

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

### WATER MANAGEMENT DISTRICTS

#### Southwest Florida Water Management District

RULE NO.: 40D-8.624  
 RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.624, F.A.C., to delete the previously adopted guidance levels, add new guidance and minimum levels for Lakes Bonable, Tiger, and Little Bonable in Marion County.

SUBJECT AREA TO BE ADDRESSED: Establish guidance and minimum levels for Lakes Bonable, Tiger, and Little Bonable pursuant to Section 373.042, F.S.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 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: Sonya White, SWFWMD, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) or [sonya.white@swfwmd.state.fl.us](mailto:sonya.white@swfwmd.state.fl.us). (OGC #2012026)

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 AGRICULTURE AND CONSUMER SERVICES

#### Division of Agricultural Environmental Services

RULE NO.: 5E-4.0041  
 RULE TITLE: Disposition of Seed Contaminated with Noxious Weed Seed

PURPOSE AND EFFECT: The purpose of this rulemaking is to provide notice of revisions to a form incorporated by reference in the rule and to incorporate two Department forms that were not previously adopted by Department rule. The effect of this rulemaking will be to bring the forms into compliance with Section 120.55(1)(a)4., Florida Statutes.

SUMMARY: The proposed rule incorporates by reference the forms entitled Stop Sale, Stop Use, or Hold Order (DACS-13233, Rev. 06/10) and Authorization for Movement of Goods Under Stop Sale Order (DACS-13249, Rev. 08/10). The proposed rule also provides notice of revisions to the form entitled Release Notice, (DACS-13248, Rev. 08/10).

#### 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 rulemaking revises and adopts forms used by the Department to enforce statutes and rules under its jurisdiction. The Department's economic analysis of the adverse impact of potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon Department's experiences with form adoption rules of this nature. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07(23), 576.181, 578.11(2), 580.036(2) FS.

LAW IMPLEMENTED: 487.101, 576.111, 578.11(3), 578.12, 580.111 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: Ms. Kelly Friend, Chief, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building #8, Tallahassee, Florida 32399-1650, (850)617-7850

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

5E-4.0041 Disposition of Seed Contaminated with Noxious Weed Seed.

(1) No change.

(2) Seed lots which have been reprocessed shall be re-inspected and re-tested by the department to determine if the violation of Section 578.13, F.S., has been corrected. If, after subsequent inspection and testing, the violation of Section 578.13, F.S., has been corrected, the department shall issue to

~~the owner, the Department form entitled Release Notice (DACS-13248, Rev. 08/10) a release (Release Notice Form DACS-13248 Rev 07/08), for the lot under stop-sale, stop-use, removal, or hold order and the seed lot may be sold and distributed upon relabeling. If, after two consecutive attempts to reprocess the seed lot, the seed lot continues to contain excessive noxious weed seeds as listed in Rule 5E-4.003, F.A.C., the seed lot under stop-sale, stop-use, removal, or hold order shall be destroyed by incineration or burial to a depth of at least three feet for a period of at least 1 year. The Release Notice (DACS-13248 Rev. 07-08), is hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32300-1650 or by visiting <http://www.doacs.state.fl.us/onestop/acs/seed.html>.~~

(3) Any seed lot found to contain the restricted noxious weed seed Tropical Soda Apple, *solanum viarum*, at a rate of one seed per pound shall be labeled, in addition to the requirements listed in Section 578.09, F.S., with the following information:

(a) No change

(b) Plainly printed in red ink affixed in a permanent manner on the container in a size 16 font: "Seed in this container has been determined by laboratory analysis to be contaminated with the noxious weed Tropical Soda Apple at a rate of one seed per pound. This seed is only for distribution, sale, or planting within the State of Florida. Purchaser of this seed should follow the recommendations in the document ~~SS-AGR-130 "Management Practices to Control Tropical Soda Apple"~~ entitled SS-AGR-77 "Tropical Soda Apple: Biology, Ecology and Management of a Noxious Weed in Florida" (Revised February 2010) published by the University of Florida, Institute of Food and Agricultural Sciences, to prevent the establishment and spread of this noxious weed. ~~Copies of this document can be obtained at your local UF/IFAS Extension Office or found online at <http://edis.ifas.ufl.edu/UW188>.~~

(c) No change.

~~(d) The IFAS document SS-AGR-130 "Management Practices to Control Tropical Soda Apple" is hereby adopted and incorporated by reference and can be found on line at <http://edis.ifas.ufl.edu/UW188>.~~

(4) The following documents are hereby adopted and incorporated by reference. These documents may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650 and are available online as indicated.

(a) Stop Sale, Stop Use, or Hold Order (DACS-13233, Rev. 06/10), <http://www.flrules.org/Gateway/reference>.

(b) Release Notice (DACS-13248, Rev. 08/10), <http://www.flrules.org/Gateway/reference>.

(c) Authorization for Movement of Goods Under Stop Sale Order (DACS-13249, Rev. 08/10), <http://www.flrules.org/Gateway/reference>.

(d) University of Florida, Institute of Food and Agricultural Sciences, SS-AGR-77 "Tropical Soda Apple: Biology, Ecology and Management of a Noxious Weed in Florida" (Revised February 2010). <http://www.flrules.org/Gateway/reference>.

Rulemaking Specific Authority 570.07(23), 576.181, 578.11(2), 580.036(2) FS. Law Implemented 487.101, 576.111, 578.11(3), 578.12, 580.111 FS. History—New 11-14-04, Amended 11-26-08.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 6, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2012

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-8.041  
RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the Chassahowitzka River System. The effect of the rule is to maintain 97% of the natural flow for the river system.

SUMMARY: Section 373.042, F.S., requires the District to establish minimum flows for all surface watercourses, and minimum levels for aquifers and surface waters, within the District. The District is required to maintain and submit a priority list of water bodies to the DEP indicating the schedule for the establishment of minimum flows and levels. This rulemaking will establish minimum flows for the Chassahowitzka River System, one of the water bodies on the priority list.

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: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require a Statement of Estimated Regulatory Costs or legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702; or ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), e-mail: sonya.white@swfwmd.state.fl.us. (OGC #2008072)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) through (15) No change.

(16) Minimum Flow for the Chassahowitzka River System.

(a) For purposes of this rule, the Chassahowitzka River System includes the watercourse from the Chassahowitzka Main Springs Complex to the Gulf of Mexico, including contributing tributaries, Blind Springs and all named and unnamed springs that discharge to the river.

(b) The Minimum Flow for the Chassahowitzka River System is 97% of the natural flow as measured at the United States Geological Survey (USGS) Gage Chassahowitzka River near Homosassa (Gage No. 02310650). Natural flow is defined for the purpose of this rule as the flow that would exist in the absence of water withdrawal impacts. The Minimum Flow at any point downstream from this Gage is measured as the previous day's natural flow at that point minus 9%.

(c) The District will reevaluate the Minimum Flow within ten years of adoption of this rule.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Adrienne Vining, Senior Attorney

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2012

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

### WATER MANAGEMENT DISTRICTS

#### Southwest Florida Water Management District

RULE NO.: 40D-8.041                      RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the Homosassa River System. The effect of the rule is to maintain 97% of the natural flow for the river system.

SUMMARY: Section 373.042, F.S., requires the District to establish minimum flows for all surface watercourses, and minimum levels for aquifers and surface waters, within the District. The District is required to maintain and submit a priority list of water bodies to the DEP indicating the schedule for the establishment of minimum flows and levels. This rulemaking will establish minimum flows for the Chassahowitzka River System, one of the water bodies on the priority list.

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: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require a Statement of Estimated Regulatory Costs or legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702; or ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), e-mail: sonya.white@swfwmd.state.fl.us. (OGC #2010048)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) through (15) No change.

(17) Minimum Flow for the Homosassa River System.

(a) For purposes of this rule, the Homosassa River System includes the watercourse from the Homosassa Main Springs Complex to the Gulf of Mexico, including the southeast fork of the Homosassa River, Halls River, Hidden River and all named and unnamed springs that discharge to these rivers.

(b) The Minimum Flow for the Homosassa River System is 97% of the combined natural flow as measured at the United States Geological Survey (USGS) Homosassa Springs at Homosassa Springs, FL Gage (No. 02310678), and the USGS SE Fork Homosassa Spring at Homosassa Springs, FL Gage (No. 02310688). Natural flow is defined for the purpose of this rule as the flow that would exist in the absence of water withdrawal impacts. The Minimum Flow at any point downstream from these Gages are measured as the previous day's natural flow at that point minus 3%.

(c) The District will reevaluate the Minimum Flow within ten years of adoption of this rule.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Adrienne Vining, Senior Attorney

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2012

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.:

RULE TITLE:

61N-1.012

Records of Drugs, Cosmetics and Devices

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the language to expand the return period of seven days for the exception to the pedigree documentation requirement for prescription drugs that are delivered in error to fourteen days.

SUMMARY: The proposed rule amends the language to expand the return period of seven days for the exception to the pedigree documentation requirement for prescription drugs that are delivered in error to fourteen days.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an analysis of the proposed rule's potential economic impact and determined that it did not exceed any of the criteria established 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: 499.003, 499.05, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS.

LAW IMPLEMENTED: 499.01, 499.003, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.051, 499.052, 499.06, 499.063, 499.064, 499.066, 499.067 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: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-1.012 Records of Drugs, Cosmetics and Devices.

(1) through (2) No change.

(3) Pedigree Papers.

(a)1. The pedigree papers required by Sections 499.01212, F.S., must include either the proprietary name or the generic name with the name of the manufacturer, repackager, or distributor as reflected on the label of the product; dosage form; strength; container size; quantity by lot number; the name and address of each owner of the prescription drug that is required to be identified on the pedigree paper; the name and address of each location from which it was shipped if different from the owner's; and the transaction dates. The pedigree paper must clearly identify the invoice to which it relates; however, if an invoice number has not been generated at the time the pedigree is prepared then an alternate reference number that is easily traceable to the invoice number may be used.

2. A copy of the pedigree paper must be maintained by each wholesaler ~~distributor~~ preparing a pedigree paper and by each recipient. This copy may be maintained in an electronic medium that is readily available and easily accessible to the wholesaler ~~distributor~~ preparing the pedigree paper; each recipient; and authorized federal, state, and local regulators or law enforcement. If a wholesaler ~~distributor~~ serves as the repository of its customer's pedigree, the wholesaler ~~distributor~~ must specify on the customer's invoice or other distribution document the method for immediately accessing all pedigrees associated with each prescription drug distributed and must enable access by the persons listed above for the duration of the applicable records retention period.

(b) If a wholesale distributor uses the statement contained in Section 499.01212, F.S., "This establishment or a member of my affiliated group purchased the specific unit of the specified drug directly from the manufacturer" the wholesale distributor must provide to the department the names of all members of the affiliated group of which the wholesale distributor is a member and the affiliated group must provide records on prescription drug purchases by the members of the affiliated group not later than 48 hours after the department requests access to such records, regardless of the location where the records are stored.

(c) Beginning July 1, 2006, "Pedigree Paper (Distribution History of Prescription Drugs)," either Form DH 2129 effective July 2006, which is incorporated by reference herein, or an electronic record that contains all the elements of Form DH 2129 must be used to comply with the requirement in Section 499.01212, F.S., for the distribution of a prescription drug. Beginning July 1, 2006, a repackager must use either "Prescription (legend) Drug Pedigree – Repackager" Form DH 2135 effective July 2006, which is incorporated by reference herein, or an electronic record that contains all the elements of Form DH 2135. A wholesaler ~~distributor~~ that further distributes a repackaged prescription drug must include in the pedigree the information related to the repacked drug contained in Form DH 2135 or the electronic record that contains all the elements of Form DH 2135. These forms may be used prior to July 1, 2006, to comply with the pedigree paper requirements of Section 499.01212, F.S., at the discretion of the wholesaler ~~distributor~~. An electronic signature may be used on a pedigree paper. An electronic record must be easily readable or easily rendered in a readable format, and capable of being reproduced in a paper medium. Data on an electronic pedigree may be transmitted via the internet, data communications, a portable medium such as a CD-Rom or smart card or similar devices. Additional information to that required by forms DH 2129 and DH 2135 may be included on a pedigree provided it does not detract from or confuse the history of the distribution of the drug.

(d) A copy of the pedigree paper must be maintained by each recipient. A copy of the pedigree paper provided to a wholesale distributor must be maintained by the wholesaler ~~distributor~~ providing the pedigree paper.

(e) Effective March 1, 2004, a pedigree paper under Section 499.01212, F.S., must trace a prescription drug back to the last authorized distributor of record. The department will maintain a database of authorized distributors of record. A prescription drug wholesaler ~~distributor~~ that receives or prepares a pedigree paper under Section 499.01212, F.S., and this chapter that traces the previous distributions of a prescription drug back to a prescription drug wholesaler ~~distributor~~ that is not listed on the department's web site as an authorized distributor of record for the drug's manufacturer for the date in which the transaction occurred must maintain and have available for inspection documentation that supports the fact the prescription drug wholesaler ~~distributor~~ is an authorized distributor of record in accordance with the criteria of Section 499.01212, F.S.

(f) Returns.

1. When a distribution of a prescription drug by a wholesaler ~~distributor~~ to pharmacy or a health care entity, including a practitioner, licensed and authorized under Florida law to purchase and receive the prescription drug ~~an authorized recipient~~ is the result of a mistake in ordering or shipment, the return of that prescription drug shipment by the ~~authorized~~

recipient to the wholesaler ~~distributor~~ need not be reflected in ~~a~~ the pedigree paper. For purposes of this subparagraph, a mistake in ordering or shipment shall be deemed to have occurred if, within ~~fourteen~~ ~~seven~~ calendar days after the date of receipt of the original shipment:

a. The ~~authorized~~ recipient ships the specific unit of the prescription drug back to the wholesaler ~~distributor~~ from which that specific unit was purchased; or

b. The ~~authorized~~ recipient transmits a documented communication to the wholesaler ~~distributor~~ from which the prescription drug was purchased stating the ~~authorized~~ recipient's intent to return the shipment in accordance with the ~~wholesale distributor's~~ ~~wholesaler's~~ prescribed written policies and procedures and the wholesaler ~~distributor~~ communicates authorization for return of the product.

2. Any returns to a wholesaler ~~distributor~~ ~~by an authorized recipient~~ that are not within the scope of subparagraph 1. shall be reflected in ~~a~~ the pedigree paper ~~that~~ for any ~~subsequent~~ ~~wholesale~~ ~~further~~ distributions of the returned drug product to the extent required by Section 499.01212, F.S.

3. An ~~authorized~~ recipient that returns a ~~prescription drug shipment~~ to the wholesaler ~~distributor~~ in accordance with subparagraph 1. or 2. shall verify by written declaration as set forth in Section 92.525(2), F.S., a written document submitted with the returned product,

a. That the specific unit (exact unit) being returned was purchased from the receiving wholesaler ~~distributor~~ (including the corresponding sales invoice number and the date of the sale from that wholesaler ~~distributor~~ to the authorized recipient); and

b. That the product was or was not stored and shipped in accordance with the requirements of Section 499.0121, F.S., and the rules adopted thereunder while in the purchaser's custody and control.

c. The written declaration shall be printed or typed at the end of or immediately below the statements in sub-subparagraphs 3.a. and 3.b. and shall state: "Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true," followed by the signature of the person making the declaration.

(g) For purposes of Section 499.003(31)(b), F.S., a manufacturer or repackager will have uniquely serialized an individual legend drug unit when the unit contains an electronic product code that meets industry standards for that type of legend drug unit. The department will adopt the industry standards for each type of legend drug unit when they are established. One pedigree record may be prepared for a group of serialized legend drugs, provided the only unique characteristic for the pedigree is the serialization codes.

(h) If a manufacturer initiates an electronic pedigree and transmits this information to a wholesaler ~~distributor~~ consistent with the standards in sub-subparagraph 61N-1.013(5)(d)1.f., F.A.C., (and that wholesaler ~~distributor~~ provides a pedigree to

its customer consistent with the standards in sub-subparagraph 61N-1.013(5)(d)1.f., F.A.C., the wholesaler ~~distributor~~ must transmit the pedigree information initiated by the manufacturer in the pedigree the wholesaler ~~distributor~~ provides to its customer.

(i) A wholesaler ~~distributor~~ that purchases multiple units of a prescription drug from a manufacturer in one transaction, but receives these units from multiple distribution sites of the manufacturer or on multiple dates from the manufacturer, may reference the first occurrence of receipt in pedigree papers the wholesaler ~~distributor~~ prepares for subsequent wholesale distributions unless all applicable information is received from the manufacturer as set forth in paragraph (h) above.

(j) A contract distributor for the manufacturer is deemed an agent of the manufacturer and therefore is not required under Section 499.01212, F.S., to provide a pedigree paper upon distribution of the manufacturer's prescription drug provided the manufacturer retains title to the prescription drug and the contract distributor meets the requirements to be permitted under Chapter 499, F.S., as a non-resident prescription drug manufacturer based on its relationship with the manufacturer.

(k) Emergency Distributions. A wholesale distributor may distribute and a purchasing pharmacy or health care practitioner authorized by law to purchase prescription drugs may accept a prescription drug for which a pedigree that complies with Section 499.01212, F.S., is not available, when the prescription drug is required immediately to treat a specific patient with a life-threatening medical condition or a medical condition that will result in serious bodily harm. A pharmacist for the purchasing pharmacy, or the health care practitioner, shall supply a statement to the supplying wholesale distributor(s) that the emergency meets this rule paragraph's requirements and the supplying wholesale distributor(s) must maintain such statement in compliance with the timeframes in Section 499.0121(6)(b), F.S. The supplying wholesale distributor must otherwise comply fully with all other applicable provisions of Sections 499.001 through 499.081, F.S., with respect to such drug.

(4) through (11) No change.

(12) An establishment permitted under Chapter 499, F.S., that shares a facility with another person or business shall keep all of its operational systems subject to Chapter 499, F.S., separate and distinct from the other person or business. A person permitted under Chapter 499, F.S., that also conducts other business activities not permitted under Chapter 499, F.S., shall keep all of its operational systems subject to Chapter 499, F.S., separate and distinct from the other business activities. For the purpose of this rule, those operational systems required to be kept separate and distinct shall mean all records, inventory, storage areas, repackaging operations, quarantine areas, and manufacturing operations, but this rule shall not require separate entrances to the establishment nor partitioning.

A Retail Pharmacy Drug Wholesale Distributor ~~wholesaler~~ however, is not required to maintain its stock of prescription drugs which may be distributed through a wholesale transaction separate from the stock of prescription drugs which may be dispensed by a retail pharmacy.

(13) through (15) No change.

(16) Establishing an ongoing relationship pursuant to Sections 499.01212, F.S. A wholesale distributor that is not listed as an authorized distributor of record on the list submitted to the department by a prescription drug manufacturer may request the department add the wholesale distributor to the department's web site of authorized distributors of record for a drug manufacturer for purposes of the pedigree paper requirements of Section 499.01212, F.S., that become effective March 1, 2004, provided that such wholesale distributor satisfies the requirements of paragraph (a) or (b) below.

(a) A wholesale distributor or its affiliated group must submit the information in subparagraphs 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.01212, F.S. If the information submitted in subparagraphs 1. and 2. is based on the cumulative activity of an affiliated group, a wholesale distributor or its affiliated group must submit the information in subparagraph 3. below to document the eligibility of the individual wholesaler distributor establishment that is a member of the affiliated group to be an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.01212, F.S.

1. To document total annual prescription drug sales of \$100 million or more submit either:

a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities), OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

c. A computerized listing of prescription drug sales transactions during the period 10/1/02 – 9/30/03, or a 12-month period ending on the last day of the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns. AND

2. For each manufacturer for whom the wholesaler distributor claims authorized distributor of record status, submit both subparagraphs a. and b. to document that the wholesaler distributor annually purchases not less than 90%, based on dollar volume, of all of its purchases of a manufacturer's prescription drug products directly from that manufacturer.

a. A computerized listing of all of a manufacturer's prescription drugs purchased by the wholesaler distributor during the period 10/1/02 – 9/30/03, or a 12-month period ending on the last day of the most recent calendar quarter, regardless of the source of those prescription drugs. This report must be totaled. AND

b.i. A computerized listing of all purchases of a manufacturer's prescription drugs directly from the manufacturer during the same time period. This report must be totaled. The detail should include the invoice number, invoice date, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least 90% of the wholesaler distributor's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer. OR

ii. Copies of the manufacturer's sales invoices of prescription drugs to the wholesaler distributor. An adding machine tape, or equivalent, must be included that lists each invoice, in order, and provides a total of all invoices submitted. A statement must be provided that the invoices document at least 90% of the wholesaler distributor's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer.

a. Conduct its prescription drug wholesale activities under an establishment name that incorporates the same business name as the affiliated group upon which the eligibility criteria for the affiliated group was met, or 3. Each wholesaler distributor establishment that applies to the department to be listed as an authorized distributor of record of a drug manufacturer based upon its affiliated group's ongoing relationship with the manufacturer, or the affiliated group on behalf of each wholesaler distributor establishment, must submit the names and address of all member wholesaler distributor establishments of the affiliated group. In addition, each wholesaler distributor establishment must either:

b. Hold a valid prescription drug wholesaler distributor permit or out-of-state prescription drug wholesaler distributor permit issued under Chapter 499, F.S.

(b) A wholesale distributor or its affiliated group must submit the information in subparagraphs 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.01212, F.S.

1. To document total annual prescription drug sales of \$100 million or more submit either:



a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities), OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

c. A computerized listing of prescription drug sales transactions during the period 10/1/02 – 9/30/03, or a 12-month period based on the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns.

2. For each manufacturer for whom the wholesaler distributor claims authorized distributor of record status, submit a., b., or c. to document that the wholesaler distributor has a verifiable account number issued by the manufacturer and has made at least 12 purchases of prescription drugs directly from that manufacturer using the verifiable account number.

a. If the wholesaler distributor is a member of an affiliated group and all purchases from that manufacturer are made at a central location for the wholesaler distributor, copies of at least 12 invoices dated during the previous 12 months from the date the information is submitted, which invoices document purchases of prescription drugs, at least one unit of which on each invoice was not returned, under that central account number but shipped to the wholesaler distributor's address for whom the authorized distributor of record status is claimed. A statement must be provided that the invoices document purchases of prescription drugs for the wholesaler distributor for whom the authorized distributor of record status is claimed and that the wholesaler distributor did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

b. If the wholesaler distributor is a member of an affiliated group and all purchases from that manufacturer are made at a central location and received at a central location for the wholesaler distributor, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number which is clearly assigned to the wholesaler distributor at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that central location and that the central location or wholesaler

distributor for which the drugs were obtained did not return to the manufacturer at least one unit of the prescription drugs on each invoice, and that the central location shipped at least 12 times to the individual wholesaler distributor for whom the authorized distributor of record status is claimed during the 12 months based on the fiscal year or designated timeframe.

c. For all other wholesale distributors, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number that is clearly assigned to the wholesaler distributor at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that wholesaler distributor and that the wholesaler distributor did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

Rulemaking Authority 499.003, 499.05, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS. Law Implemented 499.01, 499.003, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.051, 499.052, 499.06, 499.063, 499.064, 499.066, 499.067 FS. History—New 1-1-77, Amended 12-12-82, 7-8-84, 1-30-85, Formerly 10D-45.53, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.053, Amended 1-26-99, 4-17-01, 10-7-03, 1-1-04, 6-15-04, 8-2-04, 1-19-06, 8-6-06, Formerly 64F-12.012, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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 1, 2012

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

Section III  
Notices of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

NONE



## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 20, 2012, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, Section 6-402.11, 2001 FDA Food Code, paragraph 61C-1.004(1)(a), Florida Administrative Code, and Section 5-203.13, 2001 FDA Food Code from Fat Boys BBQ located in St. Cloud. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees and that each establishment have at least one service sink for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share mop sink and bathroom facilities with an adjacent business for use by both customers and employees.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 20, 2012, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from Brooklyn Boys located in Keystone Heights. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under a different ownership for use by customers only.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On November 21, 2012 the Division issued an order. The Final Order was in response to a Petition for a Variance from Blackburn Building, filed November 14, 2012, and advertised on November 16, 2012 in Vol. 38, No. 73, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 8.6.5.8 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators safety bulkhead until July 1, 2015 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-362).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on November 20, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Colonial House Office Building. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14

days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-374).

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

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority Board announces a public meeting to which all persons are invited.

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

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sonia Velez at (813)627-4221. 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: Sonia Velez at (813)627-4221.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: December 3, 2012, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business

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

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

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

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

PLACE: Flagler County Administrative Building, 1768 East Moody Boulevard, Bunnell, Florida 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: The group will drive to Tifton, Georgia to tour the Georgia Museum of Agriculture and Historic Village, 1392 Whiddon Mill Road, Tifton, Georgia, 31793 with the tour beginning at 10:30 a.m.

A copy of the agenda may be obtained by contacting: Bruce Piatek, Executive Director, (386)446-7630.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Bruce Piatek, Executive Director, (386)446-7630. 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).

#### STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Monday, December 10, 2012, 1:00 p.m. until conclusion of business.

PLACE: The Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444 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](mailto: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, (800) 955-8771 (TDD) or (800)955-8770 (Voice).

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: December 10, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via (800)955-8770 (Voice) or (800) 955-8771 (TDD) Florida Relay Service.

\*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: December 10, 2012, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via (800)955-8770 (Voice) or (800)955-8771 (TDD) Florida Relay Service.

\*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a Special Commission Conference in the following docket to which all interested persons are invited.

DOCKET NO. 120015-EI

DATE AND TIME: December 13, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the petition for increase in rates by Florida Power & Light Company.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via (800) 955-8770 (Voice) or (800) 955-8771 (TDD) Florida Relay Service.

\*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Governor's Commission on Community Service, Volunteer Florida announces a public meeting to which all persons are invited.

DATE AND TIME: December 6, 2012, 11:30 a.m. until all business is complete on December 7, 2012

PLACE: The Elliot Building, 401 South Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation workshop for newly appointed Commissioners.

A copy of the agenda may be obtained by contacting: Nicole Elliott at (850)414-0092 or [nicole@volunteerflorida.org](mailto:nicole@volunteerflorida.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 3 days before the workshop/meeting by contacting: Nicole Elliott at (850)414-0092 or [nicole@volunteerflorida.org](mailto:nicole@volunteerflorida.org). 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).

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: Nicole Elliott at (850)414-0092 or nicole@volunteerflorida.org.

**EXECUTIVE OFFICE OF THE GOVERNOR**

Division of Emergency Management  
 The State Emergency Response Commission, Training Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2012, 1:30 p.m.  
 PLACE: This is a telephone conference call which can be attended via the internet and telephone. Go to the web site <https://www2.gotomeeting.com/join/560011306>, then dial (888) 808-6959, passcode: 6517811543, Meeting ID: 560011306

GENERAL SUBJECT MATTER TO BE CONSIDERED: A. Report on TRANSCAER. B. Report on DOH Suspicious Powder Guideline.

A copy of the agenda may be obtained by contacting: Florida Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850) 413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Division of Emergency Management, (850)413-9970. 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).

**REGIONAL PLANNING COUNCILS**

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

DATE AND TIME: Monday, December 10, 2012, 4:00 p.m. with an Executive Committee meeting at 3:00 p.m. prior to the Council meeting.

PLACE: Crestview City Hall, 198 North Wilson Street, Crestview, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Matters of the West Florida Regional Planning Council and the above mentioned Executive Committee.

A copy of the agenda may be obtained by contacting: West Florida Regional Planning Council, (850)332-7976 or [www.wfrpc.org](http://www.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 2 days before the workshop/meeting by contacting: West Florida Regional Planning Council, (850)332-7976 or [www.wfrpc.org](http://www.wfrpc.org). 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).

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: West Florida Regional Planning Council, (850)332-7976 or [www.wfrpc.org](http://www.wfrpc.org) / Terry Joseph, Executive Director, (850)332-7976, ext 201 or [terry.joseph@wfrpc.org](mailto:terry.joseph@wfrpc.org).

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District  
 The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 11, 2012, 8:15 a.m., Chair's meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board meeting.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at [floridaswater.com](http://floridaswater.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: District Clerk at (386)329-4500. 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).

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.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District  
 The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 10, 2012, 5:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items followed by Committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, December 11, 2012, 8:00 a.m. at District Headquarters, 4049 Reid Street, Palatka, FL 32177. One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4347, or by visiting the District's website at floridaswater.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: District Clerk at (386)329-4500. 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).

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.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

The St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Monday, December 10, 2012, 1:00 p.m.

Governing Board workshop.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic budgeting.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at floridaswater.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: District Clerk at (386)329-4500. 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: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at floridaswater.com.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2012, 1:00 p.m.

Lake Belt Mitigation Committee

PLACE: SFWMD, B-2, 1st Floor – EMD Training Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

This meeting will also be available by teleconference: Teleconference information, Local SFWMD (561) 682-6700, Nationwide Toll Free (866)433-6299, Meeting ID #: 6982.

A copy of the agenda may be obtained by contacting the website, <http://www.sfwmd.gov/miamidadade>; click on "Task Force and Coordination Teams" in the Related Links section. Or contact Lourdes Elias, (561)682-2706.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk's office (561)682-2087. 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: South Florida Water Management District, Attention: Lourdes Elias, MSC 4110, 3301 Gun Club Road, P. O. Box 24680, West Palm Beach, FL 33416-4680.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

The Florida Building Commission, "the Commission", and the Building Code Uniform Implementation Evaluation Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Plenary session to begin November 12, 2012, 8:30 a.m. until completion.

The Building Code Uniform Implementation Evaluation Workgroup to begin at 11:00am or immediately following the Plenary Session.

PLACE: Hilton at University of Florida, 1714 SW 34th Street, Gainesville, Florida 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review and make recommendations on Accessibility Waiver Applications, Introduction of Annual Commission Exercises: Workplan Prioritization Exercise and Effectiveness Assessment Survey, to review and make recommendations on requests for Declaratory Statements, and other business by the Commission.

Welcome and Opening, Roll Call

Review and Approval of Meeting Agenda

Review and Approval of Previous Meeting Minutes

Chair Discussion Issues

Introduction of Annual Commission Exercises: Workplan Prioritization Exercise and Effectiveness Assessment Survey Meeting Dates, Fiscal Year 2012-2014

Accessibility Waiver Applications:

a. 1676 James Avenue Hostel, 1676 James Avenue, Miami Beach

b. BeachComber Hotel, 1340 Collins Avenue, Miami Beach

c. Casanova Suites Miami, 524 Ocean Drive, Miami Beach

d. A1A Burrito Works, Inc., 608 S. Ocean Shore Boulevard, Flagler Beach

e. Lamers Bus Lines, 849 Industrial Drive, Wildwood

f. HarborWalk Village Zipline Attraction, 10 Harbor Boulevard, Destin

g. Baoli (VITA Restaurant )Miami Restaurant, 1908 Collins Avenue, Miami Beach

Applications for Product and Entity Approval

Applications for Accreditor and Course Approval

Petitions for Declaratory Statement

a. DS 2012 – 076 by W. W. Schaefer Engineering & Consulting, P.A.

b. DS 2012 – 081 by Advanced Manufacturing & Power Systems, Inc.

c. DS 2012-084 by Jose Diaz of MSA Architects, Inc. (Recommended for dismissal)

d. DS 2012 – 085 by Door & Access Systems Manufacturers Association International

Binding Interpretation # 80

Committee Reports

Public Comment

Adjourn

The Building Code Uniform Implementation Evaluation Workgroup to begin at 11:00 or at the completion of the Plenary Session, on December 4, 2012 at the same location with the following subjects:

Welcome and Opening

Agenda Review and Approval

Review and Approval of Meeting I Summary Report

Identification of Additional Issues Regarding Uniform Implementation of the Florida Building Code System, If Any

- Identification of Additional Issues by Workgroup members, in turn

Acceptability Ranking of Options in Turn

Options Evaluation Worksheet

General Public Comment

Next Steps: Agenda Items, Needed Information, Assignments, Date and Location

A copy of the agenda may be obtained by contacting: Refer to [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm) or contact Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772 or call 850-487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 25555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850) 487-1824 or Fax (850) 414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (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: Refer to [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm) or contact Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772 or call (850) 487-1824, FAX (850) 414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, December 10, 2012, 2:30 p.m. or soonest thereafter.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a

public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting 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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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

DATES AND TIMES: Tuesday, December 11, 2012, 8:30 a.m.; meeting will reconvene on Wednesday, December 12, 2012, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford at [lori.crawford@dbpr.state.fl.us](mailto:lori.crawford@dbpr.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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).

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

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: December 4, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Via webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: The solid waste section of the Department is conducting a webinar to discuss current and pending issues in solid waste management. To join the webinar, register at: <https://www2.gotomeeting.com/register/303989418>. After registering you will receive a confirmation email containing information about joining the webinar.

A copy of the agenda may be obtained by contacting: Richard Tedder, Department of Environmental Protection, Solid Waste Section, MS #4565, 2600 Blair Stone Road, Tallahassee, FL 32399, (850) 245-8735, email: [richard.tedder@dep.state.fl.us](mailto:richard.tedder@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Tedder. 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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 4, 2012, 7:00 p.m. CST

PLACE: Coastal Branch Library (In the South Walton Government-Education Complex off Hwy 331), 437 Greenway Trail, Santa Rosa Beach, Florida 32459.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan update for Grayton Beach State Park.

A copy of the agenda may be obtained by contacting: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850)267-8312, fax (850)231-1879 or email [matthew.allen@dep.state.fl.us](mailto:matthew.allen@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850)267-8312, fax (850)231-1879 or email



matthew.allen@dep.state.fl.us. 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: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850)267-8312, fax (850)231-1879 or email matthew.allen@dep.state.fl.us.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
The Division of Recreation and Parks announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, December 5, 2012, 9:00 a.m. CST

**PLACE:** Camp Helen State Park Lodge, 23937 Panama City Beach Parkway, Panama City Beach, Florida 32413

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Presentation and discussion of the proposed unit management plan update for Grayton Beach State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850) 267-8300, fax (850)267-8306 or email matthew.allen@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850) 267-8300, fax (850) 267-8306 or email matthew.allen@dep.state.fl.us. 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: Matthew Allen, Park Manager, Grayton Beach State Park at 357 Main Park Road, Santa Rosa Beach, Florida 32459, (850) 267-8300, fax (850) 267-8306 or email matthew.allen@dep.state.fl.us.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
The Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, November 28, 2012, 1:00 p.m. – 3:00 p.m.

**PLACE:** Conference call: (888)670-3525, conference code: 9593555203#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting Becky Prado: by e-mail, rebecca.prado@dep.state.fl.us; by phone, (850) 245-2094; or by mail, 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Prado at rebecca.prado@dep.state.fl.us. 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).

**DEPARTMENT OF HEALTH**  
The Florida Coordinating Council for the Deaf and Hard of Hearing announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** December 4, 2012, 8:00 a.m.

**PLACE:** 1-888-670-3525; Code: 6625033505

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The content of the Council’s 2013 Report to the Governor and Legislature.

This is a publicly noticed meeting; however, due to the working nature of the teleconference, public comment will not be heard.

A copy of the agenda may be obtained by contacting: via e-mail: info@fccdhh.org or marygrace\_tavel@doh.state.fl.us, or by calling: (850)245-4913; toll-free: (866)602-3275; TTY: (850)245-4914; Toll-free TTY: (866) 602-3276.

Pursuant to the provisions of 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: See above. 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: See above.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, November 30, 2012, 1:00 p.m.

**PLACE:** Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 4, Tallahassee, FL 32399-0700; (888) 670-3525, participant code 2868250655

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** ITN #01H12GC1 – To Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services in the Northwest Region: Mandatory Solicitation Conference – The purpose of this meeting is to discuss the ITN solicitation document to clarify any areas of misunderstanding

or ambiguity. Attendance at the solicitation conference is required of all prospective Respondents and is a prerequisite for acceptance of responses from individuals or firms.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email, [Adrian\\_Williams@dcf.state.fl.us](mailto:Adrian_Williams@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 27, 2012, 9:00 a.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 4, Tallahassee, FL 32399-0700; (888) 670-3525, participant code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC1 – To Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services in the Northwest Region: Initial Meeting of Evaluators – The purpose of this meeting is to review the guidelines for evaluation and distribute the responses received to the Department’s evaluators.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: [Adrian\\_Williams@dcf.state.fl.us](mailto:Adrian_Williams@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 2, 2013, 9:00 a.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 4, Tallahassee, FL 32399-0700; (888)670-3525, participant code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC1 – To Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services in the Northwest Region: Debriefing Meeting of the Evaluators – The purpose of this meeting is to retrieve copies of all responses from the Department’s evaluators and to obtain and record their scores, which will be used to determine the short list for negotiations.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: [Adrian\\_Williams@dcf.state.fl.us](mailto:Adrian_Williams@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program

The Department of Children and Families announces public meetings to which all persons are invited.

DATES AND TIMES: January 14-15, 2013, 9:00 a.m. – 5:00 p.m.; January 17-18, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 4, Tallahassee, FL 32399-0700; (888)670-3525, participant code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC1 – To Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services in the Northwest Region: 1st Week of Individual Negotiation Meetings – The purpose of these meetings will be to negotiate with the shortlisted Respondents for the delivery of services outlined in the solicitation document.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: [Adrian\\_Williams@dcf.state.fl.us](mailto:Adrian_Williams@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: January 16, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 2, Room 103, Tallahassee, FL 32399-0700; (888)670-3525, participant code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC1 – To Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services in the Northwest Region: 1st Week of Individual Negotiation Meetings – The purpose of these meetings will be to negotiate with the shortlisted Respondents for the delivery of services outlined in the solicitation document.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: [Adrian\\_Williams@dcf.state.fl.us](mailto:Adrian_Williams@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Mental Health Program

RULE NO.: RULE TITLE:

65E-14.001: Applicability

65E-14.002: Retention and Access Requirements for Records

65E-14.003: Audits of Contractors Participating in the Substance Abuse and Mental Health Programs

65E-14.004: Program Income

65E-14.005: Matching

65E-14.006: Valuation of Donated and Volunteer Services

65E-14.007: Appraisal of Real Property

65E-14.010: Property

65E-14.012: Contract Closeout, Suspension, and Termination

65E-14.014: Contractor’s Financial Management Responsibilities

65E-14.016: Transactions Resulting in Additional Cost to the Program

65E-14.017: Cost Principles

65E-14.018: Sliding Fee Scale  
 65E-14.019: Methods of Paying for Services  
 65E-14.020: Cost Reimbursement Method of Payment  
 65E-14.021: Unit Cost Method of Payment  
 65E-14.022: Data Requirements  
 65E-14.023: Managing Entity Standards  
 The Department of Children and Families, Substance Abuse and Mental Health Program Office announces a workshop to which all persons are invited.  
 DATE AND TIME: Tuesday, December 4, 2012, 1:00 p.m. – 3:00 p.m.  
 PLACE: Circuit 13: 9393 N Florida Ave, Room 807, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amendments to the Community Substance Abuse and Mental Health Services Financial Rules. Additional information regarding this rulemaking is available on the Department’s website at: [www.dcf.state.fl.us/programs/samh/pubs\\_reports.shtml](http://www.dcf.state.fl.us/programs/samh/pubs_reports.shtml)

This notice corrects an error in the previously published notice for this event. The Workshop is scheduled for Tuesday, December 4, 2012.

A copy of the agenda may be obtained by contacting: April Teamer, Department of Children and Families, 9393 N. Florida Ave. Suite 1000, Tampa, Florida 33612; (813) 337-5755, [april\\_teamer@dcf.state.fl.us](mailto:april_teamer@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: April Teamer, Department of Children and Families, 9393 N. Florida Ave. Suite 1000, Tampa, Florida 33612; (813) 337-5755, [april\\_teamer@dcf.state.fl.us](mailto:april_teamer@dcf.state.fl.us). 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).

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: Jimmers Micallef, Department of Children and Families, 1317 Winewood Blvd., Building 6, Room 292, Tallahassee, FL 32399; (850)717-4294, [jimmers\\_micallef@dcf.state.fl.us](mailto:jimmers_micallef@dcf.state.fl.us).

DEPARTMENT OF FINANCIAL SERVICES  
 Division of Treasury  
 The Florida Department of Financial Services announces a public meeting to which all persons are invited.  
 DATE AND TIME: Thursday, December 6, 2012, 2:00 p.m.

PLACE: 1801 Hermitage Boulevard, Room 440C, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Chief Financial Officer’s Treasury Investment Committee pursuant to Section 17.575, Florida Statutes. The purpose of the meeting is to provide an overview of Treasury operations and performance.

A copy of the agenda may be obtained by contacting: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304.

Pursuant to the provisions of 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: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304. 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: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304. PLEASE NOTE: The Hermitage Building is a secure facility. Persons wishing to attend should call Ms. Ashworth to obtain access to the elevator that accesses the Fourth Floor.

DEPARTMENT OF FINANCIAL SERVICES  
 Division of Treasury

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

DATE AND TIME: Monday, December 3, 2012, 1:00 p.m.  
 PLACE: J. Edwin Larson Building, Room 116, 200 East Gaines Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this public meeting is for the Negotiation Team members to discuss and prepare their recommendation regarding the Department of Financial Services Invitation to Negotiate, DFS ITN 11/12-17 ePayment Solutions and Services Contract.

A copy of the agenda may be obtained by contacting: Fran Spivey, Purchasing Manager, Florida Department of Financial Services, (850) 413-2065.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Fran Spivey, Purchasing Manager, Florida Department of Financial Services, (850)413-2065. 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: Fran Spivey, Purchasing Manager, Florida Department of Financial Services, (850)413-2065.

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

The Florida Film & Entertainment Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 10, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Conference call: (888)670-3525, conference code: 4091758923

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry, general administrative matters of the Advisory Council and hear public input and advisement.

A copy of the agenda may be obtained by contacting: Florida Office of Film & Entertainment at: (850)717-8990.

Pursuant to the provisions of 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: Florida Office of Film & Entertainment at: (850)717-8990. 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).

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

For more information, you may contact: Florida Office of Film & Entertainment at: (850)717-8990.

#### FLORIDA HEALTH MAINTENANCE ORGANIZATION

The Florida Health Maintenance Organization, Consumer Assistance Plan announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 11, 2012, 2:00 p.m.

PLACE: Telephone conference call (877)434-2293, passcode 8504251634.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors to conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Terri Jay at [terri.jay@akerman.com](mailto:terri.jay@akerman.com).

For more information, you may contact: Terri Jay at [terri.jay@akerman.com](mailto:terri.jay@akerman.com) or (850)425-1628.

#### FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research & Development Authority announces a public meeting to which all persons are invited.

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

PLACE: C. Scott Ellington Technology Business Incubator, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Christine Burres, [cc@research-park.org](mailto:cc@research-park.org).

#### SOUTHWOOD SHARED RESOURCE CENTER

The Southwood Shared Resource Center announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 3, 2012, 1:30 p.m. – 4:00 p.m. or until Board business is concluded.

PLACE: Turlington Building, Room 1706, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special called meeting of the SSRC Board of Trustees to address Executive Director Vacancy.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895 or email: [rick.mitchell@ssrc.myflorida.com](mailto:rick.mitchell@ssrc.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895 or email: [rick.mitchell@ssrc.myflorida.com](mailto:rick.mitchell@ssrc.myflorida.com). 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: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

**MONROE COUNTY LOCAL COORDINATING BOARD FOR TRANSPORTATION DISADVANTAGED**

The Health Council of South Florida, Monroe County Local Coordinating Board for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 7th, 2012, 11:00 a.m.

PLACE: Marathon Government Center, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Monroe County Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Shelley-Anne Glasgow-Wilson, MBA, Senior Planning & Evaluation Specialist at the Health Council of South Florida via email: sglasgow@healthcouncil.org.

For more information, you may contact: Shelley-Anne Glasgow-Wilson, MBA, Senior Planning & Evaluation Specialist at the Health Council of South Florida via email: sglasgow@healthcouncil.org or at (305) 592-1452 ext. 107.

**ST. LUCIE TRANSPORTATION PLANNING ORGANIZATION (TPO)**

The St. Lucie Transportation Planning Organization (TPO) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 2012, 2:00 p.m.

PLACE: St. Lucie TPO, 466 SW Port St. Lucie Boulevard, Suite 111, Port St. Lucie, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the St. Lucie Local Coordinating Board for the Transportation Disadvantaged (LCB)

A copy of the agenda may be obtained by contacting: Marceia Lathou, St. Lucie TPO, 466 S.W. Port St. Lucie Boulevard, Suite 111, Port St. Lucie, Florida 34953, (772) 462-1593.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Five days before the workshop/meeting by contacting: Marceia Lathou, St. Lucie TPO, 466 SW Port St. Lucie Boulevard, Suite 111, Port St. Lucie, Florida, 34953. (772) 462-1593. 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).

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: Marceia Lathou, St. Lucie TPO, 466 SW Port St. Lucie Boulevard, Suite 111, Port St. Lucie, Florida, 34953 (772) 462-1593.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Mr. and Mrs. Richard O'Rourke, Petitioners/Unit Owners, In Re: Waters Edge Association, Inc., Docket No. 2012037117 on August 29, 2012. The petition seeks the agency's opinion as to the applicability of Section 718.112(2), Florida Statutes, and Florida Administrative Code Rule 61B-23.0029 as it applies to the petitioner.

Whether the electronic notices of meetings and board action taken by Water's Edge Association complied with Section 718.112(2), Florida Statutes, and Florida Administrative Code Rule 61B-23.0029.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Petition for Declaratory Statement filed on November 2, 2012, from Wesley Hayes. The petition seeks the agency's opinion as to the applicability of Florida Statutes Chapter 633 which incorporates NFPA 101, Chapter 30 as it applies to the petitioner.

This petition for declaratory statement refers to a building that contains four units each with two stories. Petitioner presents the following question as to whether the building is classified as a townhouse, and if so, whether the Code allows fire safety inspections of the required fire separation between units.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Linje Rivers, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3110; fax number (850)488-0697 (please advise if you would like it mailed or

faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Linje.Rivers@myfloridacfo.com.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and Purchasing**

11TH JUDICIAL CIRCUIT

RFP2012-01 Batterer's Intervention Program (BIP) Service Providers

ADVERTISEMENT NOTICE

The Eleventh Judicial Circuit of Florida ("Circuit") seeks sealed proposals from qualified entities ("Proposers") to provide, as a batterers' intervention program ("BIP") service provider ("BIP Service Provider"), services to address domestic violence issues in Miami-Dade County, Florida. Such services will include, but are not limited to: (i) helping batterers take responsibility for their acts of violence; (ii) emphasizing alternative behaviors by teaching skills to control violent and abusive behavior; and (iii) collaborating with other community-based providers to facilitate substance abuse treatment, educational, and employment opportunities for batterers.

In view of the high incidence of domestic violence related crimes in Miami-Dade County and the need to have qualified BIP Service Providers to provide certain services in an effort to reduce the incidence of such crimes, the Circuit, along with local justice system and social service agencies developed the "Batterers' Intervention Program ("BIP") Service Provider Application" and the "Batterers' Intervention Program ("BIP") Minimum Certification Standards" that comprise the Request for Proposals for Batterers' Intervention Program ("BIP") Service Providers ("RFP #2012-01").

RFP # 2012-01 will be available November 16, 2012 on the Eleventh Judicial Circuit's website at [www.jud11.flcourts.org](http://www.jud11.flcourts.org) under the heading "RFP #2012-01 Batterers' Intervention Program ("BIP") Service Providers." Deadline for receipt of sealed proposals is December 14, 2012.

**Section XII**  
**Miscellaneous**

DEPARTMENT OF FINANCIAL SERVICES

Division of Rehabilitation and Liquidation

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AVAHEALTH, INC. dba KEY INSURANCE PLAN

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2012-CA-001400

In Re: The Receivership of AVAHEALTH, INC. dba KEY INSURANCE PLAN, a Florida corporation authorized to transact an insurance business in Florida.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AVAHEALTH, INC. dba KEY INSURANCE PLAN

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 31st day of August, 2012, the Department of Financial Services of the State of Florida was appointed as Receiver of AVAHEALTH, INC. dba KEY INSURANCE PLAN and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of AVAHEALTH, INC. dba KEY INSURANCE PLAN, shall present such claims to the Receiver on or before 11:59:59 p.m. on March 1, 2013, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for AVAHEALTH, INC. dba KEY INSURANCE PLAN, 2020 Capital Circle, SE, Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: [www.myfloridacfo.com/receiver](http://www.myfloridacfo.com/receiver).



Section XIII  
Index to Rules Filed During Preceding Week

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

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