

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-5.0131	Definitions
58A-5.014	License Application, Change of Ownership, and Provisional Licenses
58A-5.015	License Renewal and Conditional Licenses
58A-5.016	License Requirements
58A-5.0161	Inspection Responsibilities
58A-5.0181	Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
58A-5.0182	Resident Care Standards
58A-5.0185	Medication Practices
58A-5.0186	Do Not Resuscitate Orders (DNROs)
58A-5.019	Staffing Standards
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.0194	Alzheimer's Disease or Related Disorders Training Provider and Curriculum Approval
58A-5.020	Food Service Standards
58A-5.021	Fiscal Standards
58A-5.023	Physical Plant Standards
58A-5.024	Records
58A-5.0241	Adverse Incident Report
58A-5.0242	Liability Claim Report
58A-5.025	Resident Contracts
58A-5.026	Emergency Management
58A-5.029	Limited Mental Health
58A-5.030	Extended Congregate Care Services
58A-5.031	Limited Nursing Services
58A-5.033	Administrative Enforcement
58A-5.035	Waivers

PURPOSE AND EFFECT: The Department of Elder Affairs, in consultation with the Agency for Health Care Administration, the Department of Children and Families, and the Department of Health, announces the convening of rulemaking proceedings to address assisted living facility regulation. The purpose of the rulemaking is to draft rules addressing the safety and quality of services and care provided to residents within assisted living facilities while being mindful of unnecessary increases in regulation given the many variations in services provided, the number of residents or size of the facility, and the makeup of resident populations in the facilities.

SUBJECT AREA TO BE ADDRESSED: The subject and scope of the rules to be developed through rulemaking will address the following areas: Educational Requirements,

Training, and Competency Exams for Administrators and Managers; Training for Staff; Core Trainers; Training Accessibility; Data Collection; Medication practices; Emergency management; Licensing and services provided for limited nursing services, limited mental health, and extended congregate care designations; Deletion of duplicative rules; and, Revision of rules as needed based on legislative changes.

RULEMAKING AUTHORITY: 429.178, 429.23, 429.24, 429.255, 429.256, 429.27, 429.275, 429.31, 429.41, 429.42, 429.44, 429.52, 429.54 FS.

LAW IMPLEMENTED: Part I, Assisted Living Facilities, Chapter 429 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 IS: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone Number: (850)414-2113, Email address: nelsonj@elderaffairs.org

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-29.001	Definitions
65C-29.002	Reports of Child Abuse, Neglect or Abandonment
65C-29.003	Child Protective Investigations
65C-29.004	Institutional Child Protective Investigations
65C-29.005	Children Denied Shelter (Lockouts)
65C-29.006	Foster Care Referrals
65C-29.007	Child-on-Child Sexual Abuse
65C-29.008	Initial Health Care Assessment and Medical Examination of Children Alleged to be Abused, Neglect or Abandoned
65C-29.009	Criminal, Juvenile and Abuse/Neglect History Checks
65C-29.010	False Reports
65C-29.011	Out-of-Town Inquiries
65C-29.012	Transfer of Child Protective Investigations Within and Between Districts
65C-29.013	Reasonable Efforts to Locate
65C-29.014	High Risk Tracking and Review
65C-29.015	Pre-Arranged Private Interstate Placements Involving Drug-Exposed Newborns

PURPOSE AND EFFECT: The Department intends to amend several rules within Chapter 65C-29, F.A.C., Protective Investigations for children, to accomplish the following tasks: 1) Make rule language reflective of 2012 legislative changes to Chapter 39; 2) Add language implementing safety assessments and safety planning that will be consistent with the Department's new safety decision making methodology, and; 3) Simplify wording and resolve issues of ambiguity.

SUBJECT AREA TO BE ADDRESSED: Children alleged to be abused or neglected.

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.410 FS.
LAW IMPLEMENTED: 39.001, 39.301, 39.302, 39.304, 39.308, 39.401, 39.402 FS.

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

DATE AND TIME: October 3, 2013, 9:00 a.m. – 12:00 Noon
*This workshop will be held in conjunction with rule development workshops for Chapters 65C-28 and 65C-30, F.A.C. Each of which will be publicly noticed in the Florida Administrative Register.

PLACE: Florida's Turnpike Enterprise, Turnpike Mile Post 263, Building 5315, Ocoee, FL 34761, (407)264-3428

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, Email: Carrie_toy@dcf.state.fl.us, Telephone: (850)717-4491
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-30.001	Definitions
65C-30.002	Early Service Intervention and Case Transfer
65C-30.003	Diligent Search
65C-30.004	Identification of Children
65C-30.005	Family Assessment
65C-30.006	Case Planning
65C-30.007	Case Management Responsibilities
65C-30.008	Services Worker Responsibilities to Parents
65C-30.009	Tiered Services Protocol
65C-30.010	Voluntary Protective Services
65C-30.011	Placement Responsibilities of the Services Worker or Child Protective Investigator
65C-30.012	Permanency Goal Selection
65C-30.013	Judicial Reviews and Court Reports
65C-30.014	Post-Placement Supervision and Services

65C-30.015	New Reports Received, Removal, and Placement of Children
65C-30.016	New Children in Families under Supervision
65C-30.017	Coordination of Services for Youth Involved with the Department of Juvenile Justice Out-of-County Services
65C-30.018	Out-of-County Services
65C-30.019	Missing Children
65C-30.020	Child Deaths
65C-30.021	Child Death Reviews
65C-30.022	Termination of Services

PURPOSE AND EFFECT: The Department of Children and Families intends to amend rules within Chapter 65C-30, General Child Welfare Provisions, to implement legislative changes and address requirements for the department's Florida Safety Decision Making Methodology business model.

SUBJECT AREA TO BE ADDRESSED: General Child Welfare Provisions.

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.0137 FS.
LAW IMPLEMENTED: 39.0138, 39.0139, 39.401, 39.402(9), 39.407, 39.506(6), 39.5085, 39.521, 39.6011, 39.621, 39.6221, 39.6231, 39.6241, 39.701, 39.811(7)(b), 381.004, 409.175, 409.401 FS.

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

DATE AND TIME: October 3, 2013, 3:00 p.m. – 5:00 p.m.
*This workshop will be held in conjunction with rule development workshops for Chapters 65C-28 and 65C-29, F.A.C., each of which will be publicly noticed in the Florida Administrative Register.

PLACE: Florida's Turnpike Enterprise, Turnpike Mile Post 263, Building 5315, Ocoee, FL 34761, (407)264-3428

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, Email: Carrie_Toy@dcf.state.fl.us, Telephone: (850)717-4491

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise the school accountability criteria and processes and to implement requirements of Section 1008.34, Florida Statutes, including a revision of the minimum required number of eligible students' scores in reading and math for the school to receive a school grade (10), and provisions for grading co-located schools. Proposed revisions also include a change in the percent-tested calculation to conform with federal reporting requirements, extension of the one-letter-grade drop protection for grades earned in 2013-2014, and technical corrections.

SUMMARY: This rule describes Florida's school grading process, each type of data that is used in the process, how points for school grades are calculated, and requirements to receive an A, B, C, D, or F grade. This rule amendment is proposed to implement recent legislative changes to Section 1008.34, Florida Statutes, to adjust a participation rate calculation to conform with federal reporting requirements, and extend the one-letter-grade-drop protection to support stability during Florida's transition to Common Core standards and assessments.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the school grade rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.34, 1008.345 FS.

LAW IMPLEMENTED: 1008.22, 1008.34, 1008.345, 1008.36 FS.

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward Croft, Bureau Chief, Accountability Reporting, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0411

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) through (a)3. No change.

4. To ensure that student data accurately represent school performance, schools shall be required to assess at least ninety (90) percent of their eligible students to qualify for a school grade of D, C, or B and at least ninety-five (95) percent to qualify for an A. For calculations performed for the 2013-14 school year and thereafter, the percent-tested figure will be based on the count of students who were enrolled during the third period full-time equivalent student membership survey as specified in Rule 6A-1.0451, F.A.C., and who were also enrolled at the time of testing.

5. through (2)(b) No change.

(c) In addition, scores shall be included in performance and learning-gains measures only for ~~only the scores of~~ those students who are enrolled in the second period and the third period full-time equivalent student membership survey as specified in Rule 6A-1.0451, F.A.C., and who are enrolled at the time of testing ~~shall be included.~~

(3) School Grades. The measure of school accountability shall be the school grade.

(a) The Commissioner is authorized to designate a school grade for each school that:

1. Has at least thirty (30) eligible students with valid FCAT 2.0 or Florida Alternate Assessment scores in reading in both the current and the previous years, and

2. Has at least thirty (30) eligible students with valid FCAT 2.0₁ EOC₂ or Florida Alternate Assessment scores in mathematics in the current and previous years, if the school is an accountability school type other than a high school. High schools must have at least ten ~~(ten)~~ eligible students with valid Algebra 1 EOC or Florida Alternate Assessment scores and beginning in 2012-13, at least ten (10) eligible students with valid Geometry 1 EOC assessment scores in mathematics in the current and previous years in order to receive a school grade.

3. Beginning in 2013-14, the Commissioner is authorized to designate a school grade for each school that has at least ten (10) eligible students with valid assessment scores in reading

and at least ten (10) eligible students with valid assessment scores in mathematics in both the current year and the previous year for each subject. Performance designations shall be made using school grades A, B, C, D, and F, as specified in Section 1008.34(2), F.S. School grades shall be based on the assessments and criteria as specified in subsection (4) of this rule.

(b) through (4)(a)2.f.ii. No change.

g. Additional learning gains weighting is established for students who score at levels 1 and 2 on FCAT 2.0 or levels 1, 2, and 3 on FAA and improve their scores by more than the minimum required to make a learning gain as described in sub-subparagraphs (4)(a)2.c. or e. Students whose score increases by 33% more than the required learning gain will be weighted as 1.1 in the numerator of the learning gains calculation.

3. through (4)(c)1.c. No change.

d. Performance in accelerated coursework, defined as Advanced Placement (AP), International Baccalaureate (IB), dual enrollment, Advanced International Certificate of Education (AICE), and industry certification courses. Performance shall be calculated for the school by dividing the weighted number of grade 9-12 students with successful completions in accelerated coursework (numerator) by the count of all students in grades 9 through 12 who took an accelerated course or subject area examination during the academic year. For AP, IB, and AICE successful completion is defined as earning a passing score and qualifying for credit for specific postsecondary course(s) as determined by the Articulation Coordinating Committee's Credit by Exam Equivalencies list (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01330>), initially adopted November 14, 2001, with subsection revisions in 2012 2010-2011, which is hereby incorporated by reference and may be obtained at <http://www.fldoe.org/articulation/pdf/ACC-CBE.pdf>. For dual enrollment successful completion is defined as a passing grade of "C" or higher in a dual enrollment course for college credit. For industry certification successful completion is defined as passing an industry certification examination on the Industry Certification Funding List adopted in Rule 6A-6.0573, F.A.C. Schools can earn additional successful completions for students who achieve industry certifications listed on the Gold Standard Career Pathways Articulation Agreement (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01331>) that result in credit for more than one (1) college course, which is incorporated by reference herein and can be accessed at: http://www.fldoe.org/workforce/dwdfame/artic_indcert2aas.asp. For each student identified as having successfully completed accelerated coursework, the weighted count that is assigned to the student is established at 1.0 for a student with one successful completion in accelerated coursework and is

increased incrementally by 0.1 for each additional successful completion credited to the student. The weighted counts for all successful completers are summed to produce the numerator described in sub-subparagraph (4)(c)1.d. of this rule.

e. through (5)(a)7. No change.

8. One (1) point for each percent of students in the lowest twenty-five (25) percent in mathematics in the school as defined in subparagraph (4)(a)3. of this rule who make learning gains as defined in subparagraph (4)(a)2. of this rule.

In the event that a school does not have at least ten (10) eligible students tested in writing, the district average in writing as defined in subparagraph (5)(a)3. of this rule shall be substituted. In the event that a school does not have at least ten (10) eligible students tested in science, the district average in science as defined in subparagraph (5)(a)4. of this rule shall be substituted. In the event that a school does not have at least thirty (30) students in the lowest twenty-five (25) percent in reading or in mathematics as defined in subparagraph (4)(a)3. of this rule, the lowest performing thirty (30) students below satisfactory, defined as FCAT 2.0 Achievement Levels 1 and 2, shall be used. In the event there are still not thirty (30) qualified students in the lowest achieving group for reading, the grade point component defined in subparagraph (5)(a)5. of this rule shall be substituted for the grade point component defined in subparagraph (5)(a)7. of this rule. In the event there are still not thirty (30) qualified students in the lowest achieving group for mathematics, the grade point component defined in subparagraph (5)(a)6. of this rule shall be substituted for the grade point component defined in subparagraph (5)(a)8. of this rule. Beginning in 2013-14, in the event that a school does not have at least ten (10) students in the lowest twenty-five (25) percent in reading or in mathematics as defined in subparagraph (4)(a)3. of this rule, the lowest performing ten (10) students below satisfactory, defined as FCAT 2.0 Achievement Levels 1 and 2, shall be used. In the event there are still not ten (10) qualified students in the lowest achieving group for reading, the grade point component defined in subparagraph (5)(a)5. of this rule shall be substituted for the grade point component defined in subparagraph (5)(a)7. of this rule. In the event there are still not ten (10) qualified students in the lowest achieving group for mathematics, the grade point component defined in subparagraph (5)(a)6. of this rule shall be substituted for the grade point component defined in subparagraph (5)(a)8. of this rule.

(b) through (c)7. No change.

8. High schools will be eligible for ten (10) bonus points added to their total school grade points accumulated through the eight (8) components described in paragraph (4)(a) of this rule if at least half of the 11th and 12th grade students in the school retaking the grade 10 FCAT or FCAT 2.0 in reading

and at least half of ~~11th and 12th grade~~ students in the school retaking other statewide assessments required for graduation, meet the graduation requirement. At least fifty (50) percent of students retaking the grade 10 reading assessment and fifty (50) percent of the students retaking the grade 10 mathematics assessment and EOC assessments required for graduation, must meet the graduation requirement for a school to receive the ten (10) bonus points.

(d) through (6)(d)2.c. No change.

(e) If the ~~2011-12~~ school grade preliminarily calculated for a school based on the points earned in paragraph (5) and the grade scale in paragraph (6) is more than one (1) letter grade below the school's grade in in the prior year 2010-11, the points assigned based on subparagraphs (5)(a)1., 2., and 3. shall be adjusted such that the school's letter grade ~~for the 2011-2012 school year~~ is reduced by no more than one (1) letter grade. The difference between current year 2011-12 points earned and the points necessary to receive a one (1) letter grade reduction will be allocated evenly across the components in subparagraphs (5)(a)1., 2., and 3. in order to ensure that a school's grade is based upon the components of student achievement, learning gains and the improvement of the lowest 25th percentile as set forth in Section 1008.34, F.S. This adjustment shall be limited to the ~~2011-12~~ years 2011-12 through 2013-14. ~~Any points added to a school's grade as described in this paragraph shall not be used for any purpose when determining school grades in the school years subsequent to 2011-2012.~~

(7) Beginning with the 2013-14 school year and annually thereafter, school grades for co-located schools will be calculated in accordance with requirements of Section 1008.34(3)(a)3., Florida Statutes. In determining whether a co-located school as defined in Section 1008.34(a)3., Florida Statutes, would be evaluated for a school grade or a school improvement rating, the Department of Education will consider only those co-located schools with students enrolled at tested grade levels or enrolled in courses for which state EOC assessments are required. When a co-located school that is evaluated for a school grade or a school improvement rating does not qualify for a grade because the school has less than the minimum number of eligible students with required test scores to qualify for a school grade or a school improvement rating, a single grade will be calculated for all co-located schools at the same site, as required in Section 1008.34(3)(a)3., Florida Statutes. The combined grade will include assessment data for all co-located schools at the same site, as described in paragraph (4)(a), and any other applicable performance data addressed in paragraphs (4)(b) and (4)(c) of this rule.

~~(8)(7)~~ Planned System Enhancements. As indicated in this subsection, planned enhancements will occur in Florida's System of School Improvement and Accountability. The Commissioner of Education will periodically recommend additional changes to the system to the State Board of Education as necessary to ensure that continuous improvements are made in the educational programs of the state. Beginning with the 2012-13 school year and annually thereafter, the percentage of "A" and "B" school grades for the year shall be reviewed to determine whether to adjust the school grading scale upward for the following year's school grades. The first adjustment would occur no earlier than the 2013-14 school year. An adjustment will be made if the percentage of schools earning an "A" or "B" in the current year represents seventy-five (75) percent or more of all graded schools within a particular school type. There are four school types used for accountability: elementary, middle, high, and combination. The adjustment would reset the minimum required percentage of points for each passing grade (A, B, C, D) at the next highest percentage ending in the numeral 5 or 0 (zero), whichever is closest to the current percentage. Annual reviews of the percentage of schools earning an "A" or "B" and adjustments to required points will be suspended when the following grade scale is achieved: 90 percent or more of the points for an "A"; 80 to 89 percent of the points for a "B"; 70 to 79 percent of the points for a "C"; and 60 to 69 percent of the points for a "D."

~~(9)(8)~~ Accuracy and Representativeness of Performance Data. The Commissioner shall review all information submitted by school districts to represent the performance of schools receiving a school grade.

(a) through 2. No change.

(c) After the initial issuance of school grades, the school district shall have at least thirty (30) days to review the data on which the school grade was based. If the school district determines that a different school grade should be assigned because of the omission of student data, a data miscalculation, or special circumstances that might have affected the grade assigned, a request for a state review of the data can be submitted. Changes to the criteria or process described in paragraph ~~(9)(8)~~(a) shall not be considered as part of this review and must be addressed as described therein. Appropriate documentation of all elements and data to be reviewed by the Department must be submitted within the time limits specified by the Commissioner.

The Commissioner's determination of a school's grade shall be final.

(9) No change.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, 7-16-12, 1-17-13, 5-21-13, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2013

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-203.601 Employee Benefit Trust Fund

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove a representative from medical from the institutional employee benefit trust fund team.

SUMMARY: Removing a medical representative from the institutional employee trust fund team.

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: upon review of the proposed changes to these rules, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 945.215, 945.21501 FS.

LAW IMPLEMENTED: 945.215, 945.21501 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-203.601 Employee Benefit Trust Fund.

(1) through (3) No change.

(4) An institutional employee benefit trust fund team appointed by the warden will be established at each institution. This team will make recommendations for employee benefit projects, make recommendations for the number and location of vending machines and canteens, review canteen operations, establish inventory levels, and develop a methodology to establish pricing. The team shall be made up of the following staff members:

(a) through (c) No change.

~~(d) A representative from medical;~~

~~(d)(e)~~ The general services specialist; and

~~(e)(f)~~ One institution employee.

(5) through (10) No change.

Rulemaking Authority 945.215, 945.21501 FS. Law Implemented 945.215, 945.21501 FS. History—New 4-13-08, Amended 6-7-12, 3-10-13, 7-17-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Deariso, Bureau Chief of Finance and Accounting

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 3, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.0085 Continuing Education Requirements

PURPOSE AND EFFECT: To require applications for continuing education course approval to be submitted at least 30 days before the course is scheduled to be conducted.

SUMMARY: Sets 30-day deadline for submitting continuing education courses for approval.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 399.01, 399.02, 399.10 FS.

LAW IMPLEMENTED: 399.01(16), 399.17 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133; dhr.rules@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.0085 Continuing Education Requirements.

(1) through (2) No change.

(3) Continuing Education Course Approval.

(a) through (b) No change.

(c) Continuing education courses will only be considered for approval when a registered course provider submits DBPR Form HR 5023 **APPLICATION FOR COURSE PROVIDER REGISTRATION AND COURSE APPROVAL** to the bureau no less than 30 days prior to date the course is scheduled to be conducted. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the name and qualifications of all instructors known at the time of the application; a sample roster; a sample of the certificate provided upon completion of

the course; and the course identification number, if known. If the course provider does not submit a unique course identification number with the application, the bureau shall assign each approved course a unique identification number. The bureau may request additional information as necessary to consider the course for approval.

(d) through (i) No change.

(4) through (5) No change.

Rulemaking Authority 399.01, 399.02, 399.10 FS. Law Implemented 399.01(16), 399.17 FS. History—New 11-9-06, Amended 9-26-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Diann Worzalla, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 6, 2013

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-1.007 List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the revised limited license form into the Board's forms rule and to delete the ARNP/EMT protocol form which is unnecessary.

SUMMARY: The proposed rule amendments incorporate revised form into the Board's forms rule and remove the form which is unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013, 456.0276, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3137, 458.3145, 458.315(2), 358.317, 358.319, 458.320(8), 458.321(2), 358.345(3), (8), 458.347(13), 458.3475, 358.348(1)(a), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

- (1) No change.
- (2) DH-MQA 1008, entitled "Board of Medicine Limited License Application for Allopathic Physicians to be Licensed Pursuant to Section 458.317, F.S.," (6/13) (4/13) <http://www.flrules.org/Gateway/reference.asp?No=Ref-02933>.
- (3) DH-MQA 1009, entitled "Board of Medicine Application For Temporary Certificate for Practice in an Area of Critical Need For Allopathic Physicians," (4/13) <http://www.flrules.org/Gateway/reference.asp?No=Ref-02934>.
- (4) through (6) No change.
- (7) ~~DH MQA 1069, entitled "ARNP/EMT/Paramedic Protocol Form," (9/04).~~
- (8) through (17) renumbered (7) through (16) No change.

Rulemaking Authority 456.013, 456.0276, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3137, 458.3145, 458.315(2), 358.317, 358.319, 458.320(8), 458.321(2), 358.345(3), (8), 458.347(13), 458.3475, 358.348(1)(a), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.50, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, 11-17-03, 4-19-04, 1-31-05, 9-29-05, 6-29-06, 12-26-06, 4-2-07, 6-25-08, 1-18-09, 3-17-09, 5-20-09, 10-7-09, 1-7-10, 2-2-10, 12-6-10, 12-27-11, 2-28-12, 1-27-13, 8-5-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules and Credentials Committee, Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-1.008

RULE TITLE: Public Comment

PURPOSE AND EFFECT: The proposed rule is intended to address the recent statutory addition set forth in Section 286.0114, F.S., with regard to public participation in public meetings.

SUMMARY: The proposed rule sets forth the requirements and limits for those members of the public who desire to speak at the Board’s public meetings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: Section 1, Chapter 2013-227, Laws of Florida.

LAW IMPLEMENTED: Section 1, Chapter 2013-227, Laws of Florida.

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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.008 Public Comment.

The Board of Medicine invites and encourages all interested parties to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Interested parties will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Interested parties shall be limited to three (3) minutes to provide comment. This time shall not include time spent by the presenter responding to questions imposed by Board members, staff or board counsel. The chair of the Board may extend the time to testify if time permits.

(3) An interested party shall notify board staff in writing of its interest to be heard on a proposition or matter before the Board. The notification shall identify the party, indicate its support, opposition, or neutrality, and identify who will speak on behalf of the party if the interested party is a group or faction of persons consisting of five (5) or more persons. Interested parties may use pseudonyms if they do not wish to identify themselves.

Rulemaking Authority: Section 1, Chapter 2013-227, Laws of Florida. Law Implemented: Section 1, Chapter 2013-227, Laws of Florida. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

PURPOSE AND EFFECT: The proposed rule amendment is intended to address changes in the limited license application form.

SUMMARY: The proposed rule amendment incorporates the revised limited license form into the Board's application rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.031, 456.033, 458.309, 458.311, 458.313 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.009 Applications.

(1) All persons applying for licensure shall submit an application to the Department. The application shall be made on the applicable form set forth below, all of which are hereby adopted and incorporated by reference and can be obtained from the website at http://www.doh.state.fl.us/mqa/medical/me_applicant.html. The application must be accompanied by the application fee.

(a) No change.

(b) DH-MQA 1008, entitled "Board of Medicine Limited License Application for Allopathic Physicians to be Licensed Pursuant to Section 458.317, F.S." (~~6/13~~) (~~4/13~~) available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02933> or http://www.doh.state.fl.us/mqa/medical/me_applicant.html;

(c) DH-MQA 1009, entitled "Board of Medicine Application For Temporary Certificate for Practice in an Area of Critical Need For Allopathic Physicians," (4/13) available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02934> or http://www.doh.state.fl.us/mqa/medical/me_applicant.html;

(d) through (f) No change.

(2) through (6) No change.

Rulemaking Authority 456.031, 456.033, 458.309, 458.311, 458.313 FS. Law Implemented 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS. History—New 3-31-80, Amended 12-4-85, Formerly 21M-22.09, Amended 9-7-88, 3-13-89, 1-1-92, 2-21-93, Formerly 21M-22.009, Amended 11-4-93, Formerly 61F6-22.009, Amended 11-15-94, 2-15-96, Formerly 59R-4.009, Amended 7-10-01, 1-31-02, 5-10-04, 5-20-04, 6-13-06, 12-26-06, 1-18-09, 3-17-09, 10-7-09, 1-7-10, 5-18-10, 2-28-12, 1-27-13, 8-5-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Credentials Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2013

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Florida Condominiums, Timeshares and
Mobile Homes

RULE NO.: 61B-85.001 RULE TITLE: Filing Reporting Information
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 157, August 13, 2013 issue of the Florida Administrative Register.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the SERC or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

FISH AND WILDLIFE CONSERVATION
COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-27.007 RULE TITLE: Permits and Authorizations for the Take of
Florida Endangered and Threatened Species
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 153, August 7, 2013 issue of the Florida Administrative Register.

The description of the information expressly relied upon as the basis for the Agency's determination that the proposed rule is not expected to require legislative ratification should have read as follows:

The nature of the rule and the fact that the wildlife BMPs are being developed as a voluntary alternative to existing Incidental Take permitting requirements.

Section IV
Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

The Division of Alcoholic Beverages and Tobacco, Florida, Department of Business and Professional Regulation, State of Florida hereby gives notice: Rule No: 61A-1.0101(3), F.A.C.; Rule Title: Product Display Exceptions.

On May 16, 2013, the Division received a Petition for Rule Waiver request in which the Petitioner, Treasury Wine Estates American Company, requested a temporary Rule Waiver of subsection 61A-1.0101(3), Florida Administrative Code. The Petitioner would like to lend Star Liquor a temporary “dummy” bottle, i.e. a replica of the original, to be displayed in Star Liquor’s until October 1, 2013, or the sale of the real Ampoule. The hand-blown, specially boxed dummy Ampoule was limited to a very small number, causing it to exceed the limit of \$300 for point of sale. The notice of receipt was published on the Florida Administrative Register website on May 29, 2013, Vol. 39, No. 104.

On August 16, 2013, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, filed an Order Granting in part, and denying in part Petitioner’s Petition for Variance for Wavier of subsection 61A-1.0101(3), F.A.C. The notice of disposition was published on the Florida Administrative Register website on August 22, 2013, Vol. 39, No. 164. This order contained a scrivener’s error in that no part of the Rule Waiver request was granted.

On September 5, 2013, the Division filed an Amended Final Order denying Petitioner’s Petition for Variance from or Waiver of subsection 61A-1.0101(3). Pursuant to requirements set by Section 120.542(2), F.S., Petitioner fails to show that its proposed arrangement is subject to Rule 61A-1.0101, F.A.C., or that a variance would allow the underlying purpose of the statute to be served. As interpreted by the Division, the wine racks, bins, barrels, cask, shelving and similar product items referenced by subsection 61A-1.0101(1), F.A.C are non-permanent fixtures designed to physically hold or display the actual product to be sold, but would in face replace it as the of interest. Though the proposed arrangement is indeed unique, the replica bottle simply cannot qualify as a product display item under subsection 61A-1.0101(1), F.A.C, thereby mootng any discussion of subsection 61A-1.0101(3), F.A.C.

A copy of the Order or additional information may be obtained by contacting: Joy.Cottrell@myfloridalicense.com, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

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 September 16, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Terra Verde, filed August 29, 2013, and advertised on September 6, 2013 in Vol. 39, No. 174, 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 2.2.2.5 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators sump pump because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-291).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on September 16, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Crown House Condo, filed September 4, 2013, and advertised on September 6, 2013 in Vol. 39, No. 174, 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 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters’ emergency operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and

that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-293).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on September 16, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Daytona Beach Housing Authority Project, filed September 4, 2013, and advertised on September 6, 2013 in Vol. 39, No. 174, 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 2.204, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-295).

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-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: on August 30, 2013, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Mayiye Goyo Mobile Unit located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to

dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 39/173 on September 5, 2013. The Order for this Petition was signed and approved on September 13, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, 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

NOTICE IS HEREBY GIVEN that on September 13, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Presidential Golfview Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.1b Section 2.26.2.33, 2.27.3.1.6(h), 2.27.3.2.5, 2.27.3.3.1(c), 2.27.3.3.7, 2.27.3.4, 2.27.7.2 and 2.27.8, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators firefighter's stop switch, phase I emergency recall operation, phase I emergency recall operation by fire alarm initiating devices, phase II emergency in-car operation, interruption of power, firefighters' emergency operation: operating procedures and switch keys which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin,

Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-311).

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.

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 September 13, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Presidential Golfview Condominium, Bldg. C. Petitioner seeks an emergency variance of the requirements ASME A17.1b Section 2.26.2.33, 2.27.3.1.6(h), 2.27.3.2.5, 2.27.3.3.1(c), 2.27.3.3.7, 2.27.3.4, 2.27.7.2 and 2.27.8, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators firefighter's stop switch, phase I emergency recall operation, phase I emergency recall operation by fire alarm initiating devices, phase II emergency in-car operation, interruption of power, firefighters' emergency operation: operating procedures and switch keys which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-309).

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.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:

64B1-7.0015: Continuing Education Requirement

NOTICE IS HEREBY GIVEN that on September 17, 2013, the Board of Acupuncture, received a petition for William Palmer, AP, seeking a variance or waiver of Rule 64B1-7.0015. The Petitioner seeks the board's approval for a waiver of continuing education requirements as Petitioner has been enrolled at Palmer University and has met or exceeded the requirements of continuing education. The Board will address this petition at its next available meeting.

Comments on this petition should be filed with the Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, Florida's Turnpike Enterprise announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 3, 2013, 6:00 p.m.

PLACE: Killian Palms Country Club - Grand Salon Ballroom, 9950 SW 104th Street, Miami, Florida 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of this meeting is to discuss the proposed Killian Parkway Interchange and share additional information about the project. (Financial Project ID Number: 415051-1-32-01).

A copy of the agenda may be obtained by contacting: Mr. Craig Bostic, P.E., Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761 or by e-mail at craig.bostic@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Mr. Craig Bostic at (407)264-3480 or by e-mail at craig.bostic@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

The Northwest Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: September 26, 2013, 5:05 p.m., immediately following the previously noticed Budget Public Hearing.

PLACE: Captain Anderson's Restaurant, Panama City, FL, then overnight at Wyndham Bay Point Resort, Panama City Beach, FL.

DATE AND TIME: September 27, 2013, 9:30 a.m. until completion

PLACE: Econfina Canoe Livery, 5641 Porter Pond Rd, Youngstown, FL to Gainer Springs, Youngstown, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A tour to educate Board Members and District staff on the condition of the Econfina Creek and area springs. For more specific information, please contact Lauren Engel, (850)539-5999 or e-mail lauren.engel@nfwfmd.state.fl.us.

A copy of the agenda may be obtained by contacting: Lauren Engel, (850)539-5999 or e-mail lauren.engel@nfwfmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Debbie Davidson, (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Mechanical Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2013, 10:00 a.m. until close of business

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: you must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=237608907&UID=492507407&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)6703525 (US)

Call-in number: (720)389-1212 (US)

Attendee access code: 606 232 6940

PUBLIC POINT OF ACCESS: Suite 90A, 1940 N Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and discuss DS2013-065 by Allen Gezelman and provide recommendation for consideration by the Commission.

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436, website: www.floridabuilding.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436, website: www.floridabuilding.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", CODE ADMINISTRATION Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2013, 10:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=238107432&UID=1642756307&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=238107432&UID=1642756307&ORT=MIMxMQ%3D%3D>

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)670-3525 (US)

Call-in number: 1(720)3891212 (US)

Show global numbers:

Attendee access code: 606 232 6940

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and make recommendations to the Commission regarding a request for declaratory statement on DS2013-068 b Michael Goolsby, Miami-Dade County Department of Regulatory and Economic Resources and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850)487-1824 or fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", ROOFING Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2013, 1:30 p.m. until completion.

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=238105997&UID=1642753467&RT=MIMxMQ%3D%3D>

2. If requested, enter your name and email address.

3. If a password is required, enter the meeting password: (This meeting does not require a password.)

4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=238105997&UID=1642753467&ORT=MIMxMQ%3D%3D>

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)670-3525 (US)

Call-in number: 1(720)389-1212 (US)

Show global numbers:

Attendee access code: 606 232 6940

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To scope the technical approach for conducting a survey/assessment research project necessary to clearly define corrosion of exterior building system fasteners.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or

hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850)487-1824 or fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The FLORIDA BUILDING COMMISSION, "The COMMISSION", STRUCTURAL TECHNICAL ADVISORY COMMITTEE, announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2013, 2:00 p.m..

PLACE: MEETING TO BE CONDUCTED USING COMMUNICATIONS MEDIA TECHNOLOGY, specifically Teleconference and Webinar: YOU MUST ACCESS BOTH THE TELECONFERENCE NUMBER for AUDIO ONLY and the WEBINAR for VISUAL ONLY.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=238106447&UID=1642754377&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)670-3525 (US)

Attendee access code: 606 232 6940

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the proposed definitions for the term "impact protective system" and provide recommendations to the Product Approval Program Oversight Committee for consideration.

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399, or call (850)487-1824. Website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: October 1, 2013, 5:30 p.m.

PLACE: Suwannee River Water Management District, 9225 CR49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss the Draft Suwannee River Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP and BMAP adoption process.

A copy of the agenda may be obtained by contacting: Mr. Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by email at terry.hansen@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: Terry Hansen at (850)245-8561. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: October 22, 2013, 5:00 p.m.

PLACE: Parish Center, 2750 S. Byron Butler Parkway, Perry, Florida 32348

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain public comments on the draft NPDES wastewater permit, administrative order, and proposed Level II WQBEL for Buckeye Florida L.P. – Perry, Florida, and the establishment of the Level II WQBEL pursuant to sub-subparagraph 62-302.531(2)1.d., F.A.C., setting forth the total TN (5,573 lbs/day expressed as an annual average) and TP (839 lbs/day expressed as an annual average) loads from all sources to the Lower Fenholloway River estuary (WBID 3473A) as site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that will supersede otherwise applicable numeric nutrient criteria for this particular surface water segment. No other portion of the WQBEL will act as a site specific numeric interpretation of the narrative nutrient criterion. The portion of the total allowable nutrient loading assigned to the applicant is a wasteload allocation of 2,698 lbs/day TN and 600 lbs/day for TP.

The public comment period is extended until the close of the public meeting on Tuesday, October 22, 2013. Any person may submit oral or written statements and data at the public meeting on the Department's proposed action. As a result of significant public comment, the Department's final action may be different from the position taken by it in this draft permit, administrative order and Level II WQBEL.

A copy of the agenda may be obtained by contacting: Jeff Martin, P.E., DEP, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256-7577, emailing the Department at Buckeye_Comments@dep.state.fl.us or visiting our webpage at <http://www.dep.state.fl.us/northeast/Current-Topics/Buckeye.htm>.

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: Toni Lomen at (904)256-1637. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeff Martin, P.E., DEP, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256-7577. The permit application file and supporting data are available for public inspection at any time through our electronic filing system at <http://wrmedms.dep.state.fl.us/Oculus/servlet/login> by searching for Facility-Site ID FL0000876 or during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at

the Department's Northeast District Office, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256, at phone number (904)256-1700 or email at Buckeye_Comments@dep.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NOS.:RULE TITLES:

65C-28.001: Definitions

65C-28.002: Visitation

65C-28.003: Medical Treatment

65C-28.004: Placement Matching Requirements

65C-28.005: Changing Placements

65C-28.006: Permanency Staffings

65C-28.007: Voluntary Licensed Out-of-Home Care

65C-28.008: Relative Caregiver Program

65C-28.009: Adolescent Services

65C-28.010: Minor Parents in the Custody of the Department

65C-28.011: Criminal, Delinquency and Abuse/Neglect History Checks for Relative and Non-Relative Placements

65C-28.012: Home Studies for Relative and Non-Relative Placements

65C-28.013: Indian Child Welfare Act

65C-28.014: Behavioral Health Services

65C-28.015: Residential Mental Health Treatment

65C-28.016: Psychotropic Medications (Repealed)

65C-28.017: Exit Interviews

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

DATE AND TIME: October 3, 2013, 1:00 p.m. – 3:00 p.m.

*This workshop will be held in conjunction with rule development workshops for Chapters 65C-29 and 65C-30, F.A.C., each of which will be publicly noticed in the Florida Administrative Register.

PLACE: Florida's Turnpike Enterprise, Turnpike Mile Post 263, Building 5315, Ocoee, FL 34761, (407)264-3428

GENERAL SUBJECT MATTER TO BE CONSIDERED: Out-of-Home Care.

A copy of the agenda may be obtained by contacting Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, email: Carrie_Toy@dcf.state.fl.us, telephone: (850)717-4491.

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 Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, email: Carrie_Toy@dcf.state.fl.us, telephone: (850)717-4491. If you are hearing or speech impaired, please contact the agency

using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, email: Carrie_Toy@dcf.state.fl.us, telephone: (850)717-4491.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services**

The Department of Children and Family Services, Refugee Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 30, 2013, 10:00 a.m.

PLACE: Conference Call-In Number: 1(888)670-3525

Conference Participation Code: 3082681153#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Title: Solicitation Conference Call for the Employment Services for Refugees and Entrants in Miami-Dade County (ITN# SNR14K02).

Description: As provided for in Sections 2.5 and 2.7 of this ITN which was published to the Vendor Bid System (VBS) on September 12, 2013. The VBS can be accessed at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

The purpose of the Solicitation Conference Call is to review the ITN with interested Vendors so that areas of misunderstanding or ambiguity are clarified. The Department encourages all prospective Vendors to participate in the solicitation conference, during which Vendors may pose questions.

A copy of the agenda may be obtained by contacting: David_Draper@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Pamela_Thornton@dcf.state.fl.us or (850)717-4567. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David_Draper@dcf.state.fl.us.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Agency for Persons with Disabilities**

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2013, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Phone Number: 1(888)670-3525, Participant Code-5106539718, then #

Agency for Persons with Disabilities, 4030 Esplanade Way, Conference Room 360 L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is to obtain public input regarding challenges faced by Aging Caregivers of Floridians with Developmental Disabilities.

A copy of the agenda may be obtained by contacting: <http://apdcares.org/publications/legal>, Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358.

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: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358.

**FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife**

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 3, 2013, 7:00 p.m.

PLACE: Hamilton County Commission Chambers, 207 N.E. 1st St., Jasper, FL 32052

GENERAL SUBJECT MATTER TO BE CONSIDERED:

PURPOSE: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Suwannee Ridge Wildlife and Environmental Area (SRWEA).

This hearing is being held exclusively for discussion of the DRAFT Suwannee Ridge WEA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: myfwc.com/about/rules-regulations/rule-changes/ or call (850)487-1764.

A Management Prospectus for Suwannee Ridge WEA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Telephone: (850)487-7063 or by email at Julie.Kilgore@MyFWC.com.

A copy of the agenda may be obtained by contacting: Julie Kilgore, (850)487-7063, Julie.Kilgore@MyFWC.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: October 9, 2013, 9:00 a.m.

PLACE: Larson Building, Room 116, 200 E. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Farm Insurance Company has requested an average statewide rate change of +35.1% for its rental dwelling program. The proposed change would result in an average premium effect of +25.6%. The reason for the difference between the rate change and the premium effect is that the company has also requested to eliminate all flat deductibles and create minimum deductibles of 2% for hurricane and 1% for all other perils.

An agenda listing the rate filings subject to this hearing will be posted on the Office’s website at <http://www.floir.com>.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurer as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@floir.com; the subject line of your e-mail should read “State Farm.”

A copy of the agenda may be obtained by contacting: Kenneth Tinkham, Esquire, (850)413-4292 or Gloria Merritt, (850)413-5356.

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: Gloria Merritt at (850)413-5356 or e-mail her at gloria.merritt@floir.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kenneth Tinkham, Esquire, (850)413-4292 or Gloria Merritt, (850)413-5356.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2013, 9:00 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

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

NONE

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

NONE

Section IX
Notice 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

HILLSBOROUGH COUNTY BOCC
 Design, Build, Operate and Finance a Passenger Ferry System
 in Tampa Bay

SECOND NOTICE
 OF ADVERTISEMENT
 HILLSBOROUGH COUNTY
 BUSINESS AND SUPPORT SERVICES DEPARTMENT
 (PROCUREMENT)
 REQUESTS FOR PROPOSALS

Hillsborough County will receive sealed bids and/or proposals for the following, until the stated date and time when they will be publicly opened.

Invitation to Submit Proposals for
 RFP-C-0246-0-2013/JH,
 Passenger Ferry Service

Hillsborough County has received a proposal from a private entity to design, build, operate and finance a passenger ferry system in Tampa Bay, with principal service between South Hillsborough County and MacDill Air Force base and downtown Tampa. The general outline of this proposal was announced on May 22, 2013. It has received significant media and public attention. The proposed project is generally described at www.TampaBayHighSpeedFerry.com. Available government studies related to this potential service can be found at <http://www.tampabayhighspeedferry.com/resources.asp>. It will be asserted that the specifics of the documents received by Hillsborough County as of the date of this notice are exempt from disclosure under both Fla. Stat. 288.075 and Fla. Stat. Chapter 688.

Hillsborough County provides this notice pursuant to Fla. Statute 287.05712(4)(b) of its intent to consider the development of an interim and/or comprehensive public private partnership agreement for the purposes of implementing a high speed passenger ferry service in Tampa Bay and invites interested private parties to submit other proposals. Proposals must be submitted by 5:00 p.m. on October 3, 2013.

Proposers must meet the following minimum qualifications:

- 1) Compliance with the applicable provisions of the Jones Act, 46 USC § 50101;
- 2) At least ten years of successful experience operating high speed passenger ferries;
- 3) At least ten years of experience managing, designing and constructing ferry terminals and ancillary amenities.
- 4) Demonstrated capacity to maintain and repair high-speed passenger ferries;
- 5) Demonstrated experience and capacity to provide transportation service to secured military installations;
- 6) Holding a Document of Compliance (DOC) and/or a Safety Management Systems (SMS) certificate as defined by the International Safety Management Code.

Proposals must include:

- 1) Identification for specific terminal locations and ferry route(s);
- 2) Plans for multi-modal connections to ferry terminals;
- 3) Ownership interests in or acquisition strategies to secure proposed vessels and terminals locations;
- 4) Operating plan and budgets;
- 5) Capital plan and budgets;
- 6) Financing plans for the development and implementation of the project;
- 7) General environmental assessments of proposed terminal locations and ferry route(s);
- 8) Estimated time frames for project development and commencement of revenue operation.
- 9) A description of the distribution of risk between the public and private sector;
- 10) A description of the Public Purpose – Proposals will be evaluated on the extent to which they accomplish the following public purposes:

- a. Public asset serves developments beyond the project site.
- b. Proposal enhances the community’s economic base.
- c. Other public benefits identified by the proposer.

Interested proposers shall submit 4 printed copies and a PDF of the proposal to:

John Hollingshead, Division Director – Procurement
 Business & Support Services / Operations
 601 E Kennedy Blvd / 18th Floor
 Tampa, Florida 33602

The proposal will be evaluated based upon its compliance with the requirements and goals set out in F.S. §287.05712. Hillsborough County reserves the right to reject all proposals to this solicitation at any point when in its sole discretion the public benefit of the proposal is inadequate.

Information on these and other Requests for Bids, along with Bid/Proposal results may be accessed at www.hillsboroughcounty.org/procurementservices.

Minority and women owned firms will be afforded a full opportunity to participate in these matters and will not be subject to discrimination on the basis of race, sex, color or national origin.

Questions regarding the above projects may be directed to Hillsborough County Board of Commissioners, Business and Support Services Department (Procurement), 601 E. Kennedy Blvd., 18th FL, County Center, Tampa, Florida 33602, (813)272-5790, during regular business hours.

Section XII Miscellaneous

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

Notice of Entry of Final Order

On September 12, 2013, the Governing Board of the South Florida Water Management District issued Order No. 2013-083-DAO-WS, Final Order Approving the 2013 Lower East Coast Water Supply Plan Update. The order can be inspected or copied at the South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406; Contacts: Jacki McGorty, District Clerk, (561)682-2087 or Brenda Mills, Principal Scientist, Policy and Coordination Bureau, (561)682-6536. Order No. 2013-083-DAO-WS is also available at the District through its website (www.sfwmd.gov).

NOTICE OF RIGHTS

As required by subsections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to subsections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of

receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile

shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner’s representative, if any.
3. An explanation of how the petitioner’s substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD’s decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD’s proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD’s proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD’s proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

Mediation

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to subsections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD’s final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

Rev. 07/01/2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from the Town of Windermere. This application is being processed and is available for public inspection during normal business hours, 8am to 5pm, Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 3585), Tallahassee, FL 32399-2400.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:

69V-180.010: Commercial Collection Surety Bond and Procedures

Notice of Intent to Grant/Deny Claims Against Financial Credit’s Commercial Collection Agency Surety Bond Number

STATE OF FLORIDA

OFFICE OF FINANCIAL REGULATION

NOTICE OF INTENT TO GRANT/DENY CLAIMS

AGAINST FINANCIAL CREDIT’S COMMERCIAL

COLLECTION AGENCY SURETY BOND

NUMBER 775205125

NOTICE IS HEREBY GIVEN that on May 15, 2013, Travelers Casualty & Surety Company of America ("Travelers") deposited a \$50,000.00 check with the Office of Financial Regulation ("Office") representing the full amount of surety bond number 775205125 purchased by Financial Credit Clearinghouse-1956 Incorporated, d/b/a Butler, Robbins and White ("Financial Credit"), a commercial collection agency, for the use and benefit of any credit grantor who suffers or sustains any loss or damage by reason of any violation of the provisions of Part V, Chapter 559, Florida Statutes, by Financial Credit. Pursuant to Subsection 559.546(2), Florida Statutes, if multiple claims are filed against the surety on any such bond in excess of the amount of the bond, the surety may pay the full amount of the bond to the Office and shall not be further liable under the bond.

The Office is currently in receipt of four claims against bond number 775205125. The Office intends to grant all four claims. In their totality, the claims exceed the \$50,000.00 amount of the bond. As such, each claimant will receive a pro rata share of the claimed amount. The funds will be distributed as follows:

- (a) Monrovia Nursery will receive \$25,331.64
- (b) ABC Bus Companies, Inc. will receive \$20,101.03
- (c) Janice Stanton Trustee for the Estate of Arrow Speed Warehouse, Inc., Bankruptcy Case No. 08-50698, & Adversary-Performance Automotive Group, Inc. d/b/a Trailmaster Suspension Products, Adversary Case No. 10-04300 will receive \$4,044.21
- (d) National Education Music Co., Ltd. will receive \$523.12

Any objections must be filed with the Office within 21 days. Such objections shall be mailed to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, FL 32314-8050.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
Poinciana V1 N1 South

NOTICE IS HEREBY GIVEN that the Division of Community Planning and Development, Department of Economic Opportunity, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-06-2014-002
 DATE RECEIVED: September 16, 2013
 DEVELOPMENT NAME: POINCIANA V1 N1SOUTH
 DEVELOPER/AGENT: AV Homes, Inc./R.J. Whidden
 DEVELOPMENT TYPE: 28-24.023, 28-24-031, F.A.C.
 LOCAL GOVERNMENT: Osceola County

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-13-087

The Department has completed its review of the proposed revived declaration of covenants and other governing documents for the East Crooked Lake Club community and has determined that the documents comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the homeowners documents and covenants is approved.

Section 720.407(1), Florida Statutes, requires that no later than 30 days after receiving this letter, the organizing committee shall file the articles of incorporation of the East Crooked Lake Club, Inc. with the Division of Corporations of the Department of State if the articles have not been previously filed with the Division. Also, Section 720.407(2), Florida Statutes, requires that the president and secretary of the Association execute the revived declaration and other governing documents in the name of the Association. The approved declaration of covenants, the articles of incorporation, this letter approval, and the legal description of each affected parcel must be recorded with the clerk of the circuit court in the county in which the affected parcels are located no later than 30 days after receiving approval from the Division of Corporations.

Section 720.407(4), Florida Statutes, requires that a complete copy of all of the approved, recorded documents be mailed or hand delivered to the owner of each affected parcel. The revitalized declaration and other governing documents will be effective upon recordation in the public records.

If you have any questions concerning this matter, please contact T. Christopher Long, Assistant General Counsel, at (850) 717-8530, or Rozell McKay, Government Analyst I, at (850) 717-8480.

Sincerely,

/s/

William Killingsworth

Director, Division of Community Development

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER

AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 FAX (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

NOTICE OF FILING AND SERVICE

I HEREBY CERTIFY that the above document was filed with the Department's designated Agency Clerk and that true and correct copies were furnished to the persons listed below in the manner described on the 17th day of September, 2013.

/s/
 Agency Clerk
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, FL 32399-4128

By U. S. Mail:
 Patryk Ozim, Esq.
 Larsen & Associates, P.L.
 300 S. Orange Ave., Suite 1200
 Orlando, FL 32801

By interoffice delivery:
 T. Christopher Long, Assistant General Counsel
 Rozell McKay, Government Analyst I, Division of
 Community Planning

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
