

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:       RULE TITLE:

61C-1.002       Licensing and Inspection Requirements

PURPOSE AND EFFECT: To adopt updated temporary event application forms.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses applications for temporary event vendor licenses.

RULEMAKING AUTHORITY: 509.032, 509.241 FS.

LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 509.261, 559.79 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399, DHR.Rules@myfloridalicense.com, (850)488-1133

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

## Section II Proposed Rules

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:       RULE TITLE:

59G-6.030       Payment Methodology for Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Title XIX Outpatient Hospital Reimbursement Plan (the Plan), effective July 1, 2012. The amendment to Rule 59G-6.030, F.A.C., will update the Plan to reflect changes authorized in House Bill 5001, 2012-13 General Appropriations Act, Specific Appropriation 198, which provides for hospital buy backs, exemptions from

ceilings, and a reimbursement rate reduction. Additionally, no changes to providers' rates will be allowed after October 31 of each year, and references to the Bureau of Medicaid Program Analysis have been changed to the Bureau of Medicaid Program Finance. The methodology used to calculate the upper payment limit (UPL) has been added as an appendix to the Plan.

SUMMARY: Rule 59G-6.030, F.A.C., updates the Title XIX Outpatient Hospital Reimbursement Plan to reflect changes authorized in House Bill 5001, 2012-13 General Appropriations Act, Specific Appropriation 198, which provides for hospital buy backs, exemptions from ceilings, and a reimbursement rate reduction. Additionally, no changes to providers' rates will be allowed after October 31 of each year, and references to the Bureau of Medicaid Program Analysis have been changed to the Bureau of Medicaid Program Finance. The methodology used to calculate the upper payment limit (UPL) has been added as an appendix to the Plan.

**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: A checklist was prepared by the Agency to determine the need for a SERC. Based upon this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: February 18, 2014, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 23, Tallahassee, Florida 32308, (850)412-4101 or by e-mail at edwin.stephens@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version XXIII, Effective Date July 1, 2012~~4~~, and incorporated herein by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref>. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.913 FS. History—New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-5-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, 7-4-05, 4-19-06, 12-11-06, 3-4-08, 6-10-08, 1-11-09, 3-24-10, 6-24-10, 2-23-11, 10-30-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2012

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: 69A-63.001  
 RULE TITLE: Bureau of Forensic Fire and Explosives Analysis Requirements and Procedures for Submission of Evidence

PURPOSE AND EFFECT: These rule amendments provide that the substantive procedures and requirements for the collection, packaging, and submission of samples sent to the Arson Laboratory for analysis of evidence found at fire scenes will be contained in the incorporated and adopted Form DFS-

K1-2127, Guide to the Collection, Packaging, Submission and Analysis of Evidence. Further, the rule includes updates to the Evidence Submission Form (Form DFS-K1-1096).

SUMMARY: These rules are being amended to simplify the rule, adopt and incorporate by reference a guide for evidence collection, and amend typographical errors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 Division of State of Fire Marshal conducted an analysis of the proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in subsection 120.541(1), F.S. and it therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 633.104(1) FS.

LAW IMPLEMENTED: 633.112 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, February 21, 2014, 10:00 a.m.

PLACE: Forensic Arson Laboratory, 38 Academy Drive, Havana, FL 32333

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: Carl Chasteen @ (850)539-2705 or Carl.Chasteen@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carl Chasteen, Chief of Forensic Services, Bureau of Forensic Fire and Explosives Analysis, Division of State Fire Marshal, Department of Financial

Services, 38 Academy Drive, Havana, Florida 32333, (850)539-2705 or Carl.Chasteen@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-63.001 Bureau of Forensic Fire and Explosives Analysis Requirements and Procedures for Submission of Evidence.

(1) Evidence will be accepted from public law enforcement agencies and fire service agencies in matters related to criminal investigations. Other evidence is permitted to be accepted from other public agencies in special circumstances, but must be approved by the Bureau Chief laboratory supervisor. The criteria that will be considered for approval are the urgency of the evidence submitted, the use to which the evidence will be put after analysis, the importance of the evidence, and any other relevant factor bearing on the need for the laboratory to analyze the evidence. The Bureau publishes a Guide to the Collection, Packaging, Submission and Analysis of Evidence, Form DFS-K1-2127, Eff. 09/30/2013, which is hereby adopted and incorporated by reference, that provides the minimum requirements for submitting evidence. The guide may be obtained by writing to the Bureau of Forensic Fire and Explosives Analysis Arson Laboratory at 38 Academy Drive, Havana, Florida 32333 or by accessing the Bureau's website under the Chemical Analysis page at <http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm>.

(2) ~~The following are requirements for packaging samples.~~

~~(a) Containers—general considerations. The essential properties of the containers are that they must be unused, airtight, clean, with no hydrocarbon or other chemical residue, and inert so that they will not break down when heated or in contact with solvents.~~

~~(b) A properly packaged container satisfies the following criteria:~~

- ~~1. It seals the sample so that any trace volatile ignitable liquids are contained.~~
- ~~2. It avoids contamination from one sample to another.~~
- ~~3. It protects the chain of custody for the collected material.~~

~~(c) The seals must meet the following requirements:~~

- ~~1. A clean seal is essential. For cans, clean the "V" channel of the can rim before placing the lid on the can.~~
- ~~2. Containers must be completely sealed to prevent any passage of vapors or contaminants into or out of the container. Can lids must be tight all the way around.~~
- ~~3. For approved plastic bags, they must be heat sealed completely with no flaws in the seam.~~

~~4. Tamper-evident tape, also referred to as tamper-proof tape, must be placed across the container lid/seam in such a manner that the item cannot be partially or completely opened without tearing the tape.~~

~~5. Seals and Tape must be initialed or signed by the investigator of record. The date of the seal must also be included.~~

~~(d) The following requirements apply to the container types as indicated.~~

~~1. Metal cans:~~

~~a. Only clean, non-rusted, containers shall be used. Use unused metal cans with tight-fitting lids. Cans with lids that do not fit or holes rusted through shall be returned.~~

~~b. To combat rusting, it is permissible to use epoxy lined cans. Can linings other than epoxy must not be used until after the laboratory has tested a sample for the presence of interferences.~~

~~e. Submit an unused comparison can when lined cans are used.~~

~~d. Do not refer to cans as "paint cans" on official forms, since they did not hold paint. They shall be referred to as "metal cans."~~

~~2. Plastic Bags:~~

~~a. The only plastic bags acceptable for evidence submitted to the Fire and Arson Laboratory are:~~

~~I. KAPAC® polyester bags.~~

~~II. SOPLARIL® polyamide (nylon 11) bags.~~

~~III. Grand Rivers Products (nylon 6) bags.~~

~~All other plastic bags submitted shall be returned.~~

~~b. Such plastic bags are permitted to be used after consultation with the laboratory and only with samples of a size or shape that will not fit into a metal can.~~

~~c. Avoid puncture. Punctured bags shall be returned.~~

~~d. Due to a reformulation by the manufacturer, KAPAC® bags manufactured in 1987 or before shall not be used.~~

~~e. Plastic bags shall not be left in a hot area (such as a car's trunk) for any extended period of time, and in no case longer than one month. Doing so increases the potential that certain chemicals will bleed off the plastic and allow it to crack.~~

~~3. Glass jars:~~

~~a. Teflon® lined caps shall be used. Non Teflon® seals that are in contact with solvent may dissolve and contaminate samples.~~

~~b. Each jar must be pre-cleaned and, if possible, certified free from hydrocarbon residue.~~

~~c. Care must be used in the storage and transport of glass jars because they are breakable.~~

~~(e) The following containers are unsuitable and shall not be used:~~

- ~~1. Paper bags.~~
  - ~~2. Plastic containers, including cans with plastic lids, gaskets, or plastic bags.~~
  - ~~3. Previously used containers, such as pickle jars, which could contain traces of a contaminating substance.~~
  - ~~4. Containers that may be contaminated by manufacturing process residues.~~
  - ~~5. Nylon bags other than SOPLARIL® or Grand River Products unless the lab has tested the item.~~
- ~~To test other products for contamination, contact the Arson Laboratory at (850) 539-8446.~~

~~(3)(a) Following are the general submission and shipping requirements.~~

- ~~1. Place only one case in each box. Placing several samples in plastic bags or small vials in one large container can lead to cross-contamination. Items packaged together in this manner will be treated as a single submission.~~
- ~~2. Use plain boxes.~~
  - ~~a. Labels shall not state or imply that the box contains specific ignitable liquids unless they are standards for comparison.~~
  - ~~b. Do not write anything that is not specific to the case.~~
  - ~~c. Boxes returned by the laboratory shall not be used.~~
- ~~3. Do not delay in shipping the evidence to the laboratory. The time between the fire, sealing of the evidence in the container, and shipping to the laboratory can affect the laboratory's ability to recover any ignitable liquid residues. Collect and send the samples as soon as possible.~~
- ~~4. With debris samples, do not fill the container to more than 75% of capacity. Each can shall not contain more than 75% of the can's capacity. The method used in the laboratory for recovering ignitable liquid residues requires an adequate headspace above the debris for the volatilization of trace ignitable liquids. If the can is too full, the quality of the analysis will suffer.~~
- ~~5. Liquid samples must be placed in clean glass vials with screw on lids. Do not use rubber stoppered serum vials. Do not fill the container more than 50% full. Do not send more than one half a fluid ounce (15 milliliters) of a suspected petroleum product to the laboratory. Add sufficient absorbent material such as paper towels or gauze pads to the liquid sample in the vial to take up the free liquid.~~
- ~~6. Seal the vial lid. Do not use paraffin to secure the lid. Tamper evident tape shall be used whenever possible. Then package the vial with additional absorbent material on the outside of the vial and sealed inside a pint or quart can.~~
- ~~7. Submit comparison samples of any absorbent material used to absorb free liquids.~~

~~8.a. Cans and containers found on the scene shall have any liquid removed. If the liquid is suspected of being an ignitable liquid, follow the instructions in subparagraph 5. above. Seal the holes on the container with a cork stopper and tape over, then place the evidence into an approved container of appropriate size.~~

~~b. CAUTION: If the can is suspected to have fingerprints, do not use a plastic bag. Package it in the following manner (which is Instruction Number 3 of the Federal Bureau of Investigations Handbook of Forensic Services, Evidence Submission, Packaging and Shipping Evidence, located at <http://www.fbi.gov/hq/lab/handbook/submissn.htm>):~~

~~(I) Place nonporous evidence in individual protective coverings such as thick transparent envelopes or suspend in a container so that there is minimal surface contact.~~

~~(II) Place porous evidence in individual protective coverings such as paper envelopes. Stabilize the evidence to avoid movement or friction during shipment.~~

~~c. The packaging in b.(I) and b.(II) above will not be appropriate for ignitable liquid analysis.~~

~~d. It is the investigator's responsibility to choose the forensic method that would provide the best evidence.~~

~~9. Tissue and body parts should be preserved only by freezing the sample. Caution the coroner or medical examiner that you do not want any preservatives placed on the tissue. Contact the laboratory BEFORE shipping. The tissue should first be frozen and packed in a sealed ice chest. Water Ice and Dry Ice are not recommended as there are distinct shipping issues with either. Freezing followed by overnight hand or courier delivery allows the frozen items to slowly thaw. They will then be ready for analysis when they arrive at the laboratory.~~

~~10. Body parts or other items contaminated by bodily fluids such as a victim's or suspect's clothing shall be prominently labeled as containing a BIOHAZARD before shipping to the laboratory.~~

~~11. Once the sample has been selected and placed in a container, seal the container tightly so as to remove the possibility of the evaporation of any ignitable liquid residues or the contamination of the evidence sample.~~

~~12. Mark the outside of the container with the investigator's initials, the incident location, the investigator's agency case number, the contents, and the location where found. This information may be placed either on an evidence label or written directly on the container's surface using a permanent waterproof marker. Other valuable information that may be included are the incident date, the date and time the sample was collected, and the exhibit number. Be certain to leave some room on the container for the laboratory to place its own markings.~~

~~(b) The following procedures are applicable to shipping flammable liquids.~~

~~1. Packaging for flammable liquids.~~

~~a. The laboratory recommends that you ship all known flammable liquids under the FedEx Excepted Quantities guidelines or a similar service.~~

~~b. Do not ship more than 30 ml (1 oz.) per vial or no more than 500 ml (16.6 oz.) per box.~~

~~c. Each vial must be packed in a metal can with surrounding packing material.~~

~~d. Each can in the box must also have surrounding packing material.~~

~~e. The airbill must be marked for overnight express and for dangerous goods, shipper's declaration not required.~~

~~f. The outside of the box must be labeled with an excepted quantities label.~~

~~g. The label must be marked with the appropriate class. Nearly everything sent to the lab will be a class 3.~~

~~h. The label must also have the appropriate UN or ID number as well:~~

~~I. Petroleum Distillates UN 1268.~~

~~II. Gasoline UN 1203.~~

~~III. Kerosene UN 1223.~~

~~IV. For all other UN numbers, call the laboratory for assistance.~~

~~(4) The following are requirements for transportation of evidence to the laboratory:~~

~~(a) Regardless of the method of delivery used, insure that the requirements for a proper chain of custody are fulfilled.~~

~~(b) Hand Delivery. The laboratory is open between 8:00 am to 5:00 pm, Monday through Friday, and any person hand delivering samples must plan to arrive within those time periods. If, due to unusual circumstances, evidence cannot be delivered within those time periods, call the laboratory at (850) 539-8446 to make alternative arrangements. When evidence is brought in, one of the Laboratory's evidence submission forms must be completed.~~

~~(c) Courier. A completed evidence submission form must accompany the evidence. Only carrier services which provide for positive tracking or a return receipt should be used (example: United Parcel Services, Federal Express, Purolator, United States Postal Service, Airborne). Evidence must be traceable through the carrier such as having a certified or registered mail receipt number or a similar means of positively tracking the parcel.~~

~~(2)(d)1. The Evidence Submission Form. By completely and properly filling out the submission form, Form DFS-K1K5-1096, Revised 04/27/2012 06/03, which is hereby adopted and incorporated by reference, the investigator is documenting all the information necessary for the laboratory to track and process the case. Form DFS-K1K5-1096 also~~

provides a chain of custody for the evidence's receipt and return. This laboratory uses a computerized laboratory information management system. Because of this, there are certain items of information that are required to properly log the case. The following information required on the Evidence Submission Form (is provided with respect to the evidence form. Please refer to Form DFS-K1 K5-1096) is described within the Guide to the Collection, Packaging, Submission and Analysis of Evidence, rev. 09/30/2013. The form itself may be obtained by writing to the Bureau or by downloading it from the Bureau's website under the Chemical Analysis page, <http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm>.

~~2. Form DFS K5 1096 may be obtained by writing to the Arson Laboratory at 38 Academy Drive, Havana, Florida 32333.~~

~~3. Mark the appropriate box to indicate whether this is a new case or additional evidence to an older one. If this is an additional submission to an older case, include the case number of the older case.~~

~~4. Lab Number. Leave this space blank unless an addition to a previous submission is being sent and the old laboratory case number is known. Otherwise, a laboratory case number will be assigned by the laboratory.~~

~~5. Agency Number. Provide the investigator's agency number for the case, if any. This is a necessary identifier for the laboratory's database.~~

~~6. Submitting Agent. Provide the first and last name of the individual to whom all communications regarding the case is to be directed. Also indicate alternate submitters in this area, otherwise information will only be released to the listed agent.~~

~~7. Agency. Provide the name of the agency by whom the submitting agent is employed.~~

~~8. Telephone Number. Provide the submitting agent's full telephone number, including the area code and/or extensions. SUNCOM numbers may be included but are not required.~~

~~9. Agency Address. Provide the complete address including the street, city, and zip code of the agency location where reports and evidence may be shipped.~~

~~10. Property Owner/Occupant. Provide the full name of the owner or occupant of the item or property involved in the incident. If this information is undetermined, write "UNKNOWN" in the space. If the owner or occupant becomes known at a later date, contact the laboratory so that the laboratory can update its records.~~

~~11. Incident Address. Provide the full address of where the incident occurred or where the evidence was taken. Include street address, city or village, and zip code. If it is a fire involving a movable object such as a car, boat, or motorcycle, give a description of where the property was found.~~

12. ~~Nature of Incident.~~ Provide the nature of the incident, such as “suspicious fire of a dwelling,” “business fire,” “automobile fire,” “criminal damaging.”

13. ~~Date.~~ Provide the date the incident occurred.

14. ~~List of laboratory tests.~~ This is the list of the tests to be performed by the Fire and Arson Laboratory. Use the letter code beside them to designate the test or tests requested on the “List of Evidence Submitted.”

(A) ~~“Determine presence and/or identity of ignitable liquid residues.”~~ The code A in the “list of evidence submitted” indicates that you want the analyst to determine if an ignitable liquid is present in that particular sample.

(e) ~~“Comparison Sample.”~~ Should be unburned material from the fire scene of the same matrix as the suspect sample and which the investigator is relatively certain contains no ignitable liquid. It may also be a known liquid or other material, obtained by the investigator, to be compared with the unknown.

(HO) ~~“Hold Only No Test Requested.”~~ Items the investigator does not need to have tested, but which he/she wishes to maintain with the other evidence to preserve the chain of custody.

(O) ~~“Other Requests.”~~ Other tests on the evidence that may be required. This must be explained in the remarks section or cleared by an analyst before being used. These requests may require the laboratory to send the evidence to a different laboratory. Please call the laboratory prior to using this designation.

(F) ~~“Flash Point Determination.”~~ In certain cases with liquids that cannot be identified by the laboratory’s normal methods, a characterization of the Flash Point of the material may be useful. Be advised that 50 ml of free liquid is required to do a flash point determination. This presents issues as to the proper shipping of any material with this request.

(CRB) ~~“Chemical Reaction Bomb.”~~ A battery of tests will be conducted to ascertain if the item and materials submitted contain components or residues of chemical reaction/pop bottle bombs.

(E/I) ~~“Explosives/Incendiaries.”~~ A battery of tests to determine the presence and identity of un reacted materials or the presence of residues consistent with explosives or incendiaries.

(P) ~~“Prints.”~~ Using chemical methods, examine items for the presence of latent fingerprints. Lift and hold for submission to FDLE for comparison with known prints.

15. ~~List of Evidence Submitted.~~ Provide a complete description of each item of evidence including container, contents, and location obtained. Use only one line for each piece of evidence. Do not refer to suspect liquids by name such as gasoline or kerosene unless the investigator personally

~~purchased the liquid. The laboratory recommends that it simply be called a liquid.~~

16. ~~Tests.~~ Indicate the test letter code pursuant to subparagraph 14. to be performed on each item submitted. Typically, only one test per item will be indicated.

17. ~~Chain of Custody.~~ This area will show the chain of custody of the evidence from the time it is collected, through submission to the laboratory, to the time it is either returned or stored by the laboratory.

18. ~~Agent.~~ Provide the name of the individual initiating an action.

19. ~~Transfer.~~ Provide the action taken, for example, “sent to lab,” “received by lab.”

20. ~~Date/time.~~ Provide the date and time of the action.

21. ~~Remarks~~ This space is for explanations or additional comments by the submitting agent about the case. These can often help the analyst in examining the investigator’s case. For example, if a canine team was used to assist in the sample selection, this would be an appropriate place to note that fact. This is where the submitter would request the case to be a RUSH case. A reason must be given and the investigator must be available for results. The criteria that the laboratory will consider in making a case a RUSH consists of the following:

a. ~~Fatality.~~ If a fatality occurred in the fire it should have rush priority.

b. ~~Injured victims or firefighters.~~ Victims or firefighters injured in any phase of the fire including suppression, investigation, or clean-up.

c. ~~Major fires with significant dollar losses.~~

d. ~~The suspect is in custody.~~

22. ~~Received Via and Disposition Status.~~ This area will be used by the laboratory to note the method of receipt, courier ID, or disposition of the evidence.

(5) ~~Sample Disposition.~~

(a) ~~The room available in the Laboratory’s evidence storage area is limited. All case samples submitted by agencies outside of the Division of State Fire Marshal will be returned to the submitter. Case samples submitted by Division of State Fire Marshal’s Bureaus will be placed in the Laboratory’s long term storage area. Evidence held in the Laboratory’s long term evidence storage area will be reviewed periodically. The laboratory requires the investigator’s permission to dispose of evidence. A form letter will be sent to the investigator either electronically or by mail. If after six months the laboratory has not received notification from the investigator, the laboratory will contact the investigator as to the disposition of the evidence.~~

(b) ~~While evidence from homicides should be held indefinitely, evidence that is negative or which will not be part~~

~~of a criminal prosecution should be either destroyed or returned to the owner. Evidence that will not be used in a criminal prosecution, but may have value in a civil action should not be held by the laboratory, but should be shipped to the owner of record such as the homeowner or the insurance company. Only through the active assistance of the investigators of the Bureau of Fire and Arson Investigations can we ensure that adequate storage space is maintained at the laboratory.~~

~~(c) Most metal cans decompose and rust through after a short period. The evidence placed in them would thus have no appreciable value. Evidence of no appreciable value may be destroyed sixty days after the conclusion of court proceedings under Section 705.105, F.S.~~

~~(d) The laboratory's preparation process extracts any ignitable liquid from the debris. This extract is held on a carbon membrane. After analysis this membrane is stored and the extract may be re-constituted. The strip then becomes the "evidence" with value. The laboratory will hold the carbon strips associated with each case sample for a minimum of five years.~~

~~(6) Public Records. Notwithstanding any other provision of this rule, any evidence referred to in this rule which constitutes a public record as defined in Section 119.011(1), F.S., shall be maintained in accordance with the retention schedule of the Department of Financial Services, which has been submitted to the Department of State for review and approval, and which has been reviewed and approved by the Department of State, all pursuant to Section 257.36(6), F.S., and Rules 1B 24.001 and 1B 24.003, F.A.C.~~

(3) Sample Return – All items of evidence shall be returned to the submitting agency or their representative. Agencies are requested to provide their third party courier ~~courier~~ account number to cover the costs for return ~~return~~ of evidence. Submitters must additionally be aware that following testing and identification, there may be some samples which cannot be commercially shipped. The submitter has the responsibility to pick up their evidence from the Bureau within 60 days of the Bureau's request or their submission privileges ~~privileges~~ shall be revoked.

Rulemaking Specific Authority 633.10401(1) FS. Law Implemented 633.112 ~~633.011, 633.03~~ FS. History–New 7-13-03, Formerly 4A-63.001, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Carl Chasteen, Chief of Forensic Services, Bureau of Forensic Fire and Explosives Analysis, Division of State Fire Marshal, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief of Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 6, 2013

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-4.004      RULE TITLE: Florida Educator's Certificates with Academic, Administrative, Degreed Vocational, and Specialty Class Coverages  
**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 247, December 23, 2013 issue of the Florida Administrative Register.

Rule 6A-4.004 is amended to read:

(5)(a)3. Submits ~~acceptable~~ verification approved by the school district superintendent, chief administrative officer, or authorized designee ~~employer of three (3) years~~ of successful employment experience in a full-time executive management or leadership position,

Rulemaking Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented ~~1001.02, 1012.55, 1012.56~~ FS. History–Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 4-11-70, 9-17-72, 8-17-74, Repromulgated 12-5-74, Amended 11-9-76, 7-1-79, 8-27-80, 1-3-82, 4-26-84, 11-18-84, 6-18-85, Formerly 6A-4.04, Amended 12-25-86, 10-18-88, 9-12-89, 12-4-89, 4-15-91, 10-10-91, 5-3-94, 10-15-01, 12-27-04, 11-26-08, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-14.099      RULE TITLE: Penalties for Failure to Report Child Abuse  
**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 247, December 23, 2013 issue of the Florida Administrative Register.

Rule 6A-14.099 is amended to read:

6A-14.099 Failure of Florida College System Administrator or Law Enforcement Agency to Report Child Abuse, Abandonment or Neglect.

(1)(b) The term “Administrator” means high level personnel who have been assigned the responsibilities of college-wide or campus-wide academic or administrative functions, such as: college presidents, campus presidents,

provosts, senior/executive vice presidents, vice presidents, associate vice presidents, associate/vice provosts, chief human resource officer, deans, chief of police, campus safety officer, equal opportunity programs director, intercollegiate athletics director, internal auditor, Title IX coordinator and college compliance officer.

(d) The term “Law Enforcement Agency” means the unit of the college which is vested with the authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the state ~~campus police/security department established by each college.~~

(4) Additional Proceedings.

Within twenty-one (21) business days after receipt of the State Board’s written order, the college may file a petition challenging the State Board of Education’s determination in an administrative proceeding conducted pursuant to Sections ~~120.569 and~~ 120.57, Florida Statutes.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE NO.:	RULE TITLE:
6E-6.001	Failure of Nonpublic College, University, or School Administrator or Law Enforcement Agency to Report Child Abuse, Abandonment or Neglect NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 247, December 23, 2013 issue of the Florida Administrative Register.

Rule 6E-6.001 is amended to read:

(1)(c) The term “law enforcement agency” means any unit of the nonpublic college, university, or school, as defined in Section ~~10002.21~~ or Section 1005.02, Florida Statutes, which is vested with the authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

(2) Failure to Report.

(a) Any person who has knowledge that a nonpublic college, university or school administrator knowingly and willfully failed to report information of known or suspected child abuse, abandonment or neglect, or knowingly and willfully prevented another person from doing so, as required by Section 39.205, Florida Statutes, ~~to the Department of Children and Families,~~ may file a complaint with the Commission at www.fldoe.org/cie, by fax at (850)245-3238,

or by writing to the Commission at 325 West Gaines Street, Suite 1414, Tallahassee, FL 32399-0400.

(b) Any person who has knowledge that a law enforcement agency failed to report information of known or suspected child abuse, abandonment or neglect, as required by Section 39.205, Florida Statutes, ~~to the Department of Children and Families,~~ may file a complaint with the Commission at www.fldoe.org/cie, by fax at (850)245-3238, or by writing to the Commission at 325

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.:	RULE TITLES:
14-91.002	Definitions
14-91.004	Prequalification Requirements
14-91.005	Public Announcement Procedures
14-91.007	Selection and Award Process

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 228, November 22, 2013 issue of the Florida Administrative Register has been withdrawn.

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**Section IV  
Emergency Rules**

NONE

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Family Safety and Preservation Program

RULE NO.:	RULE TITLE:
65C-13.024	Pre-service Training

NOTICE IS HEREBY GIVEN that on January 16, 2014, the Department of Children and Families received a petition for waiver of Rule 65C-13.024, Florida Administrative Code, from Camelot Community Care, Inc. and Debra and Steven Serritella. Rule 65C-13.024, F.A.C., requires all foster care license applicants to complete an approved parent preparation training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.024 Pre-service Training

The Department of Children and Families hereby gives notice: On January 16, 2014, Camelot Community Care, Inc. and Debra and Steven Serritella requested a waiver of Rule 65C-13.024, F.A.C., which requires all foster care license applicants to complete an approved parent preparation training. On January 21, 2014, the Department of Children and Families issued an order dismissing petitioners' waiver request because no rule waiver is required. Subsection 65C-13.024(7), F.A.C, already permits Department licensing staff to exempt applicants from the training requirement if they have successfully completed the training within the five years.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.:RULE TITLES:

73C-23.0031 Definitions

73C-23.0041 Application Process and Administrative Requirements

NOTICE IS HEREBY GIVEN that on January 15, 2014, the Department of Economic Opportunity, received a petition for waiver of rule, from the City of Labelle. The city has petitioned the Department of Economic Opportunity for Waivers of subsection 73C-23.031(29) and paragraph 73C-23.041(2)(d), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or by email at James.Bellflower@DEO.MyFlorida.com.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

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

DATES AND TIMES: Monday, February 10, 2014, 3:30 p.m., Regular Business Meeting; 3:00 p.m. Executive Committee

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the West Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: tamie.mahan@wfrpc.org, 1(800)226-8914.

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: tamie.mahan@wfrpc.org, 1(800)226-8914. 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: terry.joseph@wfrpc.org, 1(800)226-8914, ext. 201.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 11, 2014, 1:00 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Industrial and Public Supply Advisory Committee meeting: To discuss committee business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

For more information, you may contact: cindy.taylor@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4150 (Ad Order EXE0301).

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**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 13, 2014, 1:30 p.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2015 requests for project funding in the southern counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.Manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0302).

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**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 14, 2014, 10:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2015 requests for project funding in Hillsborough, Pasco and Pinellas counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.Manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0303).

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**DEPARTMENT OF MANAGEMENT SERVICES**

Division of State Employees' Insurance

The Department of Management Services announces public meetings to which all persons are invited.

DATES AND TIMES: January 30, 2014, 1:30 p.m., EST; January 31, 2013, 1:30 p.m., EST

PLACE: 4050 Esplanade Way, Suite 315K, Tallahassee, Florida. These meetings may also be attended telephonically by calling: 1(888)670-3525; at the prompt, enter conference code: 7076197155

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Management Services will conduct public meetings regarding the Invitation to Negotiation No. DMS 12/13-047, entitled "Third Party Administrative Services."

The purpose of the meeting is to bring the Negotiation Team together to discuss negotiations and make a recommendation of award.

These meetings are subject to cancellation.

Further information and future updates regarding the meeting schedule are available via the system of record, the Vendor Bid System, located at [http://www.myflorida.com/apps/vbs/vbs\\_www.search.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search.criteria_form), and searching for DMS 12/13-047.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Department's Americans with Disabilities Act (ADA) Coordinator for facilities management at (850)922-7535 or via email at the address listed on:

[http://www.dms.myflorida.com/agency\\_administration/human\\_resources/dms\\_contacts\\_by\\_role](http://www.dms.myflorida.com/agency_administration/human_resources/dms_contacts_by_role).

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: January 30, 2014, 2:30 p.m. (the time and date only have changed from the previous notification for this meeting)

PLACE: Gainesville Regional Utilities, Multi-purpose Room, 301 SE 4th Avenue, Gainesville, FL 32601

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A public meeting to present the Orange Creek Basin Management Action Plan will be held on January 30 in Gainesville at Gainesville Regional Utilities Administrative Office. This meeting is open to the public. A draft of the updated Orange Creek Basin Management Action Plan will be presented at this meeting. The Plan was first adopted in 2008 to address bacterial problems in streams and nutrient water quality problems in lakes in the Orange Creek Basin. It is undergoing revision and will be proposed for reoption in 2014.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic, (850)245-8560. 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 FINANCIAL SERVICES**

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

DATE AND TIME: Thursday, January 30, 2014, 1:30 p.m.

PLACE: Larson Building, 200 E. Gaines St., Room 116, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the seventh meeting of the User Experience Task Force created in Section 2, Chapter No. 2013-054, Laws of Florida. The purpose of the meeting is to discuss the User Experience Task Force Work Plan Schedule and deliverables.

A copy of the agenda may be obtained by contacting: Angela Burroughs, Florida Department of Financial Services, Division of Information Systems, 200 E. Gaines St., Tallahassee, Florida 32399, (850)413-3184.

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: Angela Burroughs, Florida Department of Financial Services, Division of Information Systems, 200 E. Gaines St., Tallahassee, Florida 32399, (850)413-3184. 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).

**NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY**

The Northwest Florida Transportation Corridor Authority announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2014, 11:30 a.m., CST

PLACE: Destin Wine Bar, 4424 Commons Drive East, Suite E3, Destin, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financials.

A copy of the agenda may be obtained by contacting: Alicia Stephen at (850)429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alicia Stephen at (850)429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.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: Alicia Stephen at (850)429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.com).

**ATKINS – TAMPA**

The Florida Department of Transportation (FDOT), District Seven announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 30, 2014, 2:00 p.m. – 3:00 p.m.

PLACE: Online at: <https://www2.gotomeeting.com/register/221553194>, or one of the following viewing locations: East Clearwater Public Library, Meeting Rooms A/B, 2251 Drew Street, Clearwater, FL, 33765 or FDOT, District Seven Executive Conference Room, 11201 N. McKinley Drive, Tampa, FL, 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: A VPH for a SR 590 (NE Coachman Road) proposed median change at the following location: existing median openings at Walmart entrances located at 2481 SR 590 (NE Coachman Road), FPN: 431491-1, Pinellas County, Florida.

You may participate in the VPH in the following ways: 1) From any computer with an internet connection by registering at: <https://www2.gotomeeting.com/register/221553194>, or 2) attending in person at one of the locations listed above. If you plan to participate over the internet, advance registration is required. Once registered, you will receive a confirmation email containing information about joining the VPH. The VPH will open at 2:00 p.m., and the project presentation will start promptly at 2:15 p.m. Please allow adequate time for log-in. After the PowerPoint presentation has concluded, there will be an opportunity for participants at both viewing locations, and those online, to provide verbal comments to be included in the official VPH record. After the verbal portion of the VPH has concluded, the project PowerPoint presentation will be shown continuously for the duration of the VPH.

This VPH is conducted to afford affected property and business owners, interested persons, local governments, and organizations the opportunity to provide comments to FDOT, District Seven, regarding the potential impacts of the proposed median change on SR 590 (NE Coachman Road) at the following location:

Existing median openings at the Walmart entrances located at 2481 SR 590. The west median opening will be modified to prohibit left turns by eastbound SR 590 traffic at that location. Eastbound SR 590 traffic will be able to access the Walmart by using the median opening located at the eastern or second driveway.

Other improvements include milling and resurfacing the existing travel lanes, replacing signing and pavement markings, replacing traffic signal loops, and providing pedestrian sidewalk enhancements including the addition of pedestrian crosswalks and upgrading curbs to Americans with Disabilities Act standards.

This VPH is held pursuant to Chapters 120, 335.18, and 335.199, Florida Statutes. FDOT, District Seven, will receive verbal and written comments online and at each VPH location. Written comments not received at the hearing can be emailed to [roadwork@dot.state.fl.us](mailto:roadwork@dot.state.fl.us), ATTN: VPH # SR 590 or mailed to Robert Chandler, EI, Project Manager, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-600, Tampa, FL 33612. All comments must be emailed or postmarked by February 10, 2014 to become part of the official VPH record. Participation via webinar is also considered part of the official VPH record.

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

A copy of the agenda may be obtained by contacting: [roadwork@dot.state.fl.us](mailto:roadwork@dot.state.fl.us) or Robert Chandler, EI, Project Manager at 1(800) 226-7220, (813)975-6287 or [Robert.chandler@dot.state.fl.us](mailto:Robert.chandler@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 3 days before the workshop/meeting by contacting: [roadwork@dot.state.fl.us](mailto:roadwork@dot.state.fl.us) or Robert Chandler, EI, Project Manager at 1(800)226-7220, (813)975-6287 or [Robert.chandler@dot.state.fl.us](mailto:Robert.chandler@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: See above contact information.

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from Eric Busenbarrick, Deputy Fire Chief, Hollywood Fire Rescue and Beach Safety Department, on January 16, 2014. The petition seeks the agency's opinion as to the applicability of National Fire Protection Association 101, sections 7.1.9 and 7.1.10.1 as it applies to the petitioner.

The subject of the Petition is a burglar alarm system that when activated fills the occupancy with synthetic smoke to obscure visibility and notifies the central monitoring station. The Petition seeks the agency's opinion as to the applicability of

National Fire Protection Association 101, sections 7.1.9 and 7.1.10.1, which are adopted in the Florida Fire Prevention Code, to installation of burglar alarms and if applicable, can the Fire Marshal deny installation of such systems because they violate these two sections that require means of egress to be unobstructed by any device or alarm.

A copy of the Petition for Declaratory Statement may be obtained by contacting: R. Terry Butler, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-4269, terry.butler@myfloridacfo.com.

**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**

NONE

**Section XII**  
**Miscellaneous**

**FINANCIAL SERVICES COMMISSION**  
**FSC – Financial Institution Regulation**  
**Financial Institutions**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9800		Tallahassee, Florida 32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., February 12, 2014):

**APPLICATION TO MERGE**

Constituent Institutions: Floridian Bank, Daytona Beach, Florida and Orange Bank of Florida, Orlando, Florida  
 Resulting Institution: Floridian Bank, Daytona Beach, Florida  
 With Title: Floridian Bank  
 Received: January 17, 2014

**DEPARTMENT OF ECONOMIC OPPORTUNITY**  
**Division of Community Development**

DEO Final Order nos.: DEO-14-004 and DEO-14-005

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order Nos. DEO-14-004 and DEO-14-005 on January 21, 2014, in response to an application submitted by Boca Grande Shores and The Rio Vista Villas Association, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the applications met the statutory requirements for covenant revitalization. Accordingly the Department’s Final Orders approved the application for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107

East Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order no.: DEO-14-006

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No.: DEO-14-006 on January 21, 2014 in response to an application submitted by Turkey Roost Mini-Farms Homeowners Association, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application for Turkey Roost Mini-Farms Homeowners Association did not meet the statutory requirements for covenant revitalization due to the covenants being more restrictive than the previous version, in violation of Section 720.404(3), F.S., which provides that

“[t]he revived declaration may not contain covenants that are more restrictive on the parcel owner than the covenants contained in the previous declaration,” with limited exceptions that do not apply to the revised covenants submitted by Turkey Roost Mini-Farms Homeowners Association. The Turkey Roost Mini-Farms Homeowners Association revived declaration contains a provision that is more restrictive than the original covenants.

Accordingly, the Department’s Final Order denied the application for covenant revitalization. Copies of the final order may be obtained by contacting: the Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

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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.

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