requires the State of Florida to reserve or allocate water for the natural systems associated with implementation of Comprehensive Everglades Restoration Projects (CERP) in order to receive federal cost share to construct the Projects. The District proposes to establish a water reservation for natural system water associated with the CERP Biscayne Bay Coastal Wetlands (Phase I) Project. The purpose of this water reservation is to identify and reserve water from consumptive use for this CERP Project and to ensure that permit applicants provide reasonable assurances that their proposed use of water will not withdraw water reserved for the natural system. In addition, the District is proposing non-substantive changes to comport with organizational changes to Chapter 40E-10, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Non-substantive changes to Section 3.11.1, and new subsection 3.11.4, Basis of Review for Water Use Permit Applications within the South Florida Water Management District, for the CERP Biscayne Bay Coastal Wetlands Project (Phase I).

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

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

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

DATE AND TIME: November 28, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Biscayne Bay National Park Headquarters, 9700 S.W. 328th Street, Homestead, FL 33033-5634

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Don Medellin, Principal Scientist, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6340 or (561)682-6340, or Beth Lewis, Senior Specialist Attorney, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6343 or (561) 682-6343. For procedural issues, contact Jan Sluth, Senior Paralegal, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~October 23, 2012,~~” <http://www.flrules.org/Gateway/reference.asp?No=Ref-01630>, is incorporated by reference herein, and requires the use of the following forms, which are also incorporated by reference herein:

(1) through (6) No change.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District” and forms incorporated therein are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561) 682-6436.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, 9-26-12, 10-23-12.

Excerpt from the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – October 23, 2012”:

3.11.1 Picayune Strand and Fakahatchee Estuary

A. No change.

B. Model Impact Evaluation. If required by Section A, the applicant shall demonstrate water reserved for the Picayune Strand and Fakahatchee Estuary will not be withdrawn by conducting the following Model Impact Evaluation. A pre-application meeting between the Applicant and District staff is strongly recommended to be conducted prior to initiating model development.

1. Defining Scope of Model Evaluation

(a) For groundwater withdrawals, identify the cone of influence of the proposed withdrawal per Section 1.7.5.2.A. Based on this analysis, the Applicant shall identify which reservation inflow locations (set forth in Figures 1-2 and 1-3 ~~2~~ in ~~Chapter Rule~~ 40E-10.021, F.A.C.) and conveyance system(s) identified on Figure 3-6 are potentially influenced by the proposed withdrawal.

(b) For surface water withdrawals, identify the reservation inflow locations, reservation water body (set forth in Figures 1-2 and 1-3 ~~2~~ in ~~Chapter Rule~~ 40E-10.021, F.A.C.), and conveyance system(s) identified on Figure 3-6 that are potentially influenced by the proposed withdrawal.

2. through 5. No change.

3.11.4 Nearshore Central Biscayne Bay

A permit applicant shall provide reasonable assurances that the proposed use will not withdraw water reserved under subsection 40E-10.061(1), F.A.C. Compliance with the following criteria constitutes reasonable assurances that water reserved in Rule 40E-10.061, F.A.C., will not be withdrawn. Water not reserved under Rule 40E-10.061, F.A.C., shall be allocated pursuant to Subsection A.

For this section, the following definitions apply:

Direct withdrawal: Withdrawal of surface water from facility intakes physically located within the surface water column of Nearshore Central Biscayne Bay as depicted on Figure 3-1 in Chapter 40E-10, F.A.C. No direct withdrawals shall be authorized pursuant to this rule.

Indirect withdrawal: Withdrawal of surface water from facility intakes physically located within the surface water column of any canal reach identified in Figure 3-1 in Chapter 40E-10, F.A.C.

A. The following uses do not withdraw reserved water:

1. Withdrawals of groundwater.

2. Withdrawals authorized by Rules 40E- 2.061 (No Notice General Permit by Rule) and 40E-20.302(2) and (3), F.A.C. (Dewatering General Water Use Permit and No- Notice Short Term Dewatering General Water Use Permit)

3. Renewals of indirect withdrawals authorized by a permit existing on [RULE ADOPTION DATE].

4. A permit modification involving an indirect withdrawal authorized by a permit existing on [RULE ADOPTION DATE] that does not change the source, increase the allocation or change withdrawal locations, such as replacement of existing surface water pumps or intakes, crop changes that do not change the allocation or timing of use, or decrease in allocation.

5. A new indirect withdrawal with no greater allocation and impact, including changes in timing, than a terminated or reduced permit that was existing on [RULE ADOPTION DATE] and occurs upstream of the same coastal structure.

6. Indirect withdrawals which do not withdraw reserved water as defined in Rule 40E-10.061 F.A.C.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-10.021	Definitions
40E-10.031	Water Reservations Implementation
40E-10.051	Water Reservation Areas: Upper East Coast Planning Area
40E-10.061	Water Reservation Areas: Lower East Coast Planning Area

PURPOSE AND EFFECT: Section 601(h)(4)(B) of the Water Resources Development Act of 2000 requires the State of Florida to reserve or allocate water for the natural systems associated with implementation of Comprehensive Everglades Restoration Projects (CERP) in order to receive federal cost share to construct the Projects. The District proposes to establish a water reservation for natural system water associated with the CERP Biscayne Bay Coastal Wetlands (Phase I) Project. The purpose of this water reservation is to identify and reserve water from consumptive use for this CERP Project and to ensure that water is available to provide reasonable assurances that their proposed use of water will not withdraw water reserved for the natural system. In addition, the District proposes non-substantive changes to Figures referenced in Definitions and Upper East Coast Planning Area. **SUBJECT AREA TO BE ADDRESSED:** Water reservation for CERP Biscayne Bay Coastal Wetlands Project (Phase I), and non-substantive changes to Definitions and Upper East Coast Planning Area.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS.

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

DATE AND TIME: November 28, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Biscayne Bay National Park Headquarters, 9700 SW 328th Street, Homestead, FL 33033-5634

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Don Medellin, Principal Scientist, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6340 or (561)682-6340, email: dmedelli@sfwmd.gov, or Beth Lewis, Senior Specialist Attorney, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6343 or (561)682-6343, email: belewis@sfwmd.gov. For procedural questions contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, (800) 432-2045, ext. 6299 or (561) 682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-10.021 Definitions.

(1) *Fakahatchee Estuary* – The area within the Ten Thousand Islands region including the following river/bay systems, from west to east: Blackwater River/Blackwater Bay, Whitney River/Buttonwood Bay, Pumpkin River/Pumpkin Bay, Wood River, Little Wood River and Faka Union Canal/Faka Union Bay, and Fakahatchee Bay as depicted in Figure 1-3 2 Fakahatchee Estuary.

(2) *Picayune Strand* – The area located southwest of the Florida Panther National Wildlife Refuge, north of the Ten Thousand Islands NWR, east of the South Belle Meade State Conservation and Recreation Lands (CARL) Project, west of the Fakahatchee Strand Preserve State Park, and northeast of Collier-Seminole State Park as depicted in Figure 1-2 Picayune Strand. The legal description of the Picayune Strand is contained in Appendix 1-1.

(3) North Fork of the St. Lucie River – The area that extends from the Gordy Road structure (state plane coordinates, x851212.831, y1116105.7470), to the confluence of the North Fork of the St. Lucie River and the C-24 canal (state plane coordinates, x873,712.20, y1064,390.41) as depicted in Appendix 3, Figure 23-1.

(4) Nearshore Central Biscayne Bay – The area within Biscayne Bay up to 1640 feet from the shoreline beginning at Shoal Point extending southward to Turkey Point as depicted in Figure 3-1.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-2-09, Amended 3-18-10,_____.

40E-10.031 Water Reservations Implementation.

(1) Applicants for consumptive use permits shall meet the requirements of this rule by providing reasonable assurances that Rules 40E-2.301 and 40E-20.301, F.A.C., and Section 3.11 of the “Basis of Review for Water Use Permit Applications within the South Florida Management District”, incorporated by reference in Rules 40E-2.091 and ~~40E-20.091~~, F.A.C., are met.

(2) through (3) No change.

(4) Water reserved for the protection of fish and wildlife contained within Nearshore Central Biscayne Bay is defined in subsections 40E-10.061(1)-(2), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-2-09, Amended 3-18-10,_____.

40E-10.051 Water Reservation Areas: Upper East Coast Planning Area.

North Fork of the St. Lucie River, as defined in subsection 40E-10.021(3), F.A.C.:

(1) Surface waters up to and including the mean monthly flow of 130 cubic feet per second flowing over the Gordy Road Structure from November 1st through May 31st; ~~see Appendix 3, Figure 2-2 3-2;~~ are reserved from allocation. The water reserved under this Rule will be available for fish and wildlife upon formal determination of the Governing Board, pursuant to state and federal law, that any one or all of the Comprehensive Everglades Restoration Plan's C-23/C-24 North and South Reservoirs and STA Project are operational.

(2) Reservations contained in this Rule and the criteria contained in section 3.11.2 of the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information and concurrent with the approval specified in subsection (1), above.

Notwithstanding the above, presently existing legal uses for the duration of a permit existing on March 18, 2010 are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New-3-18-10, Amended _____.

40E-10.061 Water Reservation Areas: Lower East Coast Planning Area

(1) Nearshore Central Biscayne Bay as defined in subsection 40E-10.021(6), F.A.C.:

All surface water contained within Nearshore Central Biscayne Bay is reserved from allocation (see Figure 3-1).

(2) Surface water flowing into Nearshore Central Biscayne Bay as identified below is reserved from allocation:

(a) Surface water flows depicted on Figures 3-2.A and 3-2.B through S-123 derived from the following contributing canal reaches:

1. The C-100A canal upstream of S-123 to S-120 including all integrated conveyance canals.
2. The C-100C canal upstream of S-123 to S-119 including all integrated conveyance canals.
3. The C-100B canal upstream of S-123 to S-122 including all integrated conveyance canals.
4. The C-100 canal upstream of S-123 to S-118 including all integrated conveyance canals.

(b) Surface water flows depicted on Figures 3-3.A and 3-3.B through S-21 derived from the following contributing canal reaches:

1. The L-31E borrow canal upstream of S-21 to the canal terminus.

2. The C-1 canal upstream of S-21 to S-122 and S-149 including all integrated conveyance canals.

3. The C-1 canal upstream of S-21 to the C-1W canal and S-338 including all integrated conveyance canals.

(c) Surface water flows depicted on Figures 3-4.A and 3-4.B which is the combined flow through S-21A, S-20G, and S-20F as derived from the following contributing canal reaches:

1. The C-102 canal connecting to the C-102 N canal upstream of S-21A to S-195.
2. The C-102 canal upstream of S-21A to S-165.
3. The L-31E borrow canal upstream of S-21A to its terminus near S-21 including the Gould's Canal.
4. The L-31E borrow canal upstream of S-21A south to S-20G.
5. The Military canal upstream of S-20G.
6. The C-103 canal upstream of S-20F to S-179.
7. The L-31E borrow canal upstream of S-20F to S-20G including all integrated conveyance canals.
8. The L-31E borrow canal from S-20F south to the North Canal.
9. The North Canal from the L-31E borrow canal to 6th Avenue.
10. The L-31E borrow canal from S-20F south to the Florida City Canal.
11. The Florida City Canal from Southwest 107th Avenue to its confluence with the L-31E borrow canal.

Notwithstanding the above, presently existing legal uses for the duration of a permit existing on _____ are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.

Reservations contained in the section shall be reviewed in light of changed conditions or new information.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New _____.

See <http://my.sfwmd.gov/portal/page/portal/xweb%20protecting%20and%20restoring/other%20%28kissimmee%29#biscayne> or go to www.sfwmd.gov, click on Topics, Water Management Projects, Water Reservations, then Biscayne Bay for full Appendix with Figures.

APPENDIX 1 LOWER WEST COAST PLANNING AREA TO CHAPTER 40E-10

1-1 LEGAL DESCRIPTION OF PICAYUNE STRAND AS DEFINED IN SUBSECTION 40E-10.021(1):

No Change.
Appendix 2 to Chapter 40E-10

Figure 1 – renamed Figure 1-2; no change to Figure
 Figure 2 – renamed Figure 1-3; no change to Figure
 Figures 3.A through 3.C – renamed Figures 1-4.A through 1-4.C; no change to Figures
 Figures 4.A through 4.C – renamed Figures 1-5.A through 1-5.C; no change to Figures
 Figures 5.A through 5.C – renamed Figures 1-6.A through 1-6.C; no change to Figures
 Figures 6.A through 6.C – renamed Figures 1-7.A through 1-7.C; no change to Figures
 Figures 7.A through 7.C – renamed Figures 1-8.A through 1-8.C; no change to Figures
 Figures 8.A through 8.C – renamed Figures 1-9.A through 1-9.C; no change to Figures
 Figures 9.A through 9.C – renamed Figures 1-10.A through 1-10.C; no change to Figures
 Figures 10.A through 10.C – renamed Figures 1-11.A through 1-11.C; no change to Figures

APPENDIX 2 3 UPPER EAST COAST PLANNING AREA
~~Upper East coast Reservation Water Bodies~~

~~Figure 2-1 3-1:~~ No change to Figure
~~Figure 2-2 3:~~ Water Reserved for the North Fork of the St Lucie River – No change to Figure

Appendix 3: Lower East Coast Planning Area – New; see <http://my.sfwmd.gov/portal/page/portal/xweb%20protecting%20and%20restoring/other%20%28kissimmee%29#biscayne> or go to www.sfwmd.gov, click on Topics, Water Management Projects, Water Reservations, then Biscayne Bay for full Appendix with Figures.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-148.001
 RULE TITLE: Funding of Preneed Contracts With Life Insurance or Annuities

PURPOSE AND EFFECT: Removes the dollar amount cap and refers instead to the statute which contains the dollar amount and brings the rule in compliance with current law.

SUBJECT AREA TO BE ADDRESSED: The rule addresses requirements for insurance policies which fund preneed funeral contracts. Currently, the rule caps the maximum face amount at \$7,500 and the statute caps the maximum face amount at \$12,500.

RULEMAKING AUTHORITY: 624.308(1) FS.
 LAW IMPLEMENTED: 624.307(1), 626.785, 626.9541(1)(a),(t), 627.410 FS.

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

DATE AND TIME: Monday, December 3, 2012, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com

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 EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09422	Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements

PURPOSE AND EFFECT: The purpose of this rule amendment is to include scale scores for each Achievement Level for use in reporting student proficiency levels for the Florida Comprehensive Assessment Test (FCAT) 2.0 Science (grades 5 and 8), and the Biology 1 and Geometry End-of-Course (EOC) Assessments. In addition, with the elimination of the prior version of FCAT Reading, the rule will be amended to include an equivalent passing score on the Grade 10 FCAT 2.0 Reading. The effect will be a rule which reflects expectations for students.

SUMMARY: The purpose of the proposed rule amendment is to include the FCAT 2.0 Science, and the Biology 1 and Geometry EOC Assessments scale scores for each Achievement Level for use in reporting student proficiency levels as part of the student achievement testing programs known as the FCAT 2.0 and EOC Assessments.

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: 1) no requirement for SERC was triggered under Section 120.541(1), F.S. and 2) based on past experiences with K-12 assessments and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), 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: 1001.02, 1008.22 FS.

LAW IMPLEMENTED: 1001.02, 1001.11, 1008.22, 1008.33 FS.

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

DATE AND TIME: December 12, 2012, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J. Bean Parkway, Tampa, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott – lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Victoria Ash, Interim Assistant Deputy Commissioner, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09422 Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements.

(1) through (5) No change.

(6) Examinee scores on the FCAT 2.0 Reading and Mathematics shall be reported by the use of scaled scores and achievement levels defined by the baseline assessment administered during the 2010-2011 school year. Examinee scores on the FCAT 2.0 Science shall be reported by the use of scaled scores and achievement levels defined by the baseline assessment administered during the 2011-2012 school year. Examinee scores on EOC assessments shall be reported by the use of scaled scores and achievement levels defined by the baseline assessment administered as follows: Algebra 1 EOC Assessment (2010-2011), Geometry EOC Assessment (2011-2012), Biology 1 EOC Assessment (2011-2012), United

States History EOC Assessment (2012-2013), and Civics EOC Assessment (2013-2014). Achievement levels range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on the assessment. Scoring at or above achievement level 4 on a Florida EOC Assessment indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.

(a) No change.

(b) The achievement levels for the FCAT 2.0 Science shall be as shown in the following table.

FCAT 2.0 Science grade-level scale scores (140 to 260) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5
5	140-184	185-199	200-214	215-224	225-260
8	140-184	185-202	203-214	215-224	225-260

(c) The achievement levels for the Algebra 1 EOC Assessment shall be as shown in the following table.

Algebra 1 EOC Assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-374	375-398	399-424	425-436	437-475

(d) The achievement levels for the Geometry EOC Assessment shall be as shown in the following table.

Geometry EOC Assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-369	370-395	396-417	418-433	434-475

(e) The achievement levels for the Biology 1 EOC Assessment shall be as shown in the following table.

Biology 1 EOC Assessment scale scores (325 to 475) for each achievement level:

Level 1	Level 2	Level 3	Level 4	Level 5
325-368	369-394	395-420	421-430	431-475

(7) No change.

(8) For students who entered grade nine during the 2000-2001 school year through the 2009-2010 school year, the passing score for the required reading and mathematics assessments shall be a score equal to or greater than 300 on the 100 to 500 scale, and 1926 for the reading assessment and 1889 for the mathematics assessment on the developmental scale, ~~unless the student had previously qualified for the passing scores required for the 2002-2003 graduating class.~~ Students required to earn a score equal to or greater than 300 on the Grade 10 FCAT Reading may meet the passing requirement by earning a score of 241 on the Grade 10 FCAT 2.0 Reading. Students who entered grade nine in the 1999-2000 school year, who are required to earn a score equal

to or greater than 387 on the Grade 10 FCAT Reading, may meet the passing requirement by earning a score of 236 on the Grade 10 FCAT 2.0 Reading.

(9) For students entering grade nine during the 2010-2011 school year and beyond, the passing score for all assessments required for high school graduation or for course credit shall be the minimum scale score in achievement level 3. Since a level 3 score is a satisfactory performance level pursuant to Section 1008.22(3)(c)5., F.S., a level 3 score on an assessment that is a graduation requirement indicates that the student is on a pathway to college and career readiness. ~~For students entering grade nine during the 2010-2011 school year and beyond, the passing score for all assessments required for high school graduation or for course credit shall be the minimum scale score in achievement level 3.~~

~~(10)(9)~~ The Commissioner of Education shall review student performance levels annually and recommend to the State Board of Education whether to maintain the existing passing scores and achievement levels or to increase one or more of the requirements.

~~(11)(10)~~ The assessments shall be administered according to a schedule approved by the Commissioner.

~~(12)(11)~~ Students with disabilities may be provided test modifications or accommodations in accordance with the provisions of Rule 6A-1.0943, FAC.

~~(13)(12)~~ Invalidity of a section of this rule shall not invalidate the remainder of the rule.

Rulemaking Authority 1001.02, 1008.22 FS. Law Implemented 1001.02, 1001.11, 1008.22, 1008.25, 1008.33 FS. History--New 1-24-99, Amended 10-7-01, 1-22-02, 12-23-03, 3-27-06, 3-1-07, 2-25-09, 7-19-10, 2-12-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jane Fletcher, Interim Deputy Commissioner, Accountability, Research, and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner Pam Stewart

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2012

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 and effect of the proposed rule change is to incorporate changes into the calculation of the school grades formula for elementary, middle, high and combination schools. These changes include: setting the FCAT Writing standard for school grades at a score

of 3.5 and changing the initial year in which school grades could be evaluated for an automatic grade scale adjustment to 2012-13 from 2011-12.

SUMMARY: This rule describes the school grading process, lays out the data that is used in the process, how points for school grades are calculated, and requirements to receive an A, B, C, D, or F grade. This rule amendment is proposed to incorporate recent changes. These changes include: setting the FCAT Writing standard for school grades at a score of 3.5 and changing the initial year in which school grades could be evaluated for an automatic grade scale adjustment to 2012-13 from 2011-12.

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: 1) no requirement for SERC was triggered under section 120.541(1), F.S., and; 2) based on past experiences with the school grade rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), 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: 1008.34, 1008.341 FS.

LAW IMPLEMENTED: 1008.34, 1008.341 FS.

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

DATE AND TIME: December 12, 2012, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J. Bean Parkway, Tampa, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott - lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Croft, Bureau Chief, Accountability Reporting, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0429

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09981 Implementation of Florida’s System of School Improvement and Accountability.

(1) through (3) No change.

(4) Criteria for Designating School Grades. School grades shall be based on a combination of the following components:

(a) Components that apply to all school types:

1. Student achievement scores, aggregated for each school, which indicate the percent of eligible students who score at or above Achievement Level 3 on FCAT 2.0 and statewide EOC assessments in reading, mathematics, and science, and the percent of students who, beginning in 2012-13, score “3.5” “4.0” or higher on the FCAT Writing Assessment. These percentages will also include, for students with disabilities whose sole assessment results are FAA scores, students who score at FAA Performance Level 4 or higher.

Statewide EOC assessment scores used for the performance and learning gains measures in high schools grades will be scores for the assessments administered to students for the first-time in high school. All other scores for high school students on the same assessment will be counted as retakes.

2. through (c)1.f. No change.

2. The school grading measures and requirements described in subparagraph (4)(c)1. of this rule, shall be applied to high schools for which there are at least ten (10) students included in the denominator of each component described in paragraph (4)(c) of this rule. For high schools in which there are fewer than ten (10) students in the denominator of any one of these components, except for the four-year graduation rate for at risk students and the five-year graduation rate the school grade shall be determined using the components described in paragraph (4)a of this rule and shall not include any of the components described in subparagraphs (4)(c)1. of this rule. However, for high schools in which there are fewer than ten (10) students in the denominator of the four-year high school graduation rate for academically at-risk students (sub-subparagraph (4)(c)1.b. of this rule), the grade point component defined in sub-subparagraph (5)(c)1.a. of this rule shall be substituted for the grade point component defined in sub-subparagraph (4)(c)1.b. of this rule. For high schools with at least ten (10) students in the four-year graduation rate cohort but with fewer than ten (10) students in the five-year modified graduation rate cohort, the five-year modified graduation cohort will be replaced by the a four-year graduation rate modified to count special diploma recipients as graduates.

(5)(a)1. through 2. No change.

3. One (1) point for each percent of students who beginning in 2012-13, score “3.5” “4.0” or higher on the FCAT Writing Assessment or Level 4 or higher on the FAA Writing Assessment.

4. through (6)(e) No change.

(7) Planned System Enhancements. As indicated in this subsection, planned enhancements will occur in Florida’s System of School Improvement and Accountability. The Commissioner of Education will periodically recommend additional changes to the system to the State Board of Education as necessary to ensure that continuous improvements are made in the educational programs of the state. Beginning with the 2012-13 2011-12 school year and annually thereafter, the percentage of “A” and “B” school grades for the year shall be reviewed to determine whether to adjust the school grading scale upward for the following year’s school grades. The first adjustment would occur no earlier than the 2013-2014 2012-13 school year. An adjustment will be made if the percentage of schools earning an “A” or “B” in the current year represents seventy-five (75) percent or more of all graded schools within a particular school type. There are four school types used for accountability: elementary, middle, high, and combination. The adjustment would reset the minimum required percentage of points for each passing grade (A, B, C, D) at the next highest percentage ending in the numeral 5 or 0 (zero), whichever is closest to the current percentage. Annual reviews of the percentage of schools earning an “A” or “B” and adjustments to required points will be suspended when the following grade scale is achieved: 90 percent or more of the points for an “A”; 80 to 89 percent of the points for a “B”; 70 to 79 percent of the points for a “C”; and 60 to 69 percent of the points for a “D.”

(8) through (9) No change.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, 7-16-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jane Fletcher, Interim Deputy Commissioner, Accountability, Research and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner Pam Stewart

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 10, 2012 and September 28, 2012

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: 6A-3.0291 **RULE TITLE:** Specifications for New School Buses
PURPOSE AND EFFECT: The purpose of this rule amendment is to implement Florida's statutory requirements to effect safe and efficient transportation of Florida public school students by county school districts and charter schools. The Florida School Bus Specifications are being updated in accordance with required and requested changes, current public expectations, and higher benchmarks among student transportation providers for the safety of students.

SUMMARY: This rule is amended to adopt the Florida School Bus Specifications Revised 2012 and the National School Transportation Specifications and Procedures Revised 2010.

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 proposed rule adopts the revised bus specifications that includes minor changes to the school districts' and charter schools' responsibilities and is not anticipated to have any impact on economic growth, private-sector job creation or employment, and is not likely to have any adverse impact on small business. The rule is not anticipated to increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule, nor will it have monetary impacts in excess of \$1 million on the areas identified in Section 120.541(2)(a), Florida Statutes. The Department, school districts and charter schools will implement the proposed rule with existing staff and resources to ensure all new and upgraded school buses meet the 2012 requirements of the Florida School Bus Specifications.

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: 1006.25 FS.

LAW IMPLEMENTED: 1006.22, 1006.25 FS.

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

DATE AND TIME: December 12, 2012, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J. Bean Parkway, Duval Room, Tampa, FL 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlie Hood, Office of School Transportation, Department of Education, 325 West Gaines Street, Room 824, Tallahassee, FL 32399-0400; (850)245-9924

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-3.0291 Specifications for New School Buses.

(1) School buses purchased each year shall conform to current National School Transportation Specifications and Procedures of the National ~~Congress Conference~~ on School Transportation, current Federal Motor Vehicle Safety Standards and to specifications prescribed by the State Board for body, chassis and special equipment as provided in Section 1006.25, Florida Statutes. Each school bus as defined by Section 1006.25(1), Florida Statutes, shall meet the requirements of the Florida School Bus Specifications applicable for the year the bus was manufactured or the previous year if specifications were not revised and approved for a given year. Specifications shall incorporate the specific standards as approved by the State Board prior to and including the following years: 1965, 1966, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992, 1993, 1995, 2000, 2002, 2004, 2006, ~~and 2008,~~ and 2012 revised.

Copies of the above specifications are on file and available from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. Specifications may vary for different sizes and types of buses to meet specific needs and conditions. Bid forms prepared under the direction of the Commissioner shall incorporate basic specifications and equipment.

(2) through (3) No change.

Rulemaking Specific Authority 1006.25 FS. Law Implemented 1006.22, 1006.25 FS. History—Amended 9-17-72, 7-20-74, Repromulgated 12-5-74, Amended 11-10-83, 3-28-84, 10-8-84, 10-8-85, Formerly 6A-3.29, Amended 8-19-86, 9-30-87, 10-4-88, 12-11-89, 12-18-90, 11-10-92, 9-5-93, 11-15-94, 10-18-95, Formerly 6A-3.029, Amended 6-11-00, Formerly 6-3.029, Amended 4-21-03, 2-22-05, 11-26-06, 7-21-08, _____.

Cf. Florida School Bus Specifications Revised, January 1965; Florida School Bus Specifications Revised, Chassis – 1966; Body – 1966; Florida School Bus Specifications Revised, January 1966; Florida School Bus Specifications Revised, 1968; Florida School Bus Specifications Revised, 1969; Florida School Bus Specifications Revised, 1970; Florida School Bus Specifications Revised, 1971; Florida School Bus Specifications Revised, 1972; Florida School Bus Specifications Revised, 1973; Florida School Bus Specifications Revised, November 1974; Florida School Bus Specifications Revised, January 1975; Florida School Bus Specifications Revised, Chassis – October 1976; Body – October 1976, No Type A; No Exceptional Child; Florida School Bus Specifications Revised, Body, Chassis, Type A, and Exceptional Child, March 1977; Florida School Bus Specifications Revised, 1978; Florida School Bus Specifications

Revised, Amended, 1979; Florida School Bus Specifications Revised, November 1980; Florida School Bus Specifications Revised, 1982; Florida School Bus Specifications Revised, 1983; Florida School Bus Specifications Revised, January 1984; Florida School Bus Specifications Revised, September 1984; Florida School Bus Specifications Revised, September 1985; Florida School Bus Specifications Revised, July 1986; Florida School Bus Specifications Revised, October 1987; Florida School Bus Specifications Revised, 1988; Florida School Bus Specifications Revised, 1989; Florida School Bus Specifications Revised, 1990; Florida School Bus Specifications Revised, 1992; Florida School Bus Specifications Revised, 1993; Florida School Bus Specifications Revised, 1995; Florida School Bus Specifications Revised, 2000; Florida School Bus Specifications Revised, 2002; Florida School Bus Specifications Revised, 2004; Florida School Bus Specification Revised, 2006, Florida School Bus Specifications Revised, 2008; Florida School Bus Specifications Revised 2012 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02025>), National School Transportation Specifications and Procedures Revised 2010 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02026>).

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Division of Finance and Operations
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2012

DEPARTMENT OF EDUCATION
State Board of Education

RULE NO.: 6A-14.0302 RULE TITLE: Military Service
PURPOSE AND EFFECT: The purpose of this new rule is to ensure that students who are or were eligible members of the United States Armed Forces earn appropriate credit for military training, experience, and coursework at Florida College System institutions and are provided priority course registration when offered by the institution to another segment of the student population.
SUMMARY: Each Florida College System institution board of trustees shall adopt a policy that: 1) specifies the granting of credit for military training, 2) utilizes the American Council on Education Guide to the Evaluation of Educational Experiences in the Armed Services, 3) specifies the use of military credit toward degree program requirements, and 4) allows for transfer, when applicable. Additionally, the credit shall be noted on the student’s transcript and the policy shall be published in the college’s catalog. Florida College System institutions that offer priority course registration for a segment of the student population shall provide priority course registration for each veteran of the United States Armed Forces.

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: This rule is likely to have a positive impact on economic growth, private-sector job creation or employment as members of the United States Armed Forces complete their educational requirements and enter the job market with additional qualifications. No adverse impact on business competitiveness, either in the domestic market or with other states is projected as a result of this rule. The credit for military service will not increase regulatory or transactional costs as identified in Section 120.541(2)(a), Florida Statutes. The Department and Florida College System institutions will implement the proposed rule with existing staff and resources.

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: 1004.075, 1004.096 FS.
LAW IMPLEMENTED: 1004.096 FS.

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

DATE AND TIME: December 12, 2012, 8:00 a.m.
PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J. Bean Parkway, Duval Room, Tampa, FL 33607.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Henderson, Division of Florida Colleges, 325 West Gaines Street, Room 1532, Tallahassee, FL 32399-0400; (850)245-9464

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.0302 Credit for Military Service.

(1) College Credit for Military Training and Education Courses. Each Florida College System institution board of trustees shall adopt a policy that enables students who are or were eligible members of the United States Armed Forces to earn appropriate credit for prior learning through military training, experience, and coursework.

(a) The policy shall include:

1. Specification that credit will be granted to students with military training, experience, or coursework that is recognized by the American Council on Education (ACE).

2. Utilization of the ACE Guide to the Evaluation of Educational Experiences in the Armed Services in order to determine equivalency and alignment of military coursework with appropriate Florida College System institution programs and/or courses.

3. Specification that if the course to which the military training or coursework is determined equivalent fulfills a general education or major course or degree program requirement, the credit will apply toward the award as such. Otherwise, credit will be granted to the extent elective credits are needed to fulfill program requirements.

4. A receiving Florida public postsecondary institution may accept in transfer any military credit that was previously evaluated and awarded by a Florida public postsecondary institution, and that is appropriate to the student's program of study.

(b) Credit awarded for military training and coursework shall be noted on the student's transcript.

(c) Each Florida College System institution shall display the policy on its website and within its catalog.

(2) Priority Course Registration for Veterans. Florida College System institutions that offer priority course registration for a segment of the student population shall provide priority course registration for each veteran of the United States Armed Forces who is receiving GI Bill educational benefits and for the spouse or dependent children of a veteran to whom the GI Bill education benefits have been transferred. In order to receive priority course registration privileges, the eligible veteran or spouse or dependent children must provide the Florida College System institution with a copy of the Certificate of Eligibility or other military documentation verifying eligibility for GI Bill education benefits.

Rulemaking Authority 1004.075, 1004.096 FS. Law Implemented 1004.096 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Randy Hanna, Chancellor, Division of Florida Colleges

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 19, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.020
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect of the rule development is to adopt disciplinary guidelines to specify the range of penalties applicable for each offense subject to disciplinary action that the Division of Hotels and Restaurants may impose under chapter 399, F.S.

SUMMARY: The rule will address disciplinary guidelines for the offenses subject to disciplinary action under chapter 399, F.S.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

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 economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 399.02, 399.10, 455.2273 FS.
 LAW IMPLEMENTED: 386.207, 399.049, 399.105, 399.125 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; 850-488-1133; Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.020 Disciplinary Guidelines.

(1) This rule sets out the disciplinary guidelines for imposing penalties upon elevator owners or operators, elevator companies, elevator inspectors, elevator technicians, or certificate of competency holders guilty of violating Chapter 399, F.S. The purpose of this rule is to notify licensees and other persons under the jurisdiction of Chapter 399, F.S., of the standard range of penalties routinely imposed unless the division finds it necessary to deviate from the standard penalties for the reasons stated within this rule.

(2) These disciplinary guidelines are descriptive in nature and do not use the language used to formally allege a violation in a specific case. This rule is not intended to specifically describe all possible violations of law that may be committed by a licensee or certificate holder and that may be subject to penalty imposed by the division.

(3) The division may impose penalties against a licensee or certificate holder for a specific violation not included in the language of this rule. If a specific violation is not included in the language of this rule, the division shall impose a penalty corresponding to the most similar violation listed in this rule.

(4) These disciplinary guidelines do not limit the division's authority to order a licensee or certificate holder to cease and desist from any unlawful practice or other administrative action authorized by law.

(5) Definitions. For the purpose of this rule, a citation issued under Section 399.16, F.S., and Rule 61C-5.023, F.A.C., constitutes a disciplinary Final Order.

(a) "First offense" means a violation of any law subject to penalty under Chapter 399, F.S., when no disciplinary Final Orders involving the same licensee or certificate holder have

been filed with the Agency Clerk within the 24 months preceding the date the current administrative complaint is issued.

(b) "Second offense" means a violation of any law subject to penalty under Chapter 399, F.S., after one disciplinary Final Order involving the same law and the same licensee or certificate holder have been filed with the Agency Clerk within the 24 months preceding the date the current administrative complaint is issued.

(c) "Third and any subsequent offense" means a violation of any law subject to penalty under Chapter 399, F.S., after two or more disciplinary Final Orders involving the same law and the same licensee or certificate holder have been filed with the Agency Clerk within the 24 months preceding the date the current administrative complaint is issued.

(6) Standard penalties. This section specifies the penalties routinely imposed for violations of law subject to a penalty under Chapter 399, F.S. If the same ASME code is cited multiple times on the same elevator during a single inspection, the multiple code violations shall be considered one violation for the purpose of the administrative complaint and penalties.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
<u>(a) Making a false statement as to a material matter in an application for registration, certification, or any permit or certificate issued under Chapter 399, F.S. (s. 399.049(1)(a), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine, suspension or revocation</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine, suspension or revocation</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine or suspension</u>	<u>\$1,000 fine and suspension or revocation</u>
<u>(b) Fraud, misrepresentation, or bribery in the practice of the profession. (s. 399.049(1)(b), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine, suspension or revocation</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine, suspension or revocation</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine or suspension</u>	<u>\$1,000 fine and suspension or revocation</u>
<u>(c) Failure by a certified elevator inspector to provide the department and the certificate of operation holder with a copy of the inspection report within five days after the date of any inspection performed after the initial certificate of operation is issued. (s. 399.049(1)(c), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine or suspension</u>	<u>\$1,000 fine and suspension or revocation</u>
<u>(d) Violation of any provision of Chapter 399, F.S., not otherwise identified in this subsection. (s. 399.049(1)(d), F.S.)</u>		

<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine or suspension</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine or suspension</u>	<u>\$1,000 fine, suspension, or revocation</u>
<u>(e) Failure by a certified elevator inspector to maintain his or her qualified elevator inspector credential in good standing (s. 399.049(1)(e), F.S.)</u>		
<u>First offense</u>	<u>Revocation</u>	<u>Revocation</u>
<u>Second offense</u>	<u>Revocation</u>	<u>Revocation</u>
<u>Third and any subsequent offense</u>	<u>Revocation</u>	<u>Revocation</u>
<u>(f) Having a license to install, inspect, maintain, or repair any vertical conveyance revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or county (s. 399.049(1)(f), F.S.)</u>		
<u>First offense</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>
<u>Second offense</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>
<u>Third and any subsequent offense</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>	<u>The usual penalty shall be commensurate with the penalty imposed by the other jurisdiction or a penalty consistent with these guidelines for the underlying offense committed in the other jurisdiction.</u>
<u>(g) Engaging in fraud or deceit, negligence, incompetency, or misconduct in the practice of the profession (s. 399.049(1)(g), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$1,000 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>Suspension or Revocation</u>
<u>Third and any subsequent offense</u>	<u>\$1,000 fine or suspension</u>	<u>Revocation</u>
<u>(h) Commencing the installation, relocation, or alteration of any elevator for which a permit is required by Chapter 399, F.S., without having obtained from the department the permit. (s. 399.03(1), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$250 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$500 fine</u>

<u>Third and any subsequent offense</u>	<u>If violation committed by a license, registration, or certificate holder, \$1,000 fine or suspension. Otherwise, \$1,000 fine</u>	<u>If violation committed by a license, registration, or certificate holder, suspension or revocation. Otherwise, \$1,000 fine</u>
<u>(i) Allowing the operation of any elevator for which a certificate is required by Chapter 399, F.S., without having obtained from the department the certificate (s. 399.07(5), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$250 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$500 fine</u>
<u>Third and any subsequent offense</u>	<u>\$1,000 fine</u>	<u>\$1,000 fine</u>
<u>(j) Allowing the operation of an elevator with an expired certificate of operation (s. 399.07(1), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$250 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$500 fine</u>
<u>Third and any subsequent offense</u>	<u>\$1,000 fine</u>	<u>\$1,000 fine</u>
<u>(k) Allowing the temporary operation of an elevator without having obtained from the department a temporary operating permit (s. 399.03(10), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$250 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$500 fine</u>
<u>Third and any subsequent offense</u>	<u>\$1,000 fine</u>	<u>\$1,000 fine</u>
<u>(l) Performing or offering to perform the inspection, construction, installation, maintenance, or repair of any elevator unless such person holds an active certification under Chapter 399, F.S., (ss. 399.01(13) or 399.01(14), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>Third and any subsequent offense</u>	<u>If violation committed by a license, registration, or certificate holder, \$1,000 fine or suspension. Otherwise, \$1,000 fine</u>	<u>If violation committed by a license, registration, or certificate holder, suspension or revocation. Otherwise, \$1,000 fine</u>
<u>(m) Employing persons to construct, install, inspect, maintain, or repair any elevator unless such business holds an active registration under Chapter 399, F.S. (s. 399.01(12), F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine</u>	<u>\$1,000 fine</u>
<u>(n) Violating a provision of s. 399.105, F.S.</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine</u>	<u>\$1,000 fine</u>
<u>(o) Failing to report any accident occurring in or upon any elevator within 5 working days (s. 399.125, F.S.)</u>		
<u>First offense</u>	<u>\$250 fine</u>	<u>\$500 fine</u>
<u>Second offense</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>Third and any subsequent offense</u>	<u>\$750 fine</u>	<u>\$1,000 fine</u>

(7) Aggravating or mitigating factors.

The division may deviate from the standard penalties in this section, based upon the consideration of aggravating or mitigating factors present in a specific case. The division shall

consider the following aggravating and mitigating factors in determining the appropriate disciplinary action to be imposed and in deviating from the standard penalties:

(a) Aggravating factors.

1. Possible danger to the public.
2. Severity of violations in the current administrative complaint.

3. The current administrative complaint alleges a violation for obstruction of division personnel.

4. Actual physical damage or bodily harm caused to persons or property by the violation.

5. Any other aggravating factors, as relevant under the circumstances.

(b) Mitigating factors.

1. Violation resulted from a natural disaster, civil disturbance or other emergency situation.

2. Length of time since the violation occurred.

3. Attempts by the licensee to correct the violation.

(8) Terms of license suspensions resulting from multiple violations or Final Orders shall be applied consecutively, not concurrently.

(9) Fines resulting from multiple violations or Final Orders shall be assessed cumulatively.

(10) Notwithstanding subsection (6), license revocation may be recommended for any case or for any violation when the aggravating circumstances and compliance history present a significant threat to public safety.

Rulemaking Authority 399.02, 399.10, 455.2273 FS. Law Implemented 386.207, 399.049, 399.105, 399.125 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2012

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.004
RULE TITLE: Application; Photographs

PURPOSE AND EFFECT: The Board proposes the repeal of this rule since it is not necessary to submit photos with applications.

SUMMARY: This rule is unnecessary and is therefore being repealed.

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 at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.204, 468.211(1) FS.

LAW IMPLEMENTED: 468.211(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.004 Application; Photographs.

Rulemaking Authority 468.204, 468.211(1) FS. Law Implemented 468.211(1) FS. History—New 4-28-76, Formerly 21M-13.05, 21M-13.005, 61F6-13.005, Amended 4-11-95, Formerly 59R-61.005, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: 6M-4.610
RULE TITLE: Statewide Provider Contract for the School Readiness Program

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. 39, September 28, 2012 issue of the Florida Administrative Register.

The text of paragraph (2) the proposed rule is hereby revised from the Notice of Change published on September 28, 2012 as follows:

(2) An early learning coalition may not pay a School Readiness (SR) provider after ~~March 1, January 31,~~ 2013, except under the Statewide School Readiness Provider Contract executed with the coalition. A coalition must be a party to a Statewide School Readiness Provider Contract.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-148.001
RULE TITLE: Funding of Preneed Contracts With Life Insurance or Annuities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38 No. 37, September 14, 2012 issue of the Florida Administrative Register has been withdrawn.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: 67-48.010
RULE TITLE: Terms and Conditions of SAIL Loans
The Florida Housing Finance Corporation hereby gives notice: An entry of an Order Granting a Petition for Waiver or Variance

NAME OF THE PETITIONER: AVON PARK HOUSING AUTHORITY

DATE PETITION WAS FILED: September 7, 2012
RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rule 67-48.010(21), which requires APHA to provide Florida Housing an annual budget of income and expenses for Lakeside Park I Apartments.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION:

Florida Administrative Weekly, September 7, 2012, Vol. 38, No. 36

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: November 2, 2012

THE GENERAL BASIS FOR THE DECISION

The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order or additional information may be obtained by contacting: Della Harrell, Corporation Clerk, telephone (850)488-4197 or e-mail to Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing’s website at floridahousing.org.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 28, 2012, 9:30 a.m. until conclusion

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct council business and review the nominations for the 2013 Florida Folk Heritage Awards.

A copy of the agenda may be obtained by contacting: Suzanne Huffman, (800)847-7278 or via email: Suzanne.Huffman@dos.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 48 hours before the workshop/meeting by contacting: Suzanne Huffman, (800)847-7278 or via email: Suzanne.Huffman@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).

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: Suzanne Huffman, (800)847-7278 or via email: Suzanne.Huffman@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Library and Information Services

The State Library Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2012, 3:30 p.m. until conclusion.

PLACE: R.A. Gray Building, Room 312, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will provide an opportunity for members to discuss their responsibilities, priorities and initiatives as identified in the Council's two-year action plan. Members will also meet with key staff to hear about the role of the Division and to receive updates on the Division's programs, services and statewide initiatives. For additional information, please contact: Judith Ring, Division Director, at (850)245-6600.

A copy of the agenda may be obtained by contacting: Judith Ring, Division Director, at (850)245-6600.

Pursuant to the provisions of 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: Judith Ring, Division Director, at (850)245-6600. If you are 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: Judith Ring, Division Director, at (850)245-6600.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Early Learning Advisory Council Policy Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 28, 2012, 10:00 a.m.

PLACE: Via Teleconference. Call in number: 1-888-670-3525; participation code: 8360869955

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of committee. Topics to be discussed include an update on the School Readiness Allocation Formula and the upcoming legislative session.

A copy of the agenda may be obtained by contacting: Harriet Moore, 850-717-8555; Harriet.Moore@oel.myflorida.com

STATE BOARD OF ADMINISTRATION

The State Board of Administration (SBA) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012, 11:00 a.m. until conclusion of business.

PLACE: Raymond O. Shelton School Administration Center, Staff Conference Room, 2nd Floor, 901 E. Kennedy Blvd., Tampa, Florida 33602.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Surplus Funds Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under s. 218.409 (10)(a) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850) 413-1253 or 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 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

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 16, 2012, 11:00 a.m.

PLACE: Duke Energy Emergency News Center, 8200 West Venable Drive, Crystal River, FL 34429

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Crystal River Nuclear Power Plant FEMA Evaluated Exercise that occurs on November 14, 2012.

A copy of the agenda may be obtained by contacting: Division of Emergency Management – Radiological Emergency Preparedness, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9881.

Pursuant to the provisions of 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 Emergency Management, Radiological Emergency Preparedness at (850)413-9881. If you are hearing

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

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The District 1 Local Emergency Planning Committee (LEPC), Exercise Design Subcommittee announces a workshop to which all persons are invited.

DATE AND TIME: Monday, December 3, 2012, 10:00 a.m. CST

PLACE: Okaloosa County Public Safety, 90 College Blvd. East, FL 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee will discuss concepts for their upcoming exercise.

A copy of the agenda may be obtained by contacting: Kathy Ahlen at kathy.ahlen@wfrpc.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 24 days before the workshop/meeting by contacting: Kathy Ahlen at kathy.ahlen@wfrpc.org or 800-226-8914 x210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kathy Ahlen at kathy.ahlen@wfrpc.org or 800-226-8914 x210

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a workshop to which all persons are invited.

DATE AND TIME: December 11, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Delray Beach Center for the Arts at Old School Square, 51 North Swinton Avenue, Delray Beach, FL 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Regional Planning Council and Treasure Coast Regional Planning Council will host a Regional Energy Resiliency Workshop. The purpose of the workshop is to discuss solutions and develop strategies and implementation methods to make the region more energy resilient and diversify Florida’s energy future. The workshop is being conducted as part of a project to develop a Statewide Energy Resiliency

Strategy in association with the U.S. Department of Commerce, Economic Development Administration, U.S. Department of Energy, and Florida Office of Energy.

A copy of the agenda may be obtained by contacting: Peter G. Merritt at (772) 221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772) 221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Liz Gulick at (772) 221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2012, 9:00 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Budget Personnel Committee. The Committee will discuss the Annual Review of Council's Executive Director.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Liz Gulick at (772)221-4060.

METROPOLITAN PLANNING ORGANIZATIONS

Lee County Metropolitan Planning Organization
 The Lee County MPO's Local Coordinating Board for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 14, 2012, 10:00 a.m.

PLACE: Cape Coral-Lee County Public Library Meeting Room, 921 SW 39th Terrace, Cape Coral, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Call to Order and Pledge of Allegiance

Introductions

1. Approval of Minutes from the September 14, 2012 Meeting
2. Public Comments on Items on the Agenda

New Business

3. *Election of Vice-Chair (Brian Raimondo)
4. *Appointment of Annual CTC Evaluation Committee (Brian Raimondo)
5. *RFP Process to Select a FY 2013/14 to FY 2017/18 CTC (Brian Raimondo)
6. *LCB Endorsement of Grant Applications (Brian Raimondo)
7. *Review of CTC 2011-2012 Annual Operating Report (Brian Raimondo)
8. +Review of CTC 2011-2012 Actual Expenditure Report (Brian Raimondo)
9. Coordinated Transportation Program Updates & Distribution Items (Brian Raimondo)
10. CTC News and Reports (Gary Bryant)

Other Business

11. Public Comments on Items not on the Agenda
12. Member Announcements

Adjournment

*Action Items +May Require Action

A copy of the agenda may be obtained by contacting: Mr. Brian Raimondo at the Lee MPO 48 hours prior to the meeting by calling (239) 244-2220. All meetings of the Lee County Metropolitan Planning Organization (MPO) are open to the public. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting should contact Mr. Brian Raimondo at the Lee MPO 48 hours prior to the meeting by calling (239) 244-2220. If you are hearing or speech impaired call (800) 955-8770 Voice/ (800) 955-8771 TDD. Or, email braimondo@leempo.com.

The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. Any person or beneficiary who believes he has been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with the Florida Department of Transportation

District One Title VI Coordinator, Robin Parrish at (863) 519-2675 or by writing her at P.O. Box 1249, Bartow, Florida 33831.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Probable Cause Panel of the Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 5, 2012, 9:00 a.m. (Eastern Time)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board's members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday and Tuesday, December 3-4, 2012, 8:30 a.m. (Eastern Standard Time)

PLACE: Division of Real Estate, Zora Neale Hurston Building, North Tower, Room N901, 400 W. Robinson St., Orlando, FL 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board. Topics include, but are not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, Florida Administrative Code, rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1757.

Pursuant to the provisions of 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) 481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2012, 9:00 a.m. – 11:00 a.m.. until business is concluded, whichever occurs first.

PLACE: Telephonic meeting: (888)670-3525, Participant Code: 7020742991. Or attend in person at: 3800 Commonwealth Blvd., Carr Building, Room 170, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board will consider issues relating to the FCT program and any other business the Board may deem necessary.

A copy of the agenda may be obtained by contacting: Lynda Godfrey, Division of State Lands, (850)245-2669, email: Lynda.Godfrey@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lynda Godfrey, Division of State Lands, (850)245-2669, email: Lynda.Godfrey@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: Lynda Godfrey, Division of State Lands, (850)245-2669, email: Lynda.Godfrey@dep.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES Family Safety and Preservation Program

The Child Protection Transformation Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2012, 1:00 p.m. – 3:00 p.m. EDT

PLACE: Community Based Care of Central Florida, 4001 Pelee Street, Suite 200, Orlando, FL; Large Conference Room. Conference call number: (888)670-3525; participant code: 8919047722

GENERAL SUBJECT MATTER TO BE CONSIDERED: In March 2011, the Florida Department of Children and Families embarked upon a major reengineering project that will change the culture of the organization and redesign the way the Department and its community providers and stakeholders operate under a shared and common vision of integration and collaboration. At the start of the project, Secretary David Wilkins formed a Child Protection Transformation Board made up of skilled experts in the Florida child welfare community to help advise and guide the Department throughout the transformation process. The end result will be to enhance child safety, well-being and permanency, by fostering positive assets in Florida children and building a collaborative bridge to strong families and communities.

A copy of the agenda may be obtained by contacting: Margie France, Department of Children and Families, Child Protection Transformation, 1317 Winewood Boulevard, Building 2, Room 310, Tallahassee, FL 32399-0700, (850) 717-4490.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Claims Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 26, 2012, 1:00 p.m. (EST)

PLACE: Conference call: (866)361-7525, conference ID: 5219676193#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the Claims Committee.

A copy of the agenda may be obtained by contacting: Debbie Rambo, (904) 407-0384.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Rambo, (904)407-0384. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Debbie Rambo, (904)407-0384.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2012, 9:00 a.m. – 11:00 a.m.

CALLIN NUMBER:(800)501-8979 ACCESS CODE:8784566
 PLACE: The meeting format has changed to a Telephone Conference Call.

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.

For more information, you may contact: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.com.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The Audit Committee of FWCIGA announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2012, 3:00 p.m.

PLACE: Hyatt Regency Airport Orlando Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet regarding the general business of the Association. The agenda will include but not limited to: Minutes, THF Engagement Letter and Committee Charter/Checklist.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of 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: Cathy Irvin, (850) 386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The Investment Committee of FWCIGA announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2012 at 1:30 p.m.

PLACE: Hyatt Regency Airport Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet regarding the general business of the Association. The agenda will include but not limited to: Minutes, Investment Report and Investment Policy Review.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850) 386-9200.

Pursuant to the provisions of 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: Cathy Irvin, (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (800) 955-8770 (Voice).

KIMLEY-HORN AND ASSOCIATES, INC. – TALLAHASSEE

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

DATE AND TIME: Tuesday, December 4, 2012, 5:30 p.m. - 6:30 p.m. CST

PLACE: Okaloosa County Water & Sewer Administration Building, Conference Room 3rd Floor, 1804 Lewis Turner Boulevard, Fort Walton Beach, Florida 32547

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will conduct a public information meeting regarding proposed improvements to State Road (S.R.) 189 (Lewis Turner Boulevard) from south of S.R. 188 (Racetrack Road) to Roberts Boulevard. Proposed improvements include milling and resurfacing the existing roadway from south of Racetrack Road to Roberts Boulevard and upgrading pedestrian signal features to meet the current standards set by the Americans with Disabilities Act (ADA). There will be no formal presentation.

A copy of the agenda may be obtained by contacting: FDOT's General Consultant Project Manager, Garrett Martin, P.E., 1141 Jackson Avenue, Chipley, Florida 32428; toll-free (866) 855-7275 or via email garrett.martin@atkinglobal.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 seven days before the workshop/meeting by contacting: Garrett Martin at the contact information listed 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).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

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 XII
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports, LLC, for the BASH line-make November 14, 2012

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 Power Sports, Inc., intends to allow the establishment of Jaguar Power Sports, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturer. Co. Ltd. (line-make BASH) at 1265-6 Lane Avenue, Jacksonville, (Duval County), Florida 32205, on or after December 14, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports, LLC, are dealer operator(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605; principal investor(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605.

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 US Mail to: Fang Liu, Peace Power Sports, Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Island Scooters of Key West, for the DONF line-make November 14, 2012

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Sunny Powersports, Inc., intends to allow the establishment of Island Scooters of Key West, as a dealership for the sale of motorcycles manufactured by Ningbo Dongfang Lingyun Vehicle Made Co. Ltd. (line-make DONF) at 5170 Overseas Highway, Key West, (Monroe County), Florida 33040, on or after December 14, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Island Scooters of Key West are dealer operator(s): Joshua Blake, 5170 Overseas Highway, Key West, Florida 33040, principal investor(s): Joshua Blake, 5170 Overseas Highway, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Clifton Warning, d/b/a Scooter King Motor Sports, for the DONF line-make November 14, 2012

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Sunny Powersports, Inc., intends to allow the establishment of Clifton Warning, d/b/a Scooter King Motor Sports as a dealership for the sale of motorcycles manufactured by Ningbo Dongfang Lingyun Vehicle Made Co. Ltd. (line-make DONF) at 602 South State Street, Bunnell, (Flagler County), Florida 32110, on or after December 14, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Clifton Warning, d/b/a Scooter King Motor Sports are dealer operator(s): Cliff Warning, 602 South State Street, Bunnell, Florida 32110, principal investor(s): Cliff Warning, 602 South State Street, Bunnell, Florida 32110.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under
the State's Generic Permit for MS4's

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Eglin Air Force Base and MacDill Air Force Base. The applications are being processed and are available for public inspection during normal business hours, 8am to 5pm, Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Heather Ritchie, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400.

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above Section will be published on Tuesday beginning October 2, 2012.
