

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-1.004       School District Budget Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to revise Forms ESE 139, District Summary Budget, and ESE 524, Resolution Determining Revenues and Millages Levied incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: School district budget submission procedures.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1011.01(2), (3), 1011.60(1), (5) FS.

LAW IMPLEMENTED: 200.065, 1011.01(2), (3), 1011.60(1), (5) 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: Mark Eggers, Bureau Chief, School Business Services, Department of Education, 325 West Gaines Street, Room 814, Tallahassee, FL 32399, (850)245-0405. To request a rule development workshop, please call Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661, e-mail: [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-1.094221   Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion

PURPOSE AND EFFECT: The purpose of this rule development is to align the rule with Section 1008.25, Florida Statutes and to include necessary edits concerning the end-of-year outcome assessment and the adoption of Language Arts Florida Standards.

SUBJECT AREA TO BE ADDRESSED: Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion.

RULEMAKING AUTHORITY: 1008.25(9) FS.

LAW IMPLEMENTED: 1008.25(6) 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: Wendy Stevens, Executive Director, Just Read, Florida! – [Wendy.Stevens@fldoe.org](mailto:Wendy.Stevens@fldoe.org) or (850)245-0503. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

**DEPARTMENT OF CORRECTIONS**

RULE NO.:       RULE TITLE:

33-601.314    Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct a typographical error; to allow for the discipline of inmates who commit, attempt to commit, conspire to commit, or solicit another person to commit an unauthorized or illegal financial transaction; to allow for the discipline of inmates who possess any items or materials that can be used to facilitate an unauthorized or illegal financial transaction; and to allow for the discipline of inmates who tamper with, damage, lose, or destroy any electronic monitoring equipment.

SUBJECT AREA TO BE ADDRESSED: Prohibited conduct and penalties for infractions.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 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: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

Maximum Disciplinary Actions

SECTION 1 through SECTION 8 – No change.

SECTION 9 – MISCELLANEOUS INFRACTIONS

9-1	Obscene or profane act, gesture, or statement – oral, written, or signified	30 DC + 90 GT
9-2	Bribery or attempted bribery	30 DC + 90 GT
9-3	Breaking and entering or attempted breaking	30 DC + 90 GT
9-4	Attempt, conspiracy, or solicitation to commit any crime or violation of the Rules of Prohibited Conduct	30 DC + 90 GT
9-5	Theft of property under \$50.00 in value	30 DC + 60 GT
9-6	Bartering with others	15 DC + 30 GT
9-7	Sex acts or unauthorized physical contact involving inmates	30 DC + 90 GT
9-9	Tattooing, being tattooed, branding or body art to include body piercing	30 DC + 60 GT
9-10	Lying to staff member or others in official capacity, or falsifying records	60 DC + All GT
9-11	Feigning illness or malingering as determined by a physician or medical authority	10 DC + 15 GT
9-12	Gambling or possession of gambling paraphernalia	10 DC + 15 GT
9-13	Insufficient work: This constitutes an inmate not working up to expectation, taking into consideration the inmate’s physical condition, the degree of difficulty of assignment, and the average performance by fellow inmates assigned to the same task	10 DC + 15 GT
9-14	Mail regulation violations	30 DC + 30 GT
9-15	Visiting regulation violations	30 DC + 30 GT
9-16	Refusing to work or participate in mandatory programs	60 DC + 90 GT
9-17	Disorderly conduct	30 DC + 60 GT
9-18	Unauthorized physical contact involving non-inmates	60 DC + 90 GT
9-19	Presenting false testimony or information before Disciplinary Team, Hearing Officer, or Investigating Officer	60 DC + All GT
9-20	Extortion or attempted extortion	60 DC + 60 GT
9-21	Fraud or attempted fraud	30 DC + 90 GT
9-22	Robbery or attempted robbery	60 DC + All GT
9-23	Theft of property exceeding \$50 in value	60 DC + All GT
9-24	Loaning or borrowing money or other valuables	15 DC + 30 GT
9-25	Telephone regulation violations	30 DC + 30 GT
9-26	Refusing to submit to substance abuse testing	60 DC + 180 GT
9-27	Use of unauthorized drugs – as evidenced by positive results from urinalysis test, or observable behavior	60 DC + 180 GT
9-28	Canteen Shortage under \$50.00	30 DC + 60 GT
9-29	Canteen Shortage over \$50.00	60 DC + All GT
9-31	Use of Alcohol – as evidenced by positive results from authorized tests, or by observable behavior	30 DC + 90 GT
9-32	In accordance with Section 944.279(1), F.S., is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.	60 DC + All GT
9-33	Tampering with, defeating or depriving staff of any security device. Security devices include: locks; locking devices; electronic detection systems; personal body alarm transmitters and receivers; handheld radios; restraint devices such as handcuffs, waist chains, leg irons and handcuff covers; keys; video and audio monitoring and recording devices; security lighting; weapons; and any other device utilized to ensure the security of the institution.	60 DC + All GT
9-34	Tampering with or defeating any fire or other safety device. Safety devices include: fire, smoke, and carbon dioxide detection devices; alarm systems; fire suppression systems and devices such as fire sprinklers, fire extinguishers, and dry chemical systems; safety and emergency lighting; exit lights; evacuation route and warning placards; self-contained breathing apparatuses; personal protective equipment; first aid kits; eye wash stations; and any other device utilized to ensure the safety of the institution, staff and inmates.	60 DC + All GT
9-35	Establishes or attempts to establish a personal or business relationship with any staff member or volunteer.	60 DC + 180 GT

9-36	Gang related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation.	30 DC + 60 GT
9-37	Unauthorized use of or tampering with a computer, computer peripheral device, or any other office equipment. Other office equipment includes copying machines, facsimile machines, postage meters, or any other device utilized in an office or office-like environment.	60 DC + All GT
9-38	In accordance with Section 817.535(4), F.S., is found by the court to have filed or directed a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner's interest in the property described in the instrument.	60 DC + All GT
9-39	<u>Committing, attempting to commit, conspiring to commit, or soliciting another person to commit an unauthorized or illegal financial transaction.</u>	<u>60 DC + 90 GT</u>
9-40	<u>Possession of any items or materials that can be used to facilitate an unauthorized or illegal financial transaction, including account numbers, passwords, PINs, or other similar items or materials that an inmate is not authorized to possess.</u>	<u>60 DC + 90 GT</u>

SECTION 10 – COMMUNITY RELEASE PROGRAM VIOLATIONS – WORK RELEASE, STUDY RELEASE, FURLOUGH AND VOLUNTEER SERVICE

10-1	Failure to directly and promptly proceed to and return from designated area by approved method	60 DC + 180 GT
10-2	Failure to remain within designated area of release plan	30 DC + 60 GT
10-3	Failure to return if plan terminated prior to scheduled time	30 DC + 30 GT
10-4	Making unauthorized contact – personal, telephone, or otherwise – with any individual in behalf of another inmate	10 DC + 15 GT
10-5	Deviating from or changing approved plan without permission	10 DC + 15 GT
10-6	Making purchase or contract without approval	10 DC + 15 GT
10-7	Failure to deposit entire earnings – less authorized deductions – each pay period	10 DC + 15 GT
10-8	Failure to repay advancement of monies as stipulated in the inmate's financial plan	10 DC + 15 GT
10-9	<u>Tampering with, damaging, losing, or destroying any electronic monitoring equipment.</u>	<u>60 DC + All GT</u>

SECTION 11 – No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, 6-18-13, 11-14-13.

**DEPARTMENT OF CORRECTIONS**

RULE NO.:       RULE TITLE:

33-601.731       Suspension of Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to allow for the suspension of an inmate's visiting privileges for up to three months for the possession or use of tobacco products in violation of Rule 33-401.401, F.A.C.; to revise Form NI1-102; and to add Section 944.115, F.S., as rulemaking authority and as a law implemented by the rule.

SUBJECT AREA TO BE ADDRESSED: Inmate visiting privileges.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of Inmate Visiting Privileges.

(a) No change.

(b) Suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool only when an inmate is found guilty of the following offenses:

1. through 14. No change.

15. Possessing a recording device;:-

16. Possessing or using tobacco in violation of Rule 33-401.401, F.A.C.

(c) No change.

(d) If an inmate is found guilty of an offense listed in paragraph (1)(b), the ICT shall suspend the inmate's visiting privileges for the length of time specified on Form NI1-102, Visiting Privileges Suspension Matrix, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01582>.

Form NI1-102 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

The effective date of the form is \_\_\_\_\_. If an inmate’s visiting privileges are suspended pursuant to this rule and the inmate receives a subsequent guilty finding for one of the offenses listed in paragraph (1)(b), the inmate is subject to an increased period of suspension as follows:

- 1. through 2. No change.
- (e) through (f) No change.
- (2) through (4) No change.

Rulemaking Authority 944.09, 944.115 FS. Law Implemented 944.09, 944.115, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, 10-23-11, 9-24-12, 12-9-12, 6-18-13, \_\_\_\_\_.

**COMMISSION ON ETHICS**

RULE NOS.:	RULE TITLES:
34-12.120	Exclusions for Administrative Proceedings
34-12.125	Exclusions for Administrative Proceedings
34-12.160	Examples of Lobbying Activities
34-12.165	Examples of Lobbying Activities.
34-12.170	Examples of Activities Not Constituting Lobbying
34-12.175	Examples of Activities Not Constituting Lobbying.

**PURPOSE AND EFFECT:** The purpose of the proposed new rules is to make the standard for lobbyists in rulemaking proceedings consistent with the standard applied in other types of administrative proceedings, to clarify that the definition of lobbyist excludes attorneys or others representing clients in a rulemaking proceeding, to add to examples of lobbying activities compensated communications in behalf of a client prior to certain rulemaking actions, and to provide examples of activities not constituting lobbying related to rulemaking.

The purpose of the proposed rule title amendments for Rules 34-12.120 (Exclusions for Administrative Proceedings as to Lobbying Activities Involving Water Management Districts), 34-12.160 (Examples of Lobbying Activities Involving Water Management Districts), and 34-12.170 (Examples of Activities Not Constituting Lobbying Involving Water Management Districts) is to reflect that lobbyists before water management districts remain subject to those rules because of legislative changes in Chapter 2014-183, Section 6, LOF.

**SUBJECT AREA TO BE ADDRESSED:** The subject area is lobbying activities in rulemaking proceedings and lobbying activities in rulemaking proceedings before water management districts.

**RULEMAKING AUTHORITY:** 112.3215, 112.322(9) FS.  
**LAW IMPLEMENTED:** Chapter 2014-183, Section 6, LOF, 112.3215, 112.3261 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.

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: Lindsey Smith, Executive Secretary, Florida Commission on Ethics. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Betsy Daley, Senior Attorney, Florida Commission on Ethics  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:	RULE TITLE:
1S-2.021	Revocation of Registration of Political Committees and Electioneering Communications Organizations

**PURPOSE AND EFFECT:** Provides an exception to revocation for electioneering communications organizations (ECOs) and political committees (PCs) with limited financial activity in odd-numbered years and clarifies when a revocation decision can be made.

**SUMMARY:** Allows ECOs and PCs to have less than the threshold financial activity in a non-election year without being revoked and makes other clarifications.

**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.

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:** 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS.

**LAW IMPLEMENTED:** 106.03(7) 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: September 4, 2014, 11:00 a.m.

PLACE: Room 307, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Diane Wint, Executive Assistant, at (850)245-6536, or [diane.wint@dos.myflorida.com](mailto:diane.wint@dos.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley E. Davis, Assistant General Counsel, at (850)245-6536 or [ashley.davis@dos.myflorida.com](mailto:ashley.davis@dos.myflorida.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.021 Revocation of Registration of Political Committees and Electioneering Communications Organizations.

(1) Definition: "Most recent address on file" means, as applicable, the last address provided in a written statement of change to the filing officer for the registered agent pursuant to Section 106.022, F.S., or the last address provided to the filing officer for the committee's chairperson or organization's top-ranking official as contained in the statement of organization or in any written statement of change to the statement of organization made pursuant to Section 106.03, F.S.

(2) Conduct warranting revocation. The filing officer shall revoke the registration of a political committee (hereinafter committee) or an electioneering communications organization (hereinafter organization) for one or more of the following reasons:

(a) The committee or organization fails to maintain a registered office and a registered agent as required by Section 106.022, F.S.;

(b) The committee or organization fails to file the appointment of a successor within 10 days after the death, resignation or removal of its treasurer;

(c) The committee fails to file the appointment of a successor within 10 days after the death, resignation or removal of its chairperson;

(d) The committee or organization fails to file treasurers' reports for more than 6 months;

(e) The committee's aggregate reported financial activity during the calendar year of an even-numbered year is less than \$500 unless the committee is only registered and required to report as the sponsor of a proposed constitutional amendment

by initiative who intended to seek the signatures of registered voters;

(f) The organization's aggregate reported financial activity during the calendar year of an even-numbered year is \$5000 or less;

(g) The organization fails to file the appointment of a successor within 10 days after the death, resignation or removal of its top-ranking principal officer; or

(h) The committee or organization has an unpaid fine or civil penalty imposed under Chapter 106, F.S., which has become final, meaning all appeals regarding the imposition of the fine or civil penalty have been exhausted or the time for such appeals has passed.

(3) Revocation procedures.

(a) Initial notice of intent to revoke. The filing officer shall notify the committee's chairperson or organization's top-ranking principal officer and its registered agent of the intent to revoke the registration and include the facts and conduct which warrant the intended revocation. The notice shall be sent to the most recent address on file for both the chairperson or top-ranking principal officer, as applicable, and registered agent. The initial notice shall state that all future notifications regarding revocation of the committee's or organization's registration shall be sent only to the most recent address on file for the registered agent. The committee or organization has 30 days from the date of the initial notice to provide additional documentation to the filing officer showing that the committee's or organization's registration should not be revoked.

(b) Final notice of intent to revoke. After receiving the documentation under subsection (a) from the committee or organization or after the 30-day deadline to provide additional information, whichever occurs first, the filing officer shall review all information and determine whether the registration should still be revoked.

1. If the filing officer determines that the registration should not be revoked, then the filing officer shall send notification to the most recent address on file for the ~~committee's chairperson or organization's top-ranking principal officer, as applicable, and~~ registered agent.

2. If the filing officer determines that the registration should be revoked, then the filing officer shall send a final notice of intent to revoke to the most recent address on file for the ~~committee's chairperson or organization's top-ranking principal officer, as applicable, and~~ registered agent.

(c) Notice returned as undeliverable. If the initial notices of intent to revoke are returned as undeliverable, ~~from both the committee's chairperson or organization's top-ranking principal officer and its registered agent, as applicable,~~ and the committee or organization's most recent address on file has not changed since provided an updated address to the filing officer

~~after~~ the filing officer sent the initial notices, then the filing officer need not send a final notice of intent to ~~may~~ revoke the registration of the committee or organization, as applicable and shall instead send the final order of revocation. ~~The final order of revocation shall be sent to the registered agent's most recent address on file, notwithstanding that the final order of revocation may again be returned as undeliverable. If the initial notices of intent to revoke are~~ returned as undeliverable, ~~if~~ but the committee or organization's most recent address on file has changed since provided an updated address to the filing officer ~~after~~ the filing officer sent the initial notices, ~~which was returned undeliverable,~~ then the filing officer will provide an initial notice of the intent to revoke to ~~the most recent~~ that updated address on file; thereafter, the filing officer shall follow the procedures in this rule.

(d) Final order of revocation. The final order of revocation shall be sent to the most recent address on file for the registered agent, notwithstanding that the final order may be returned as undeliverable due to previous undelivered notices.

(4) Appeals.

(a) Appeal of Final Notice of Intent to Revoke. A committee or organization may appeal a final notice of intent to revoke within 30 days of the date of such final notice. The appeal may be accompanied by any documentation or evidence supporting the claim. The appeal must be filed with the filing officer. The filing officer will forward the appeal to the Florida Elections Commission.

~~1.(b)~~ Failure to timely file an appeal as ~~described herein~~ shall constitute a waiver of any such entitlement.

~~2.(c)~~ A committee or organization desiring a hearing before the Florida Elections Commission must include in the appeal a separate request for hearing.

~~3.(d)~~ Appeals to the Florida Elections Commission under this rule are exempt from the confidentiality provisions of Section 106.25, F.S.

(b) Appeal of Final Order. A committee or organization may appeal the Division of Elections' final order of revocation to the District Court of Appeal within 30 days of the date that the final order is filed in the official records of the Department of State as indicated in the Certificate of Service on the final order.

Rulemaking Authority 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS. Law Implemented 106.03 FS. History--New 2-28-90, Amended 10-29-03, 11-15-09, 9-27-10, 10-30-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ashley E. Davis  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Maria Matthews  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 7, 2014

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: RULE TITLE:  
5E-1.003 Labels or Tags

PURPOSE AND EFFECT: The purpose of this rulemaking is to modify Florida's fertilizer labeling requirements for specialty lawn fertilizer. The effect of this rule making will harmonize Florida's labeling requirements with national labeling standards and update labeling requirements for specialty lawn fertilizers with recently published turf research.

SUMMARY: This rulemaking revises language to modify Florida's fertilizer labeling requirements for specialty lawn fertilizer.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact of potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the fertilizer industry's estimated average indirect cost to make label modifications per label in a single year and the existing stocks clause allowing manufactures to incorporate required label modifications at their next scheduled printing which is approximately an eighteen month process. Additionally, no interested party submitted information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07(23), 576.181 FS.

LAW IMPLEMENTED: 576.021, 576.031, 576.181 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Weldon Collier, Program Planning Coordinator, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Ste. E, Rm. 136,

Tallahassee, FL 2399-1650, (850)617-7907,  
Weldon.Collier@FreshFromFlorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.003 Labels or Tags.

(1)(a) No change.

1. Brand name.

2. The grade (Provided that the grade shall not be required when no primary nutrients are claimed).

3. Guaranteed analysis, in the following format:

- Total Nitrogen (N) \_\_\_\_\_%
- \_\_\_ percent Nitrate Nitrogen
- \_\_\_ percent Ammoniacal Nitrogen
- \_\_\_ percent Other/Water Soluble Nitrogen
- \_\_\_ percent Urea Nitrogen
- \_\_\_ percent Water Insoluble Nitrogen
- Available Phosphorus (P<sub>2</sub>O<sub>5</sub>) \_\_\_\_\_%
- Soluble Potassium (K<sub>2</sub>O) \_\_\_\_\_%
- Secondary and Micro Plant Nutrients  
(list all claimed or advertised) \_\_\_\_\_%

Derived From:

4. Name and address of licensee.

5. The net weight (The term “Bulk” shall suffice for bulk products).

(b) through (f) No change

(g) Guarantees for secondary or micro plant nutrients except chelated forms of secondary or micro plant nutrients shall be as follows:

1. Magnesium (Mg) shall be expressed as “~~Total~~ Magnesium” if derived from insoluble compounds; “Soluble Magnesium” or “Water Soluble Magnesium” if derived from “magnesium sulfate or other soluble compounds”; or both if derived from combinations of soluble and insoluble sources.

2. When sulfur (S) is claimed as a plant nutrient, it shall be specified as to the form present, either “free” or “combined”, or both. “Specialty Fertilizer” defined in Section 576.011(36), F.S., shall be exempt from Sulfur guarantees.

3. Manganese (Mn) shall be expressed as “~~Total~~ Manganese” if derived from insoluble compounds “Soluble Manganese” or “Water Soluble Manganese” if derived from manganese sulfate, manganese nitrate, manganese chloride or other soluble compounds; or both ~~Total and Soluble or Water Soluble~~ if derived from combinations of soluble and insoluble sources.

4. Iron (Fe) shall be expressed as “~~Total~~ Iron” if derived from insoluble compounds. “Soluble Iron” or “Water Soluble Iron” if derived from iron sulfate, iron nitrate, iron chloride or

other soluble compounds; or both ~~Total and Soluble or Water Soluble~~ if derived from combinations of soluble and insoluble sources.

5. Zinc (Zn) shall be expressed as “~~Total~~ Zinc” if derived from insoluble compounds. “Soluble Zinc” or “Water Soluble Zinc” if derived from zinc sulfate, zinc nitrate, zinc chloride or other soluble compounds; or both ~~Total and Soluble or Water Soluble~~ if derived from combinations of soluble and insoluble sources.

6. Copper (Cu) shall be expressed as “~~Total~~ Copper” if derived ~~from form~~ insoluble compounds; “Soluble Copper” or “Water Soluble Copper” if derived from copper sulfate, copper nitrate, copper chloride or other soluble compounds; or both ~~Total and Soluble or Water Soluble~~ if derived from combinations of soluble and insoluble sources.

7. Boron (B) shall be guaranteed as to water soluble boron, expressed as “boron”.

8. No change.

9. Minimum secondary or micro plant nutrient guarantees for specialty fertilizer shall be as follows, except guarantees for those water soluble nutrients labeled for ready to use foliar fertilizers, ready to use specialty liquid fertilizers, hydroponic or continuous liquid feed programs and guarantees for potting soils.

Aluminum (Al)	.10%	Manganese (Mn)	.02%
Boron (B)	.02%	Molybdenum (Mo)	.0005%
Calcium (Ca)	.50%	<u>Nickel (Ni)</u>	<u>.0010%</u>
Cobalt (Co)	.0005%	<u>Sodium (Na)</u>	<u>.10%</u>
Copper (Cu)	.02%	Sulfur (S)	1.00%
Iron (Fe)	.02%	Zinc (Zn)	.02%
Magnesium (Mg)	.10%		

(2) SPECIALTY FERTILIZER LABEL REQUIREMENTS FOR URBAN TURF OR LAWNS (packaged in containers or bags such that the net weight is 49 pounds or less and distributed for home and garden use). ~~FERTILIZER LABEL REQUIREMENTS FOR URBAN TURF, SPORTS TURF OR LAWNS.~~

(a) Definitions.

1. through 7. No change.

8. “Actively Growing Turf” means turf that needs mowing at least once every two weeks to maintain the grass blade height recommended in the document entitled University of Florida, Institute of Food and Agricultural Sciences ENH 10 “Mowing Your Florida Lawn” dated March 2009, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Environmental Horticulture Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or online at <http://www.flrules.org/Gateway/reference.asp?No=Ref->.

~~(b) Labeling Requirements. Fertilizer products labeled for use on sports turf, urban turf or lawns shall be no phosphate or low phosphate and have labeling that meets the restrictions set forth in this rule for the application of nitrogen.~~

~~1. Specialty Fertilizer products labeled for use on urban turf or lawns shall be no phosphate or low phosphate.~~

~~No phosphate fertilizers shall not contain more than 0.5% of available phosphate expressed as P<sub>2</sub>O<sub>5</sub>. The “grade” shall indicate a zero guarantee.~~

~~a. “No phosphate” fertilizers shall not contain more than 0.5% of available phosphate expressed as P<sub>2</sub>O<sub>5</sub>. The “grade” shall indicate a zero guarantee.~~

~~b.2. Fertilizers labeled as low phosphate shall have use directions that do not exceed an application rate of 0.25 lbs P<sub>2</sub>O<sub>5</sub>/1000 sq. ft. #<sup>2</sup> and not to exceed 0.50 lbs P<sub>2</sub>O<sub>5</sub>/1000 sq. ft.~~

~~#<sup>2</sup> per year. Label use directions may be included that allow higher rates if an annual soil sample representative for the site shows the need for a higher application rate.~~

~~c.3. Fertilizers labeled as, or formulated for use as, starter fertilizer shall have use directions that do not exceed an application rate of 1.0 lb of P<sub>2</sub>O<sub>5</sub>/1,000 sq. ft. #<sup>2</sup> and that subsequent applications shall be made with products meeting the definition of Low or No Phosphate fertilizers. The term “starter fertilizer” shall be part of the brand name.~~

~~2.4. Fertilizers labeled as urban turf, sports turf, or lawn fertilizer shall have directions for use for nitrogen that:~~

~~a. Are consistent with the recommendations in the following table:~~



<u>Annual Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida</u>					
<u>Nitrogen Recommendations</u>					
<u>(lbs N per 1000 sq. ft/year)*</u>					
<u>Species</u>	<u>Bahiagrass</u>	<u>Bermuda</u>	<u>Centipede</u>	<u>St. Augustine</u>	<u>Zoysia</u>
<u>North</u>					
<u>Timing of Application :</u>	<u>Only Apply to Actively Growing Turf</u>				
	<u>Maximum Pounds N per Application</u>				
<u>Spring or Summer</u>	2	2	2	2	2
<u>Fall</u>	1	1	1	1	1
<u>Maximum Annual Pounds</u>	2-3	3-5	1-2	2-4	2-3
<u>Central</u>					
<u>Timing of Application</u>	<u>Only Apply to Actively Growing Turf</u>				
	<u>Maximum Pounds N per Application</u>				
<u>Spring or Summer</u>	2	2	2	2	2
<u>Fall or Winter</u>	1	1	1	1	1
<u>Maximum Annual Pounds</u>	2-4	4-6	2-3	2-5	2-4
<u>South</u>					
<u>Timing of Application</u>	<u>Only Apply to Actively Growing Turf</u>				
	<u>Maximum Pounds per Application</u>				
<u>Spring or Summer</u>	2	2	2	2	2
<u>Fall or Winter</u>	1	1	1	1	1
<u>Maximum Annual Pounds</u>	2-4	5-7	2-3	4-6	2.5-4.5
<u>*North Florida is north of Ocala. Central Florida is defined as south of Ocala to a line extending from Vero Beach to Tampa. South Florida includes the remaining southern portion of the state.</u>					

Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida			
Nitrogen recommendations (lbs N / 1000 ft <sup>2</sup> / year)*			
Species	North	Central	South
Bahiagrass	2-3	2-4	2-4
Bermudagrass	3-5	4-6	5-7
Centipedegrass	1-2	2-3	2-3
St. Augustinegrass	2-4	2-5	4-6
Zoysiagrass	3-5	3-6	4-6

North Florida is north of Ocala. Central Florida is defined as south of Ocala to a line extending from Vero Beach to Tampa. South Florida includes the remaining southern portion of the state.

b. Nitrogen shall not be applied at an application rate greater than 0.7 lbs of readily available nitrogen, per 1000 sq. ft. ~~ft<sup>2</sup> at any one time based on the soluble fraction of formulated fertilizer, with no more than 1 lb total N per 1000 ft<sup>2</sup> to be applied at any one time and not to exceed the annual nitrogen recommendations in the Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida, set forth herein. Use directions for nitrogen may be included that allow higher rates if an annual tissue sample representative of the site shows the need for a higher application rate.~~

c. ~~Not more than 2 lbs. of total nitrogen per 1000 sq. ft. per application may be applied during the spring or summer;~~

d. ~~Not more than 1 lb total nitrogen per 1000 sq. ft. per application may be applied during the fall or winter.~~

e. ~~If a total controlled release product is applied, not more than 35 percent of the nitrogen in the controlled release fertilizer can be released within the first 7 days after application.~~

f. ~~Nitrogen applications cannot exceed the annual nitrogen recommendations in the Annual Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida, set forth herein.~~

~~3.5. The following language shall appear conspicuously on bags of fertilizer sold at retail: **Apply only to actively growing turf. Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn/garden, and sweep any product that lands in the driveway, sidewalk, or street, back onto your lawn/garden.**~~

~~(c) Specialty fertilizers labeled for urban turf or lawns shall have directions for use that include:~~

~~1. Application rate for phosphorous shall not exceed 0.25 lbs. P<sub>2</sub>O<sub>5</sub>/1000 ft<sup>2</sup> per application and not exceed 0.50 lbs. P<sub>2</sub>O<sub>5</sub>/1000 ft<sup>2</sup> per year. Label use directions may be included that allow higher rates if an annual soil sample representative for the site shows the need for a higher application rate.~~

~~2. Application rates for nitrogen shall not exceed 0.7 lbs of readily available nitrogen per 1000 ft<sup>2</sup> at any one time based on the soluble fraction of formulated fertilizer, with no more than 1 lb total N per 1000 ft<sup>2</sup> to be applied at any one time and not to exceed the annual nitrogen recommendations in the Fertilization Guidelines for Established Turfgrass Lawns in Three Regions of Florida. Use directions for nitrogen may be included that allow higher rates if an annual tissue sample representative of the site shows the need for a higher application rate.~~

~~4.3. Rates shall be expressed in units of weight or volume per unit of area coverage (where application rates are given in volume, the label shall provide sufficient information to calculate the application rates by weight).~~

~~5.4. Rates shall be expressed per 1000 square feet.~~

~~6.5. Maximum Coverage area per container or bag shall be displayed prominently on the front of the container or bag. (i.e. This product covers 5000 square feet, This bag feeds 4000 square feet).~~

~~7. Existing Stock – Licensees are permitted to sell or distribute products that do not meet the label requirements of the rule for one and one-half years after the effective date of the rule. Products at the retail level on or after the effective date of the rule are permitted to be offered for sale.~~

~~(3)(d) LABELING REQUIREMENTS FOR SPORTS TURF. Fertilizers labeled for sports turf at golf courses, parks and athletic fields shall:~~

~~(a)1- Have directions for use not to exceed rates recommended in the document entitled University of Florida, Institute of Food and Agricultural Sciences SL191 “Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant”, dated July 2010 ~~March 2007~~, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Soil and Water Science Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or online at <http://www.flrules.org/Gateway/reference> the following website: <http://edis.ifas.ufl.edu/SS404>.~~

~~(b)2- Have directions for use in accordance with the recommendations in “Best Management Practices BMP’s” for the Enhancement of Environmental Quality on Florida Golf Courses”, published by the Florida Department of Environmental Protection, dated September 2012 ~~January 2007~~. Copies may be obtained from Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3570, Tallahassee, FL 32399-2400 or online at <http://www.flrules.org/Gateway/reference> downloaded from <http://www.dep.state.fl.us/water/nonpoint/pubs.htm>.~~

~~(4)(e) LABELING REQUIREMENTS FOR FERTILIZERS OTHER THAN SPECIALTY FERTILIZERS LABELED FOR URBAN TURF.~~

~~Fertilizers other than specialty fertilizers labeled for urban turf shall have directions for use not to exceed rates recommended in the document entitled “Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries”, published by the Florida Department of Environmental Protection, Revised December 2008, 2<sup>nd</sup> Printing 2010, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3570, Tallahassee, FL, 32399-2400 or online at <http://www.flrules.org/Gateway/reference>. Fertilizers other than specialty fertilizers labeled for urban turf shall have directions for use not to exceed rates recommended in the document titled Best Management Practices for Protection of~~

~~Water Resources in Florida, June 2002, Florida Green Industries, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from [http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP\\_Book](http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP_Book).~~

~~(f) Existing Stock—Licensees are permitted to sell or distribute products that do not meet the label requirements of the rule for one and one half years after the effective date of the rule. Products at the retail level on or after the effective date of the rule are permitted to be offered for sale.~~

~~(5)(3) SOIL ADDITIVES, SOIL AMENDMENTS AND SOIL CONDITIONERS.~~

The following information shall appear on the product label in a conspicuous and readable form:

(a) through (d) No change.

~~(6)(4) SLOW OR CONTROLLED RELEASE, STABILIZED NITROGEN AND ENHANCED EFFICIENCY FERTILIZERS.~~

(a) through (e) No change.

~~(7)(5) CHLORINE GUARANTEE.~~

(a) through (d) No change.

~~(8)(6) DECLARATION OF FLORIDA LICENSEE NUMBER.~~

(a) through (b) No change.

~~(9)(7) REGISTRATION OF SPECIALTY FERTILIZER PRODUCTS.~~

All specialty fertilizers to be sold within the state must be registered with the Bureau of Compliance Monitoring prior to any sale. Each product will be registered by ~~filing the properly completed appropriate form with the Bureau. Only one form will be submitted for each product. Specialty fertilizer packaged, marketed, and distributed for home and garden use and packaged in quantities of forty nine pounds or less (Specialty Fertilizer) will be registered upon the filing of properly completed Application for Specialty Fertilizer Registration (Fertilizer Form DACS 13220, Rev. 07/09) and Application for Registration of Specialty Fertilizer (Fertilizer Form DACS 13203, Rev. 06/08).~~ using either of the following methods:

(a) Through the Department’s Feed, Seed, and Fertilizer Regulatory Website located online at <http://lims.flaes.org/HomeNew.aspx>; or

(b) Submission of completed Application for Specialty Fertilizer Registration, FDACS-13220, (Rev. 07/14), online at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____) and Application for Registration of Specialty Fertilizer, FDACS-13203, (Rev. 07/14), online at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____) for each product, which are hereby adopted and incorporated by reference and shall be submitted to the Florida Department of Agriculture and Consumer Services, Bureau of Licensing and

Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650.

~~(10)(8) LICENSEE.~~

(a) No change.

~~(b) A license will be granted upon receipt of a may be obtained using either of the following methods: properly executed Application for Fertilizer License, FDACS 13222, (Rev. 5/03).~~

1. Through the Department’s Feed, Seed, and Fertilizer Regulatory Website which can be located online at <http://lims.flaes.org/HomeNew.aspx>; or

2. Submitting an Application for Fertilizer License FDACS-13222, (Rev. 07/14), online at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____) which is hereby adopted and incorporated by reference and shall be submitted to the Florida Department of Agriculture and Consumer Services, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650.

~~(9) All forms and filing specifications contained in this rule are hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650, (850)488-8731 or by visiting the Department’s website at <http://www.doacs.state.fl.us/onestop/aes/fertilizer.html#forms>. Rulemaking Authority 570.07(23), 576.181 FS. Law Implemented 576.021, 576.031, 576.181 FS. History—Revised 1-23-67, Amended 10-22-68, 1-1-77, 3-27-77, Formerly 5E-1.03, Amended 8-3-93, 7-9-95, 10-25-98, 12-31-07, 1-18-10,\_\_\_\_\_.~~

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 11, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2013

**PUBLIC SERVICE COMMISSION**

RULE NOS.:      RULE TITLES:  
25-4.002          Application and Scope  
25-4.003          Definitions

PURPOSE AND EFFECT: Rule 25-4.002, Florida Administrative Code, would be repealed as obsolete and unnecessary. Rule 25-4.003, Florida Administrative Code, would be amended in order to delete obsolete language and to add and update certain definitions consistent with statutory and rule changes.

Docket No. 140141-TP

SUMMARY: Rule 25-4.002, F.A.C., describes the scope of the rules in Parts I-XI of Chapter 25-4, F.A.C., and Parts X-XV of Chapter 25-24., F.A.C. Rule 25-4.003, F.A.C., defines terms addressed by Chapter 25-4, F.A.C.

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 been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2)(c), FS, and concluded that the rule appeal and rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that telecommunications companies licensed to operate in Florida would likely benefit from the recommended rule changes.

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: based upon the information contained in the SERC.

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: 350.127(2) FS.

LAW IMPLEMENTED: 364.01, 364.02, 364.32, 364.335, 364.337, 364.3375, 364.3376 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 25-4.002 Application and Scope.

Rulemaking Authority 350.127(2) FS. Law Implemented 364.01, 364.335, 364.337, 364.3375, 364.3376 FS. History—Revised 12-1-68, Formerly 25-4.02, Amended 2-23-87, 1-8-95, 2-1-99, 4-3-05, 3-26-09, Repealed.

#### 25-4.003 Definitions.

For the purpose of Chapter 25-4, F.A.C., the definitions of the following terms apply:

(1) “Access Line” ~~or “Subscriber Line” or “Subscriber Loop”~~. The circuit or channel between the demarcation point at

the customer’s premises and the serving end or class 5 central office.

~~(2) “Average Busy Season Busy Hour Traffic.” The average traffic volume for the busy season busy hours.~~

~~(3) “Billing Party.” Any entity that bills an end user on its own behalf or on behalf of an originating party.~~

~~(4) “Busy Hour.” The continuous one hour period of the day during which the greatest volume of traffic is handled in the office.~~

~~(5) “Busy Season.” The calendar month or period of the year (preferably 30 days but not to exceed 60 days) during which the greatest volume of traffic is handled in the office.~~

~~(2)(6) “Call.” An attempted telephone message.~~

~~(3)(7) “Central Office.” A location where there is an assembly of equipment that establishes the connections between subscriber access lines, trunks, switched access circuits, private line facilities, and special access facilities with the rest of the telephone network.~~

(4) “Certificate of Authority.” Certificates received by all companies providing telecommunications services after July 1, 2011.

(5) “Certificate of Necessity.” Certificate received by all incumbent local exchange companies, shared tenant service providers, alternative access vendors, competitive local exchange companies, and pay telephone service providers to provide telecommunication services prior to July 1, 2011.

~~(8) “Commission.” The Florida Public Service Commission.~~

~~(6)(9) “Company,” “Telecommunications Company,” or “Telephone Company,” or “Utility.”~~ These terms may be used interchangeably herein and shall mean “telecommunications company” as defined in Section 364.02(14), F.S.

~~(10) Competitive Local Exchange Telecommunications Company (CLEC).” Any company certificated by the commission to provide local exchange telecommunications services in Florida on or after July 1, 1995.~~

~~(11) “Completed call.” A call which has been switched through an established path so that two way conversation or data transmission is possible.~~

~~(12) “Disconnect” or “Disconnection.” The dissociation or release of a circuit. In the case of a billable call, the end of the billable time for the call whether intentionally terminated or terminated due to a service interruption.~~

~~(13) “Drop or Service Wire.” The connecting link that extends from the local distribution service terminal to the protector or telephone network interface device on the customer’s premises.~~

(7)(14) “Exchange.” A central office or group of central offices with the subscriber’s stations and lines connected, forming a local system which furnishes means of telephonic intercommunication without toll charges between subscribers

within a specified area. The entire telephone plant and facilities used in providing telephone service to subscribers located in an exchange area. An exchange may include more than one central office unit.

(15) "Exchange (Service) Area." The territory of a local exchange company (LEC) within which local telephone service is furnished at the exchange rates applicable within that area.

(16) "Extended Area Service." A type of telephone service whereby subscribers of a given exchange or area may complete calls to, and receive messages from, one or more other exchanges or areas without toll charges, or complete calls to one or more other exchanges or areas without toll message charges.

(17) "Foreign Exchange Service." A classification of LEC exchange service furnished under tariff provisions whereby a subscriber may be provided telephone service from an exchange other than the one from which he would normally be served.

(18) "Information Service." Telephone calls made to 900 or 976 type services, but does not include Internet services.

(19) "Intercept Service." A service arrangement provided by the telecommunications company whereby calls placed to an unequipped non working, disconnected, or discontinued telephone number are intercepted by operator, recorder, or audio response computer and the calling party informed that the called telephone number is not in service, has been disconnected, discontinued, or changed to another number, or that calls are received by another telephone. This service is also provided in certain central offices and switching centers to inform the calling party of conditions such as system blockages, inability of the system to complete a call as dialed, no such office code, and all circuits busy.

(20) "Inter office Call." A telephone call originating in one central office but terminating in another central office, both of which are in the same designated exchange area.

(21) "Interstate Toll Message." Those toll messages that do not originate and terminate within the same state.

(22) "Intertoll Trunk." A line or circuit between two toll offices, two end offices, or between an end office and toll office, over which toll calls are passed.

(23) "Intra office Call." A telephone call originating and terminating within the same central office.

(24) "Intrastate Interexchange Company (IXC)." Any entity that provides intrastate interexchange telecommunications services.

(25) "Intrastate Toll Message." Those toll messages which originate and terminate within the same state.

(26) "Invalid Number." A number comprised of an unassigned area code number or a non-working central office code (NXX).

(27) "Large LEC." A LEC certificated by the Commission prior to July 1, 1995, that had in excess of 100,000 access lines in service on July 1, 1995.

(28) "Local Access and Transport Area (LATA)" or "Market Area." A geographical area, which is loosely based on standard metropolitan statistical areas (SMSAs), within which a LEC may transport telecommunication signals.

(29) "Local Exchange Telecommunications Company (LEC)." Any telecommunications company, certificated by the Commission prior to July 1, 1995, to provide local exchange telecommunications service.

(8)(30) "Local Provider (LP)." Any telecommunications company providing local telecommunications service, excluding pay telephone providers and call aggregators.

(9)(31) "Local Service Area," or "Local Calling Area." The area within which telecommunications telephone service is furnished subscribers under a specific schedule of rates and without toll charges. A LEC's local service area may include one or more exchange areas or portions of exchange areas.

(32) "Local Toll Provider (LTP)." Any entity providing intraLATA or intramarket area long distance telecommunications service.

(33) "Main Station." The principal telephone associated with each service to which a telephone number is assigned and which is connected to the central office equipment by a circuit or channel.

(10)(34) "Message." A completed telephone call.

(11) "Number Portability." Consumer's ability to change providers and still keep the same phone number.

(35) "Mileage Charge." A tariff charge for circuits and channels connecting other services that are auxiliary to local exchange service such as off premises extensions, foreign exchange and foreign central office services, private line services, and tie lines.

(36) "New Construction." New construction is the installation of facilities to serve unserved areas; new construction is not the rearrangement or repair of defective facilities to serve an existing area. Adding to or the rearrangement of existing facilities is not considered "new construction" unless an engineer work order is issued.

(37) "Normal Working Days." The normal working days for installation and construction shall be all days except Saturdays, Sundays, and holidays. The normal working days for repair service shall be all days except Sundays and holidays. Holidays shall be the days which are observed by each individual telephone company.

(38) "Optional Calling Plan." An optional service furnished under tariff provisions which recognizes the need of some subscribers for extended area calling without imposing the cost on the entire body of subscribers.

~~(39) "Originating Party." Any person, firm, corporation, or other entity, including a telecommunications company or a billing clearinghouse, that provides any telecommunications service or information service to a customer or bills a customer through a billing party, except the term "originating party" does not include any entity specifically exempted from the definition of "telecommunications company" as provided in Section 364.02(14)(a) through (f), F.S.~~

~~(40) "Out of Service." The inability, as reported by the customer, to complete either incoming or outgoing calls over the subscriber's line. "Out of Service" shall not include:~~

~~(a) Service difficulties such as slow dial tone, circuits busy, or other network or switching capacity shortages;~~

~~(b) Interruptions caused by a negligent or willful act of the subscriber; and~~

~~(c) Situations in which a company suspends or terminates service because of nonpayment of bills, unlawful or improper use of facilities or service, or any other reason set forth in approved tariffs or Commission rules.~~

~~(41) "Outside Plant." The telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights of way between the central office and subscribers' locations or between central offices of the same or different exchanges.~~

~~(12)(42) "Pay Telephone Service Provider Company." Any telecommunications company that provides pay telephone service as defined in Section 364.3375, F.S.~~

~~(13)(43) "PC-Freeze." (Preferred Carrier Freeze) A service offered that restricts the customer's carrier selection until further notice from the customer.~~

~~(44) "Price regulated local exchange telecommunications company." Any local exchange telecommunications company certificated by the Commission prior to July 1, 1995 that has elected to become subject to price regulation pursuant to Section 364.051, F.S.~~

~~(14)(45) "Provider." Any entity providing telecommunication service, excluding pay telephone providers and call aggregators (i.e., local, local toll, and toll providers).~~

~~(46) "Rate of return regulated local exchange telecommunications company." Any local exchange telecommunications company certificated by the Commission prior to July 1, 1995 that has not elected to become subject to price regulation pursuant to Section 364.051, F.S.~~

~~(47) "Service Objective." A quality of service which is desirable to be achieved under normal conditions.~~

~~(48) "Service Standard." A level of service that a telecommunications company, under normal conditions, is expected to meet in its certificated territory as representative of adequate services.~~

~~(49) "Small LEC." A LEC certificated by the Commission prior to July 1, 1995, which had fewer than 100,000 access lines in service on July 1, 1995.~~

~~(15)(50) "Station." A telephone instrument consisting of a transmitter, receiver, and associated apparatus so connected as to permit sending or receiving telephone messages.~~

~~(16)(51) "Subscriber" or "Customer." These terms may be used interchangeably herein and shall mean any person, firm, partnership, corporation, municipality, cooperative organization, or governmental agency supplied with telecommunications communication service by a telecommunications company.~~

~~(52) "Subscriber Line." or "Subscriber Loop." See "Access Line."~~

~~(53) "Switching Center." Location at which telephone traffic, either local or toll, is switched or connected from one circuit or line to another. A local switching center may be comprised of several central office units.~~

~~(54) "Toll Connecting Trunk." A trunk that connects a local central office with its toll operating office.~~

~~(55) "Toll Message." A completed telephone call between stations in different exchanges for which message toll charges are applicable.~~

~~(56) "Toll Provider (TP)." Any entity providing interLATA long distance telecommunications service.~~

~~(57) "Traffic Study." The process of recording usage measurements which can be translated into required quantities of equipment.~~

~~(58) "Trouble Report." Any oral or written report from a subscriber or user of telephone service to the telephone company indicating improper function or defective conditions with respect to the operation of telephone facilities over which the telephone company has control.~~

~~(59) "Trunk." A communication channel between central office units or entities, or private branch exchanges.~~

~~(60) "Valid Number." A number for a specific telephone terminal in an assigned area code and working central office which is equipped to ring and connect a calling party to such terminal number.~~

Rulemaking Authority 350.127(2) FS. Law Implemented 364.01, 364.02, 364.16, 364.32, 364.335, 364.337, 364.3375, 364.3376, 364.602, 364.603, 364.604 FS. History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.03, Amended 2-23-87, 3-4-92, 12-21-93, 3-10-96, 12-28-98, 7-5-00, 4-3-05, Repromulgated 5-8-05, Amended 11-20-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Beth Salak

NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 40, Number 93, May 13, 2014

**PUBLIC SERVICE COMMISSION**

RULE NO.: 25-22.061  
 RULE TITLE: Stay Pending Judicial Review  
 PURPOSE AND EFFECT: The rule is amended to delete obsolete language relating to telecommunication companies.  
 Docket No. 140141-TP  
 SUMMARY: Rule 25-22.061, F.A.C., describes the procedure followed when an appellant seeks a stay pending judicial review in state court pursuant to Section 120.68, F.S. This rule is amended to delete reference to a repealed rule concerning telecommunication companies.

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 been prepared by the Agency. The SERC examined the factors required by Section 120.541(2)(c), F.S., and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that telecommunications companies licensed to operate in Florida would likely benefit from the recommended rule changes.

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: based upon the information contained in the SERC.

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: 350.127(2), 366.05(1), 368.05(2) FS.

LAW IMPLEMENTED: 120.68(3), 350.01(5), 364.01(4), 366.04(1), 366.05(1), 366.06(1), 367.011(2), 367.081(2), 367.0814, 367.121(1)(g), 368.05(2) 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-22.061 Stay Pending Judicial Review.

(1) No change.

(2)(a) through (c) No change.

(3) When a stay is conditioned upon the posting of a bond, corporate undertaking, or other appropriate form of surety, the Commission shall at the time it grants the stay set the rate of interest to be paid by the utility or company pursuant to ~~subsection 25-4.114(4), F.A.C., for telecommunication companies,~~ subsection 25-6.109(4), F.A.C., for electric public utilities, subsection 25-7.091(4), F.A.C., for gas public utilities, and subsection 25-30.360(4), F.A.C., for water and wastewater utilities in the event that the Court’s decision requires a refund to customers.

(4) No change.

Rulemaking Authority 350.127(2), 366.05(1), 368.05(2) FS. Law Implemented 120.68(3), 350.01(5), ~~364.01(4), 366.04(1),~~ 366.05(1), 366.06(1), 367.011(2), 367.081(2), 367.0814, 367.121(1)(g), 368.05(2) FS. History—New 2-1-82, Formerly 25-22.61, Amended 6-27-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Kathryn G.W. Cowdery

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 40, Number 93, May 13, 2014

**PUBLIC SERVICE COMMISSION**

RULE NOS.: 25-24.505  
 RULE TITLS: Scope

25-24.514 Cancellation of a Certificate

25-24.555 Scope and Waiver

25-24.560 Terms and Definitions

PURPOSE AND EFFECT: These rules are repealed as obsolete and unnecessary to implementation of Chapter 364, F.S.

Docket No. 140141-TP

SUMMARY: These rules have been rendered obsolete because of Legislative amendments to Chapter 364, F.S., and repeal and amendment of other Chapter 25-24, F.A.C., rules.

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 been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2)(c), F.S., and concluded that the rule repeals will not



have an adverse impact on economic growth, business competitiveness, or small business and that telecommunications companies licensed to operate in Florida would likely benefit from the recommended rule changes.

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: based upon the information contained in the SERC.

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: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, 350.115, 350.117, 350.127(1), 364.01, 364.016, 364.02, 364.17, 364.18, 364.183, 364.185, 364.285, 364.32, 364.33, 364.335, 364.337, 364.3375, 364.3376, 364.339 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.505 Scope.

Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 350.115, 350.117, 364.01, 364.016, 364.02, 364.17, 364.18, 364.183, 364.185, 364.32, 364.337, 364.3375 FS. History—New 1-5-87, Amended 11-13-95, 2-1-99, Repealed.

25-24.514 Cancellation of a Certificate.

Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 350.127(1), 364.285 FS. History—New 1-5-87, Amended 2-7-13, Repealed.

25-24.555 Scope and Waiver.

Rulemaking Authority 350.127(2) FS. Law Implemented 364.01, 364.339 FS. History—New 1-28-91, Amended 7-29-97, 1-31-00, Repealed.

25-24.560 Terms and Definitions.

Rulemaking Authority 350.127(2) FS. Law Implemented 364.33, 364.335, 364.339 FS. History—New 1-28-91, Amended 7-29-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Beth Salak

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 40, Number 93, May 13, 2014

**COMMISSION ON ETHICS**

RULE NO.: 34-5.002  
RULE TITLE: Review for Sufficiency of Allegations of Breach of Public Trust and Order of Preliminary Investigation; Review of Allegations of Failure to Properly Complete Financial Disclosure Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment clarifies the Commission staff's handling of complaints alleging errors or omissions on financial disclosure forms and incorporates the deletion of a date resulting from the enactment of Chapter 2014-183, LOF.

SUMMARY: The amendment deletes the date August 25 from the process under which Commission staff notifies a respondent of a complaint alleging a de minimis error or omission on the respondent's financial disclosure form and under which the respondent has 30 days to correct such error for no further action to be taken.

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: based on past experiences with complaint procedures and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed and would not be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 112.322(9), 120.53 FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., Chapter 2014-183, Sections 3 and 4, LOF, 112.3144, 112.3145, 112.322, 112.324 FS.

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

DATE AND TIME: September 12, 2014, 8:30 a.m.  
 PLACE: Senate Office Building, Room 37S, 404 South Monroe Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lindsey Smith, Executive Secretary, Commission on Ethics. 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: Betsy Daley, Senior Attorney, Commission on Ethics

THE FULL TEXT OF THE PROPOSED RULE IS:

34-5.002 Review for Sufficiency of Allegations of Breach of Public Trust and Order of Preliminary Investigation; Review of Allegations of Failure to Properly Complete Financial Disclosure Forms.

(1) through (4)(a) No change.

(b) If a complaint filed after May 1, 2013, alleges an error or omission on an annual CE Form 6 – Full and Public Disclosure of Financial Interests, or CE Form 1 – Statement of Financial Interests, ~~and is filed after August 25 of the year in which the annual disclosure is or was due,~~ the Executive Director shall determine whether the complaint contains any allegations other than allegations of an immaterial, inconsequential, or de minimis error or omission on the disclosure form. If the complaint contains no such allegations, the staff shall take no action on the complaint other than to notify the respondent of the complaint. If the respondent files an amended disclosure correcting the error or omission with the Commission within 30 days of the date the notice is mailed, no further action shall be taken. If the respondent does not file an amended disclosure correcting the error or omission with the Commission within 30 days of the date the notice is mailed, the procedures in subsections (1)-(3), above, shall be followed.

Rulemaking Authority 112.322(9), 120.53 FS. Law Implemented Art. II, Section 8(f), (h), Fla. Const., ~~Chapter 2013-36 Sections 7 and 9, LOF, Chapter 2014-183, Sections 3 and 4, LOF, 112.3144, 112.3145, 112.322, 112.324 FS. History—New 4-7-77, Amended 9-21-77, 7-13-80, 1-12-82, Formerly 34-5.02, Amended 10-29-13, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Virilindia Doss, Executive Director, Commission on Ethics  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Virilindia Doss, Executive Director, Commission on Ethics

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 12, 2014

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

NONE

**Section IV  
 Emergency Rules**

NONE

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

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program

The Criminal Justice Standards and Training Commission hereby gives notice: the Criminal Justice Standards and Training Commission has issued an order on August 7, 2014.

On June 9, 2014, the Criminal Justice Standards and Training Commission, received a petition for a waiver of paragraph 11B-35.0011(1)(h), F.A.C., by the Florida Department of Corrections (DoC) on behalf of Louis Fabien. Petitioner wished to waive that portion of the rule which requires an officer to take and pass a Basic Abilities Test (BAT) within four years of beginning Basic Recruit Training (BRT). Notice of receipt of the request was published in the Florida Administrative Register, Volume 40, Number 116, on June 16, 2014.

The facts of the case are as follows: Mr. Fabien was hired by DoC as a Temporary Employment Authorization (TEA) on January 17, 2014. Mr. Fabien had passed the BAT on January 20, 2010. DoC did not have Mr. Fabien retake his BAT prior to his entering basic recruit training in April of 2014. Mr. Fabien retook the BAT on June 2, 2014, however, this was after he began BRT. Petitioner states that Mr. Fabien cannot take the State Officer Certification Examination or begin the hiring process until he obtains a rule waiver. The only other option for

Mr. Fabien is to retake the BRT he just successfully completed, which would be an onerous burden.

On August 7, 2014, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness as concerns Mr. Fabien. The Commission found that the purposes of the underlying statute, which is to ensure that candidates for BRT have the basic abilities to ensure their suitability for training, would be met by granting this waiver request. The candidate in this case proved that he could pass BRT as well as a second BAT, and therefore, was suitable to obtain a waiver of the rule. The Commission granted the Petitioner's request for a waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program

The Criminal Justice Standards and Training Commission hereby gives notice: the Criminal Justice Standards and Training Commission has issued an order on August 7, 2014.

On June 9, 2014, the Criminal Justice Standards and Training Commission received a petition for a waiver of paragraph 11B-35.0011(1)(h), F.A.C., by the Florida Department of Corrections (DoC) on behalf of Brent Goodlett. Petitioner wished to waive that portion of the rule which requires an officer to take and pass a Basic Abilities Test (BAT) within four years of beginning Basic Recruit Training (BRT). Notice of receipt of the request was published in the Florida Administrative Register, Volume 40, Number 116, on June 16, 2014.

The facts of the case are as follows: Mr. Goodlett was hired by DoC as a Temporary Employment Authorization (TEA) on December 3, 2010. Mr. Goodlett had passed the BAT on May 15, 2010. DoC terminated Mr. Goodlett from its TEA program on June 1, 2011, as a result of budget cuts. DoC rehired Mr. Goodlett after obtaining a waiver request to permit TEAs terminated in 2011 to be rehired on new TEAs without waiting four years. Mr. Goodlett was rehired by DoC on January 3, 2014. Mr. Goodlett's BAT had expired on May 15, 2013. Mr. Goodlett began BRT on April 21, 2014, and was scheduled to graduate on July 8, 2014. DoC realized that Mr. Goodlett's BAT had expired, and so he retook the BAT and passed on June

2, 2014, six weeks after he had begun the academy. Petitioner states that Mr. Goodlett cannot take the State Officer Certification Examination or begin the hiring process until he obtains a rule waiver. The only other option for Mr. Goodlett is to retake the BRT he just successfully completed, which would be an onerous burden.

On August 7, 2014, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness as concerns Mr. Goodlett. The Commission found that the purposes of the underlying statute, which is to ensure that candidates for BRT have the basic abilities to ensure their suitability for training, would be met by granting this waiver request. The candidate in this case proved he could pass BRT as well as a second BAT, and therefore, was suitable to obtain a waiver of the rule. The Commission granted the Petitioner's request for a waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

EXECUTIVE OFFICE OF THE GOVERNOR  
Division of Emergency Management  
RULE NO.: RULE TITLE:

27P-14.005 Late Fees

NOTICE IS HEREBY GIVEN that on August 5, 2014, the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for Dr Pepper Snapple Group. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that require payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF HEALTH  
Division of Environmental Health  
RULE NO.: RULE TITLE:

64E-6.013 Construction Materials and Standards for Treatment Receptacles

NOTICE IS HEREBY GIVEN that on August 12, 2014, the Florida Department of Health received a petition for emergency

waiver from Bruce Stowe, representing Roth Global Plastics, Inc. Specifically, the petitioner seeks a waiver from paragraph 64E-6.013(2)(a), Florida Administrative Code, which requires all receptacle-stiffening members to be a homogeneous integral part of the structure. Interested persons or other agencies may submit written comments on the petition for emergency variance or waiver within 5 days of the publication of this notice. Comments may be sent to: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
 Family Safety and Preservation Program

**RULE NO.: RULE TITLE:**

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on August 5, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Charlee of Dade County, Inc., and Tykena Buckner. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

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.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on August 6, 2014, the Florida Housing Finance Corporation received a petition for waiver from Salt Creek Apartments, Ltd., requesting a waiver from subsection 9I-35.006(6), F.A.C., for the forgiveness of all outstanding SAIL interest pursuant to Rule 9I-35.006, F.A.C., multiplied by .05 multiplied by the number of years, not to exceed 15, that the very low income set-aside was extended beyond that required law. A waiver/variance of the rule will allow the Petitioner to continue to operate the affordable housing project and will facilitate a new loan structure wherein the principal balance of the loan will amortize.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashley Marie Black, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication

of this notice. To be considered, comments must be received on or before 5:00 p.m. on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

**Section VI**  
**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

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

**DATE AND TIMES:** Thursday, August 21, 2014, 9:00 a.m., 10:00 a.m.

**PLACE:** Flagler County Administration; 1769 E. Moody Blvd., Building 2; Bunnell, FL 32110

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 9:00 a.m., Code of Ethic Committee; 10:00 a.m., Board of Directors. A copy of the agenda may be obtained by contacting: Andrew Morrow, Executive Director, (386)446-7630.

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

Division of Animal Industry

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

**DATE AND TIME:** September 4, 2014, 10:00 a.m.

**PLACE:** Florida Cattlemen's Association Building, 800 Shakerag Road, Kissimmee, Florida 34744

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly meeting of the Animal Industry Technical Council to discuss animal and agricultural issues of concern.

A copy of the agenda may be obtained by contacting: Stephen Monroe by telephone at (850)410-0944.

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: Stephen Monroe by telephone at (850)410-0944. 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: Stephen Monroe by telephone at (850)410-0944.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Department of Business and Professional Regulation, the Florida Building Commission, “the Commission”, announces the following public meetings to which all persons are invited.

**DATES AND TIMES:** August 21, 2014, 1:00 p.m.; August 22, 2014, 8:30 a.m.

**PLACE:** Tradewinds Island Grand, 550 Gulf Boulevard, St. Pete Beach, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** On August 21, 2014, at 1:00 p.m., the Commission’s Technical Advisory Committee Chairs will meet to consider recommendations for research to be funded during fiscal year 2014-2015. On August 22, 2014, beginning at 8:30 a.m., the full Florida Building Commission will review and decide on Accessibility Waiver Applications, review and decide on requests for Declaratory Statements; and take up and consider such other matters that appear on the Commission’s agenda. Specifically, the Commission will address:

Accessibility Waiver Applications:

- a. Kappa Delta Sorority House, 555 West Jefferson Street, Tallahassee
- b. Epic Theatres, Lot Adjacent to HH Gregg, 8380 Merchants Way, Jacksonville
- c. The Temple House, 1415 Euclid Avenue, Miami Beach
- d. Alpha Gamma Delta Porch Enclosure, 517 West Park Avenue, Tallahassee
- e. Venezia Hotel, 3865 Indian Creek Drive, Miami Beach
- f. Honda of Port Charlotte, 1252 Tamiami Trail, Port Charlotte
- g. Ave Maria University Press Box, 4811 Kelleher Street, Ave Maria
- h. Collins Park Hotel, 2000 Park Avenue and 2035 Washington Avenue, Miami Beach
- i. DeVine Wine and Grill, 15 Alafaya Woods Boulevard, Suite 117, Oviedo
- j. Polk State College Center for Public Safety, 1251 Jim Keene Boulevard, Winter Haven

Petitions for Declaratory Statement:

- a. DS2014-066 by Edward Rojas of the City of Doral
- b. DS-2014-075 by Sprague Owings of Marion County Building Department
- c. DS 2014-083 by Eric Neilinger of Fire Alarm Systems and Security Inc.
- d. DS 2014-084 by Gary Kozan of Ridgeway Plumbing Inc.
- e. DS2014-086 by Joe Hetzel of DASMA
- f. DS2014-089 by T.A. Krebs of Architect T.A. Krebs, LLC.;

A copy of the agenda may be obtained by contacting: Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772 or call (850)487-1824, refer to [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](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 North 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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may refer to [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm), contact Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, call (850)487-1824 or visit our website at [www.floridabuilding.org](http://www.floridabuilding.org).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DATE AND TIME:** Wednesday, September 17, 2014, 9:00 a.m. – 5:00 p.m.

**PLACE:** 3rd Floor Auditorium, Center of Excellence for Coral Reef Ecosystem Research, Nova Southeastern University Oceanographic Center, 8000 North Ocean Drive, Dania Beach, FL 33004

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Coral Reef Conservation Program is holding a meeting of the Our Florida Reefs South Community Working Group in which working group members will start developing a list of recommended management actions that will improve management and protection of Southeast Florida coral reefs.

A copy of the agenda may be obtained by contacting: Benjamin Wahle by email: Benjamin.Wahle@dep.state.fl.us or by phone: (305)795-1223. The agenda will be posted online at <http://ourfloridareefs.org/events/> one week prior to the meeting date.

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: Benjamin Wahle at (305)795-1223. 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).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NO.: RULE TITLE:**

62-304.800 Caloosahatchee River Basin TMDLs

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

**DATE AND TIME:** Thursday, August 28, 2014, 9:30 a.m.

**PLACE:** South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comments on 1) a draft nutrient and dissolved oxygen (DO) total maximum daily load (TMDL) report for impaired waters in the Caloosahatchee River Basin, to be adopted in Rule 62-304.800, F.A.C. and 2) having the nutrient TMDLs, if adopted, constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters, upon paragraph 62-302.531(2)(a), F.A.C., becoming effective. The TMDLs to be presented at the public workshop include revisions to the existing nutrient TMDLs for the tidal estuary portion of the Caloosahatchee River (WBIDs 3240A, 3240B, and 3240C); new nutrient and DO TMDLs for the C-21 Canal (WBID 3246), Townsend Canal (WBID 3235L) and Deep Lagoon Canal (WBID 3240A4); new nutrient TMDLs for the Caloosahatchee River (between S79 and S78) (WBID 3235B), Jacks Branch (WBID 3235D), Long Hammock Creek (WBID 3237B) and Popash Creek (WBID 3240Q); and new DO TMDLs for Cypress Branch (3235G), Lake Hicpochee (WBID 3237C), Ninemile Canal (3237D), and Billy Creek (3240J). The draft

TMDL document for these impaired waters will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl/>) by August 22, 2014 and will be provided upon request to interested parties by mail or via email distribution. The Department will accept written comments on these draft TMDLs, as well as the establishment of these nutrient TMDLs as site specific interpretations of the narrative nutrient criterion, through September 22, 2014. Written comments should be directed to: Greg DeAngelo, Administrator, Water Quality Evaluation and TMDL Program, Florida Department of Environmental Protection, Mail Station #3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or via email: [gregory.deangelo@dep.state.fl.us](mailto:gregory.deangelo@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Linda Quinn-Godwin, Water Quality Evaluation and TMDL Program, MS #3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling: (850)245-8449.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Linda Quinn-Godwin, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**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:** August 20, 2014, 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 Reemployment Assistance Appeals 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: The Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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: The Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: The Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida Inc., Board Legislative Policy Committee Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 8:30 a.m. – 10:30 a.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830, Call-in number: 1(800)501-8979, access code: 2986630#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Michael Preston: (850)298-6630, mpreston@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Michael Preston: (850)298-6630, mpreston@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida Inc., Stakeholder Council Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 4:30 p.m. – 6:30 p.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830, Call-in number: 1(877)402-9753, access code: 6423569#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com. If you are hearing or speech impaired,

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

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**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida Inc., Stakeholder Council Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 10:30 a.m. – 11:30 a.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com.

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**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida Inc., Team Florida Marketing Partnership Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 2:30 p.m. – 4:30 p.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kim Wilmes: (407)956-5628, kwilmes@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board of Directors Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 30, 2014, 9:30 a.m. – 11:30 a.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830, Call-in number: 1(877)402-9753, access code: 6423569#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Al Latimer: (407)956-5602, alatimer@eflorida.com.

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ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 10:30 a.m. – 11:30 a.m., E.D.T

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830, Call-in number: 1(800)501-8979, access code: 8344260#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Al Latimer: (407)956-5602, alatimer@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Al Latimer: (407)956-5602, alatimer@eflorida.com.

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ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Joint Board Finance & Compensation Committee and Board Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 3:30 p.m. – 4:30 p.m., E.D.T.

PLACE: Disney’s Yacht & Beach Club Resorts, Convention Center, 1700 Epcot Resorts Boulevard, Lake Buena Vista, FL 32830, Call-in number: 1(800)501-8979, access code: 9565644#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Pamela Murphy: (407)956-5644, pmurphy@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Pamela Murphy: (407)956-5644, pmurphy@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pamela Murphy: (407)956-5644, pmurphy@eflorida.com.

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QCAUSA

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

DATE AND TIME: Tuesday, August 26, 2014, 6:00 p.m. – 7:00 p.m., CDT

PLACE: Seascape Conference Center, Oak Room, 556 Seascape Drive, Miramar Beach, FL 32550

GENERAL SUBJECT MATTER TO BE CONSIDERED: U.S. 98 in Okaloosa and Walton Counties. Segment 3: State Road (S.R.) 30 (U.S. 98) from County Road (C.R.) 30F (Airport Road) to Emerald Bay Drive. Segment 4: State Road (S.R.) 30 (U.S. 98) from Emerald Bay Drive to Tang-O-Mar Drive.

Financial Project Identification Numbers: 414132-3-52-01; 414132-4-52-01

This meeting is being held to provide information regarding improvements to 7.4 miles of U.S. 98 extending from County Road (C.R.) 30F (Airport Road) in Okaloosa County to Tang-O-Mar Drive in Walton County. Maps, drawings, and other information will be on display. There will be no formal presentation. Representatives from the Florida Department of Transportation (FDOT) will be available to discuss proposed improvements and answer questions.



A copy of the agenda may be obtained by contacting: FDOT General Consultant Project Managers Bill Howell or Sandra Lamb, P.E., toll-free at 1(866)855-7275 or via email at bill.howell@atkinsglobal.com or sandra.lamb@atkinsglobal.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: General Consultant Project Managers, Bill Howell or Sandra Lamb, P.E., at the contact information listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on August 4, 2014, the Construction Industry Licensing Board received an Amended Petition for Declaratory Statement from Charles N. Hunt, Jr., a certified general contractor. Petitioner asks whether he needs to complete the specialized continuing education courses specified in subparagraph 489.115(4)(b)2., F.S., and paragraph 61G4-18.001(2)(f), F.A.C., before he can submit to local building departments his own plans and drawings pursuant to subparagraph 489.113(9)(b)2., F.S. Further, petitioner asks whether local building departments are allowed to require liability releases, special training, or any other item not specifically addressed in the state statutes. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

Copies of the Petition may be obtained from Drew Winters, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has received a Petition for Declaratory Statement from Diana Richardson on July 10, 2014 [DS-2014-094]. Petitioner seeks the Board's interpretation of subsections 61G5-22.015(1) and 22.017(1)-(2), F.A.C., regarding whether a conflict exists between the two rules. The Board will consider this petition at

its meeting currently scheduled for September 4, 2014. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395, Robyn.Barineau@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has received a Petition for Declaratory Statement from Diana Richardson on July 10, 2014 [DS-2014-092]. Petitioner seeks the Board's interpretation of Rules 61G5-22.002 and 22.003 regarding whether an instructor's signature certifying "successful completion of 260 hours of instruction designed to meet the learning objectives set forth in subsections 65G5-22.004(2), 61G5-22.005(2) and 61G5-22.006(2), F.A.C." satisfies the evaluation requirement making Petitioner legally eligible to apply for registration; and of Rule 22.015, F.A.C., regarding whether Petitioner is eligible to apply for registration if she did not have a graded performance/practical evaluation of the services but completed the services. Petitioner also requests clarification of whether a graded performance/practical examination is required for the variety of services required in subsection 61B5-22.017(2). The Board will consider this petition at its meeting currently scheduled for September 4, 2014. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395, Robyn.Barineau@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Cosmetology

(This is a republication of the notice published on August 12, 2014, in Vol. 40, No. 156, to include Petitioner's name, date petition was filed, and reference to applicability citation.)

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has received a Petition for Declaratory Statement from Brittany Lewis on July 10, 2014. Petitioner does not cite to any section of the Florida Statutes or Florida Administrative Code.

Petitioner seeks the Board's interpretation of whether the reuse of facial sponges and waxing sticks is allowed. The Board will consider this petition at its meeting currently scheduled for September 4, 2014. Except for good cause shown, motions for

leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395, Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that on August 7, 2014, the Florida Real Estate Commission has received the petition for declaratory statement from John Baltz. The petition seeks the agency's opinion as to the applicability of Section 475.41, Florida Statutes, as it applies to the petitioner.

Petitioner is requesting the Commission's interpretation of the phrase "at the time the act or service was performed," provided in Section 475.41, Florida Statutes. Petitioner's license was active at the time he referred a listing to an agent. The property sold, but he has not received a referral commission. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395.

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

DEPARTMENT OF EDUCATION

University of Central Florida

Architect - Trevor Colbourn Hall

NOTICE TO ARCHITECTS

The University of Central Florida, on behalf of its Board of Trustees, announces that services in the disciplines of architecture will be required for the project listed below:

Project No.: UCF - #574

Project and Location: Trevor Colbourn Hall, University of Central Florida, Main Campus, Orlando, Florida.

The project consists of the new construction of Trevor Colbourn Hall, approximately an 80,000 GSF academic support facility. The new building is to consist of classrooms, offices, and support spaces.

The total project cost will be approximately \$25,000,000 for planning, construction, and furnishings/equipment.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and Professional Qualifications Supplement Form may be obtained by contacting: Gina Seabrook, phone: (407)823-5894, fax: (407)823-5141, email: gina.seabrook@ucf.edu or on our website: www.fp.ucf.edu.

The five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, University of Central Florida, 3528 North Perseus Loop, Building 16, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time September 4, 2014. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions or additional documentation will not be accepted.

DEPARTMENT OF MILITARY AFFAIRS

123031 CBJTC Water Heater Replacement

STATE OF FLORIDA

DEPARTMENT OF MILITARY AFFAIRS

PUBLIC ANNOUNCEMENT

INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed Plumbing

Contractors/General Contractors (GC) for the following project located at Camp Blanding Joint Training Center (CBJTC), Starke, FL.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 8/14/2014 AT [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

PROJECT: 123031 Water Heater Replacements.  
STATEMENT OF WORK: Replacement of 90 existing electric/LP gas fired water heaters with new energy efficient LP gas instantaneous water heaters.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch, (904)823-0256 or 827-8544 or email: [ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil](mailto:ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil).

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Requests for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

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**EARLY LEARNING COALITION OF DUVAL**

Invitation to bid (ITB) by ELC of Duval for early learning materials

Invitation to bid (ITB) is being published by ELC of Duval for early learning materials. Vendors with expertise and many years of track record in these areas and solid familiarity of early learning may apply. If interested, please send an email to Padma Rajan – [prajan@elcofduval.org](mailto:prajan@elcofduval.org), to receive the full ITB.

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**Section XII  
Miscellaneous**

**DEPARTMENT OF EDUCATION**

Florida School for the Deaf and the Blind

Florida School for the Deaf and the Blind - Construction Management Firm Selection

**PUBLIC ANNOUNCEMENT OF CONSTRUCTION MANAGEMENT SELECTION RESULTS**

The Florida School for the Deaf and the Blind announces that on the date listed below, ranking was determined and an intent was issued to negotiate and enter into a continuing contract for Construction Management Services in accordance with the Consultants Competitive Negotiation Act, for the following:

DATE: August 6, 2014

NAME OF AGENCY: The Florida School for the Deaf and the Blind

PROJECT NAME: Continuing Contract for Construction Management Services

1. Charles Perry Partners Inc. (CPPI)
  2. Danis Construction
  3. Auld & White Construction
  4. Gilbane Construction
  5. E. Vaughn Rivers
- 

**DEPARTMENT OF EDUCATION**

Florida's Office of Early Learning

School Readiness Curriculum Approval Process Submissions August 2014

RULE NO.: RULE TITLE:

6M-4.710 School Readiness Program Curricula

The Office of Early Learning has recently revised Rule 6M-4.710, F.A.C., School Readiness Program Curricula, to reflect the process to be used for approval of school readiness curricula for 2014-15. Curricula publishers have provided an Intent to Submit Form for the 2014-2015 Curriculum Approval Process-August 2014. Pending approval, curricula on this list may be added to the final 2014-2015 Approved School Readiness Curricula List. Submitted curricula may be found at:

[http://www.floridaearlylearning.com/providers/provider\\_resources/school\\_readiness\\_curriculum.aspx](http://www.floridaearlylearning.com/providers/provider_resources/school_readiness_curriculum.aspx).

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## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

## Division of Motor Vehicles

Sam Galloway Ford South, Ltd., d/b/a MV-1 of Southwest Florida for the establishment of MOVT vehicles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Mobility Ventures, LLC, intends to allow the establishment of Sam Galloway Ford South, Ltd., d/b/a MV-1 of Southwest Florida as a dealership for the sale of automobiles manufactured by Mobility Ventures, LLC (line-make MOVT) at 22400 South Tamiami Trail, Estero, (Lee County), Florida 33928, on or after September 12, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Sam Galloway Ford South, Ltd., d/b/a MV-1 of Southwest Florida are dealer operator(s): Sam Galloway, 22400 South Tamiami Trail, Estero, Florida 33928; principal investor(s): Sam Galloway, 22400 South Tamiami Trail, Estero, Florida 33928, Robert Galloway, 22400 South Tamiami Trail, Estero, Florida 33928 and Katherine Dougherty, 22400 South Tamiami Trail, Estero, Florida 33928.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Greg Proven, Mobility Ventures, LLC, 105 North Ventures, LLC, South Bend, Indiana 46617.

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

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Beaches and Coastal Systems

Notice of Availability of Port Canaveral  
Inlet Management Plan

The Florida Department of Environmental Protection (Department) announces the availability and adoption of the Port Canaveral Inlet Management Implementation Plan Update. Summary of the Port Canaveral Inlet Management Implementation Plan Update: Pursuant to Subsection 161.101(2), F.S., the Department is the beach and shore preservation authority for the State of Florida. As part of the beach management plan adopted pursuant to Section 161.161, F.S., the Department is adopting this inlet management plan for Port Canaveral Inlet in Brevard, Florida. This plan updates an existing plan for Port Canaveral Inlet to make the plan consistent with current statutes and observed erosion conditions. Future inlet management activities shall be consistent with the strategies set forth in the Inlet Management Plan. To obtain a copy of the Port Canaveral Inlet Management Implementation Plan Update, visit:

[http://www.dep.state.fl.us/beaches/publications/index.htm#Inlet\\_Management](http://www.dep.state.fl.us/beaches/publications/index.htm#Inlet_Management) or contact Evie Crosby, Department of Environmental Protection, telephone: (850)245-8306, email: [Evie.Crosby@dep.state.fl.us](mailto:Evie.Crosby@dep.state.fl.us).

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F. S., is not available.

Because the administrative hearing process is designed to redetermine final agency action on the adoption, the filing of a petition for an administrative hearing may result in a modification of the agency action. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the adoption of the Inlet Management Plan, subject to the result of the administrative review process.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. 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 a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rules 28-106.111 and 62-110.106, F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b)

The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This action constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On August 11, 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Kelly Kay Schroeder, L.P.N., License #: PN 816471. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On August 11, 2014, State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of Nikhil R. Patel, C.N.A., Certificate #: CNA 279495. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and

serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On August 11, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Monica Maria Lakind, R.N., License #: RN 3333412. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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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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