

Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-21.003 RULE TITLE: Filing an Appeal

PURPOSE AND EFFECT: The Department is proposing to amend the rule to clarify that appeals may only be filed by person’s adversely impacted by the decision of the appeals referee; that decisions may be made available by mail, by delivery through a Department-approved electronic system or by other delivery to a party and the date of delivery starts the appeal period. The rule is amended to address how an appeal may be filed with the Commission and to clarify how the date of receipt of an appeal will be determined by the Commission for each method of filing.

SUBJECT AREA TO BE ADDRESSED: Filing an Appeal.

RULEMAKING AUTHORITY: 443.012(11), 443.151(4)(d) FS.

LAW IMPLEMENTED: 443.151(4)(d) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy Johnson, Deputy General Counsel, Office of the Unemployment Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

73B-21.003 Filing an Appeal.

(1) Any person who is entitled by law to notice of an appeals referee’s decision and is adversely impacted by that decision may file an appeal of that decision within 20 calendar days after the ~~mailing~~ of notice of the appeals referee’s decision is mailed to the parties at their last known addresses or made available electronically through a Department-approved electronic account, or, in the absence of mailing or electronic delivery, the date of other delivery to the appellant, if not mailed, within 20 calendar days after the date of delivery of such notice.

~~(2) The appeal shall be filed by mail to any appeal location designated in subsection 73B-21.002(1), F.A.C.; by facsimile transmission of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (c);~~

~~F.A.C.; or by hand delivery of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (d), F.A.C.~~

~~(2)(3) Appeals filed by mail are shall be considered to have been~~ filed when postmarked by the United States Postal Service. Appeals filed by hand delivery, courier service, or facsimile are shall be considered to have been filed when date stamped ~~received~~ at the authorized location. Appeals filed through the Department web site as provided in Rule 73B-21.002, F.A.C., shall be considered to have been filed on the date the confirmation number is issued.

~~(3)(4) Upon receipt of An~~ appeal delivered in person or by facsimile transmission will be date stamped by a; the Commission or; Department of Economic Opportunity, or Office of Appeals employee on the date hand delivered or the date placed on the document by the Department or Commission fax system shall record the date of receipt on the appeal document. The Internet filing system shall post on the appeal the date the confirmation number is issued and the appeal was successfully received by the system.

Rulemaking Specific Authority 443.012(11), 443.151(4)(b), (d) FS. Law Implemented 443.151(4)(b), (d) FS. History–New 5-22-80, Formerly 38E-2.03, Amended 8-20-86, 1-5-93, 8-7-01, Formerly 38E-2.003, 60BB-6.003, Amended _____.

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: 5L-1.003 RULE TITLE: Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: These amendments propose to reclassify the West Bay, Alligator Harbor, Myakka River and South Volusia shellfish harvesting areas. Results of sanitary surveys, which evaluated current information on pollution sources and bacteriological water quality, recommended reclassification of the West Bay, Alligator Harbor, Myakka River and South Volusia shellfish harvesting areas. This amendment further proposes to make a minor change to the boundary of three shellfish areas. The effect would be to increase the acres available to shell fishing and to decrease the number of days the areas would be closed statewide.

SUMMARY: The proposed reclassification of the West Bay shellfish harvesting areas will: increase the size of Conditionally Approved area #0822 by 5,758 acres, from 11,987 acres to 17,745 acres; eliminate the Conditionally Approved area #0812, decreasing the size by 13,835 acres, from 13,835 acres to 0 acres; eliminate the Conditionally

Restricted area #0806, decreasing the size by 3,078 acres, from 3,078 acres to 0 acres; and decrease the size of the Prohibited area by 2,799 acres, from 7,075 acres to 4,276 acres.

The current management of the West Bay shellfish harvesting area is based on local rainfall. Proposed management of the West Bay shellfish harvesting area is based on local rainfall. The average closure frequency of Conditionally Approved area #0822 is expected to decrease 4.6 days per month from 7.2 days per month to 2.6 days per month.

The proposed reclassification of the Alligator Harbor shellfish harvesting areas will establish an Approved area #1802 (3,249 acres) from the existing Conditionally Approved area #1802 (3,249 acres), but will not change the size of the Prohibited area (570 acres). The current management of the Alligator Harbor shellfish harvesting area is based on local rainfall levels. Proposed management of the Alligator Harbor shellfish harvesting area is based on local rainfall levels. The average closure frequency of Approved area #1802 is expected to decrease 0.2 days per month from 0.2 days per month to 0.0 days per month.

The proposed reclassification of the Myakka River shellfish harvesting areas will: decrease the size of Conditionally Approved area #6002 by 466 acres, from 4,269 acres to 3,803 acres; increase the size of Conditionally Restricted area #6006 by 368 acres, from 2,952 acres to 3,320 acres; increase the size of the Prohibited area by 99 acres, from 1,760 acres to 1,859 acres.

The current management of the Myakka River shellfish harvesting area is based on local rainfall and/or river levels. Proposed management of the Myakka River shellfish harvesting area is based on local river levels. The average closure frequency of Conditionally Approved area #6002 is expected to increase 0.2 days per month from 2.0 days per month to 2.2 days per month.

The proposed reclassification of the South Volusia shellfish harvesting areas will: increase the size of Approved area #8201 by 63 acres, from 7,589 acres to 7,652 acres; increase the size of the Conditionally Approved area #8212 by 19 acres, from 1,605 acres to 1,624 acres; decrease the size of the Conditionally Approved area #8222 by 203 acres from 6,186 acres to 5,983 acres; decrease the size of the Conditionally Restricted area #8206 by 532 acres from 1,197 acres to 665 acres; and decrease the size of the Prohibited area by 45 acres, from 1,342 acres to 1,297 acres. With the exception of changes to acreages in #8212 and #8206 which are due to improving water quality, all changes to the South Volusia shellfish harvesting area are due to new accurate mapping technologies.

The current management of the South Volusia shellfish harvesting areas is based on local rainfall. Proposed management of the South Volusia shellfish harvesting areas is based on local rainfall. The average closure frequency of Conditionally Approved area #8212 is expected to decrease 3 days per month from 5.1 days per month to 2.1 days per month.

The average closure frequency of Conditionally Approved area #8222 is expected to decrease 0.8 days per month from 1 day per month to 0.2 days per month. These amendments propose to refine the boundary line of shellfish areas 1601, 1642 and 1605 to reflect current conditions.

These amendments place descriptions, references to shellfish harvesting area map numbers and operating criteria for the West Bay shellfish harvesting area #08, Alligator Harbor shellfish harvesting area #18, Myakka River shellfish harvesting area #60 and the South Volusia shellfish harvesting area #82 in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. These amendments place descriptions and references to shellfish harvesting area map numbers for the Apalachicola Bay System shellfish harvesting area #16. These documents are incorporated in subsection 5L-1.003(1), F.A.C.

Additionally, these amendments provide illustrations of the West Bay shellfish harvesting area classification boundaries in shellfish harvesting area maps #08, illustrations of Apalachicola shellfish harvesting area classification boundaries in shellfish harvesting area maps #16, illustrations of Alligator Harbor shellfish harvesting area classification boundaries in shellfish harvesting area maps #18, illustrations of the Myakka River shellfish harvesting area classification boundaries in the shellfish harvesting area map #60, and illustrations of the South Volusia shellfish harvesting area classification boundaries in shellfish harvesting area maps #82. These maps are incorporated by reference in subsection 5L-1.003(1), 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 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 analysis of the economic impact of the rule did not trigger any of the requirements in Section 120.541(1), Florida Statutes, for preparing a Statement of Economic Regulatory Costs (SERC). As part of this analysis, the Department relied upon its data base of commercial oyster landings and knowledge of the shellfish harvesting areas.

For example, the proposed amendments improve existing management plans for the benefit of commercial and recreational harvesters while protecting public health. In the Myakka River harvest area, the slight reduction in harvest area is a required action of the Agency to protect public health due to changes in water quality. However, the Department's review

of commercial landings and commercial harvest data indicates the reduced area will have little to any effect because zero commercial landings of oysters occurred in the harvest area and very small (201 pounds) commercial landings of clams ceased in 2003 and have been zero ever since.

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: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, Suite 501, Tallahassee, Florida 32301, Phone: (850)488-4033. 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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, Suite 501, Tallahassee, Florida 32301, Phone: (850)488-4033

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the National Shellfish Sanitation Program Model Ordinance. Copies of the document Shellfish Harvesting Area Classification Maps, DACS-P-01773, Revised February 2012 February 9, 2011, and the document Shellfish Harvesting Area Classification Boundaries and Management subsection 5L-1.003(1), F.A.C.t Plans, DACS-P-01593, Revised February 2012 February 9, 2011, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria are hereby herein incorporated by reference may be obtained by writing to the Department at 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301 or online as indicated are available at.

(a) Shellfish Harvesting Area Classification Maps, DACS-P-01593 (Rev. February 2012) – <http://flrules.org/Gateway/reference>.

(b) Shellfish Harvesting Area Classification Boundaries and Management Plans, DACS-P-01593 (Rev. February 2012) – <http://flrules.org/Gateway/reference>.

(2) through (10) No change.

(11) Shellfish harvesting area numbers are as follows:

AREA NUMBER	HARVEST AREA NAME
0212	Pensacola Bay Conditionally Approved Escambia Bay Shellfish Aquaculture Lease Areas managed during the Summer months of Jul – Sep
0222	Pensacola Bay Conditionally Approved Escambia Bay
0232	Pensacola Bay Conditionally Approved East Bay
0216	Pensacola Bay Conditionally Restricted Escambia Bay
0226	Pensacola Bay Conditionally Restricted East Bay
0622	Choctawhatchee Bay Conditionally Approved Central
0632	Choctawhatchee Bay Conditionally Approved Eastern
0806	West Bay Conditionally Restricted Spring/Fall Apr – Jun, Oct – Nov
0812	West Bay Conditionally Approved Winter Dec – Mar
0822	West Bay Conditionally Approved Spring/Fall Apr – Jun, Oct Nov – Jun
1012	North Bay Conditionally Approved Western
1022	North Bay Conditionally Approved Eastern
1006	North Bay Conditionally Restricted Eastern
1206	East Bay Conditionally Restricted
1212	East Bay Conditionally Approved Section 1
1222	East Bay Conditionally Approved Section 2
1401	St. Joe Bay Approved
1506	Indian Lagoon Conditionally Restricted
1512	Indian Lagoon Conditionally Approved Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon Conditionally Approved Zone A Winter Nov – Feb
1552	Indian Lagoon Conditionally Approved Zone B Winter Nov – Feb
1572	Indian Lagoon Conditionally Approved Summer Jul – Sep
1611	Apalachicola Bay Approved Jan - May, Sept – Dec
1601	Apalachicola Bay Approved Jan - May, Sept – Dec
1621	Apalachicola Bay Approved June – Aug
1631	Apalachicola Bay Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 Summer June – Aug
1612	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1622	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1632	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1641	Apalachicola Bay Approved Jun-Aug
1642	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1652	Apalachicola Bay Conditionally Approved June – Aug
1662	Apalachicola Bay Conditionally Approved June – Aug
1605	Apalachicola Bay Restricted Zone A, Zone B and Zone C
1802 1	Alligator Harbor Conditionally Approved
2002	Ochlockonee Bay Conditionally Approved
2006	Ochlockonee Bay Conditionally Restricted
2206	Wakulla County Conditionally Restricted
2212	Wakulla County Conditionally Approved Zone 1 Winter
2222	Wakulla County Conditionally Approved Zone 2 Winter
2232	Wakulla County Conditionally Approved Zone 1 Spring
2242	Wakulla County Conditionally Approved Zone 2 Spring

2302 St. Marks Conditionally Approved
 2303 St. Marks Prohibited
 2501 Horseshoe Beach Approved Summer Apr – Sep
 2502 Horseshoe Beach Conditionally Approved Winter Oct – Mar
 2506 Horseshoe Beach Conditionally Restricted Winter Oct – Mar
 2802 Suwannee Sound Conditionally Approved Spring Summer Feb-May and Sept or Suwannee Sound Conditionally Approved Winter Oct-Jan
 2806 Suwannee Sound Conditionally Restricted Spring Summer Feb-May and Sept or Suwannee Sound Conditionally Restricted Winter Oct-Jan
 3012 Cedar Key Conditionally Approved Zone A
 3022 Cedar Key Conditionally Approved Zone B
 3006 Cedar Key Conditionally Restricted
 3202 Waccasassa Bay Conditionally Approved
 3206 Waccasassa Bay Conditionally Restricted
 3402 Withlacoochee Bay Conditionally Approved
 3406 Withlacoochee Bay Conditionally Restricted
 3701 Citrus County Approved Spring / Fall Mar. – June and Oct.
 3702 Citrus County Conditionally Approved Winter Nov. – Feb.
 3705 Citrus County Restricted Spring / Fall Mar. – June and Oct.
 3706 Citrus County Conditionally Restricted Winter Nov. – Feb.
 4202 Boca Ciega Bay Conditionally Approved
 4802 Lower Tampa Bay Conditionally Approved
 5402 Sarasota Bay Conditionally Approved
 5602 Lemon Bay Conditionally Approved
 5802 Dan Leonard Gasparilla Sound Conditionally Approved
 6002 Myakka River Conditionally Approved
 6006 Myakka River Conditionally Restricted
 6212 Pine Island Sound Conditionally Approved Western Section
 6222 Pine Island Sound Conditionally Approved Eastern Section
 6602 Ten Thousand Islands Conditionally Approved
 7001 Indian River/St. Lucie Approved
 7006 Indian River/St. Lucie Restricted
 7202 North Indian River Conditionally Approved
 7206 North Indian River Conditionally Restricted
 7412 Body F Conditionally Approved
 7416 Body F Conditionally Restricted
 7506 Body E Conditionally Restricted
 7602 Body D Conditionally Approved
 7606 Body D Conditionally Restricted
 7712 Body C Conditionally Approved Zone 1 Spring/Summer/Fall Mar – Nov
 7722 Body C Conditionally Approved Zone 2 Spring/Summer/Fall Mar – Nov
 7732 Body C Conditionally Approved Winter Dec – Feb
 7716 Body C Conditionally Restricted Winter Dec – Feb
 7726 Body C Conditionally Restricted Spring/Summer/Fall Mar – Nov
 7812 Body B Conditionally Approved Zone 1
 7822 Body B Conditionally Approved Zone 2
 7902 South Banana River Conditionally Approved
 7906 South Banana River Conditionally Restricted
 8001 Body A Approved
 8005 Body A Restricted
 8201 South Volusia Approved
 8212 South Volusia Conditionally Approved Zone 1

8222 South Volusia Conditionally Approved Zone 2
 8206 South Volusia Conditionally Restricted
 8802 St. Johns South Conditionally Approved
 8806 St. Johns South Conditionally Restricted
 9202 St. Johns North Conditionally Approved
 9206 St. Johns North Conditionally Restricted

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01 (1), 10-14-01 (1), 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09, 2-9-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Leslie Palmer, Director, Division of Aquaculture
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Adam H. Putnam, Commissioner, Department of Agriculture and Consumer Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.097
 RULE TITLE: Customer Deposits

PURPOSE AND EFFECT: The interest rate applied to customer deposits of electric utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.

Docket No. 120125-PU

SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

LAW IMPLEMENTED: 366.03, 366.041(1), 366.05(1), 366.06(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.097 Customer Deposits.

(1) through (3) No change.

(4) Interest on deposits.

(a) Each electric utility which requires deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay an interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (2) when the utility elects not to refund such deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change.

Rulemaking Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1), 366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83, 1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Cicchetti

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol, 38, No. 5, February 3, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-7.083
 RULE TITLE: Customer Deposits

PURPOSE AND EFFECT: The interest rate applied to customer deposits of gas utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.

Docket No. 120125-PU

SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has 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 upon 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), 66.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04(1), 366.05(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.083 Customer Deposits.

(1) through (4) No change.

(5) Interest on deposits.

(a) Each gas utility which requests deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay a minimum

interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (6) below when the utility elects not to refund such a deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change

Rulemaking Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS. History—Repromulgated 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-88, 4-25-94, 3-14-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Cicchetti

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 38, No. 5, February 3, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-30.311 RULE TITLE: Customer Deposits

PURPOSE AND EFFECT: The interest rate applied to customer deposits of water/wastewater utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.

Docket No. 120125-PU

SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has 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 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), 367.121 FS.

LAW IMPLEMENTED: 367.081, 367.111, 367.121 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.311 Customer Deposits.

(1) through (3) No change.

(4) Interest on deposit.

(a) Each public utility which requires deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay an interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (5) below when the utility elects not to refund such a deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change.

Rulemaking Specific Authority 367.121, 350.127(2) FS. Law Implemented 367.081, 367.111, 367.121 FS. History—Amended 6-1-63, 4-1-69, 9-12-74, 6-10-80, 1-31-84, Formerly 25-10.72, 25-10.072, Amended 10-13-88, 4-25-94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Cicchetti

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 38, No. 5, February 3, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.001 RULE TITLE: Personnel – General

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to update organizational chart titles for community corrections staff.

SUMMARY: The rulemaking updates organizational chart titles.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the proposed rule only changes organizational titles and will have no adverse regulatory or economic impact requiring legislative ratification.

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

RULEMAKING AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 790.001(8), 944.09, 944.14 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.001 Personnel – General.

(1) Designation as Law Enforcement Officers.

(a) The following officers and employees of the Department of Corrections are designated as law enforcement officers: Secretary; Deputy Secretary; Assistant Secretary of Community Corrections; Assistant Secretary of Institutions; Deputy Assistant Secretary of Institutions; Regional Directors; Correctional Security Administrator; wardens of all institutions and community facilities; the staff of all institutions and community facilities, including road prisons, vocational centers, community correctional centers, women’s adjustment centers and probation and restitution centers, excluding clerical and secretarial employees; Community Corrections Probation and Parole Regional Directors Administrators; Circuit Correctional Probation Administrators, Supervisors and Officers; Inspector General; Deputy Inspector General; and Correctional Inspectors.

(b) through (5) No change.

~~Rulemaking Specific~~ Authority 20.315, 944.09 FS. Law Implemented 790.001(8), 944.09, 944.14 FS. History–New 10-8-76, Amended 2-17-77, Formerly 33-4.01, Amended 7-12-86, 6-13-88, Formerly 33-4.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Glory Parton, Director of Human Resources

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-401.105 RULE TITLE: Refusal of Health Care Services

PURPOSE AND EFFECT: The definition of “provider” is amended to include psychologists among the list of clinicians authorized to sign Form DC4-711A, Refusal of Health Care Services, before the form is entered into the inmate's medical record.

SUMMARY: The rule is amended to add psychologists to the list of clinicians who are authorized to sign Form DC4-711A, Refusal of Health Care Services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not directly or indirectly exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, 945.6034 FS.

LAW IMPLEMENTED: 944.09, 766.103, 945.6034 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.105 Refusal of Health Care Services.

(1) Definitions.

(a) Provider – a mental or physical health physician, psychologist, clinical associate, or dentist.

(b) No change.

- (2) No change.
- (3) Documentation of refusal of treatment or procedure.

(a) If an inmate refuses an aspect of health care services other than medication, which is addressed in subsection (4), the inmate shall be required to sign Form DC4-711A, Refusal of Health Care Services. If the inmate refuses to sign the form, the notation "patient refuses to sign" will be entered and witnessed by two staff members. Form DC4-711A is hereby incorporated by reference ~~in subsection (7) of this rule~~. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 11-28-10.

(b) through (d) No change.

(e) Refusal of dental services will be documented by dental health staff on Form DC4-724, Dental Treatment Record, and Form DC4-711A, Refusal of Health Care Services. Form DC4-724 is hereby incorporated by reference ~~in subsection (7) of this rule~~. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 11-28-10.

(f) through (g) No change.

(4) through (6) No change.

~~(7) The following forms are hereby incorporated by reference. A copy of these forms is available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida, 32399-2500.~~

~~(a) Form DC4-711A, Refusal of Health Care Services, effective, 11-28-10.~~

~~(b) Form DC4-724, Dental Treatment Record, effective, 11-28-10.~~

Rulemaking Authority 944.09, 945.6034 FS. Law Implemented 944.09, 766.103, 945.6034 FS. History—New 11-28-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dr. Olugbenga Ogunsanwo, Assistant Secretary of Health Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-601.718	Review of Request for Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to amend form DC6-111D to allow conformity between the form and the rule, clarify that it is a conviction, not just incarceration, that leads to a denial of visiting privileges, and make administrative changes.

SUMMARY: The proposed rulemaking amends Form DC6-111D to allow conformity between the form and the rule text, clarify the reasons for denying visiting privileges and make administrative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.718 Review of Request for Visiting Privileges.

In approving or disapproving visiting privileges, assigned institutional classification officer shall review Form DC6-111A, Request for Visiting Privileges, and shall consider all factors related to the security, order, or effective management of the institution. Form DC6-111A is incorporated by reference in Rule 33-601.715, F.A.C.

(1) No change.

(2) The assigned institutional classification officer staff shall evaluate a person's criminal history and visiting background using Form DC6-111D, Visitor Screening Matrix. Form DC6-111D is hereby incorporated by reference. A copy is available from the Forms Control Administrator, 501 South

Calhoun Street, Tallahassee, Florida 32399-2500,
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01038>.
 The effective date of this form is March, 2012.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09,
 944.23 FS. History—New 11-18-01, Amended 9-29-03,
 3-22-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 James Upchurch, Director, Office of Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Kenneth S. Tucker, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 25, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: May 11, 2012

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.6105	Limiting Conditions
40D-1.659	Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUMMARY: Discrepancies have been discovered between the boundaries of the Southern Water Use Caution Area (SWUCA) as adopted by rule and the District’s Geographic Information System (GIS) feature classes representing the SWUCA. The discrepancies were investigated and it was determined that several corrections or clarifications should be made to the legal description, and maps and figures contained in and incorporated in Rules 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101, 40D-2.351 and 40D-2.801, F.A.C., and Part B, Basis of Review, Water Use Permit Information Manual, including permit applications and forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.079(4)(a), 373.083, 373.083(5), 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.4135, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Martinez, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2011042)

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-1.6105 Limiting Conditions.

(1) No change.

(2) A permit may be assigned to a subsequent owner subject to all terms and conditions contained in such permit upon notification in writing to the District of such assignment, provided ownership, lease, or other control of all such lands is conveyed to the assignee and further provided that the assignee, by accepting such assignment, does assume responsibility for complying with all such terms and conditions. To assign a permit, a subsequent owner must submit a Notification and Request for Transfer of Environmental Resource Permit, Form No. LEG-R.043.00 (4/09), incorporated by reference in subsection 40D-4.351(1), F.A.C., or an Application to Transfer a Water Use Permit, Form No. LEG-R.002.04 (12)(~~4/09~~), incorporated by reference in subsection 40D-2.351(1), F.A.C., as appropriate, that includes the signature of the permittee(s) or a copy of the legally recorded deed(s) to all of the land covered by the permit. Copies of these forms may be obtained from the District’s website at www.watmatters.org or from the District offices.

(3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.219, 373.413, 373.4135, 373.416 FS. History--Readopted 10-5-74, Formerly 16J-0.12, Amended 2-10-93, Formerly 40D-0.381, Amended 12-16-97, 8-25-02, 10-19-05, 11-25-07, 8-30-09, 11-2-09,_____.

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter or into a specific District rule as indicated. Copies of these forms may be obtained from the District offices or the District's website at www.watmatters.org.

(1) GROUND WATER

(a) through (f) No change.

(g) WELL VERIFICATION FOR ALL NON-DOMESTIC USE WELLS LOCATED IN THE MOST IMPACTED AREA OF THE SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.016.01 (____)(4/09), incorporated by reference in subsection 40D-3.101(1), F.A.C.

(h) SMALL GENERAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.027.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(c), F.A.C.

(i) GENERAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.028.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(b), F.A.C.

(j) INDIVIDUAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.029.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(a), F.A.C.

(k) through (s) No change.

(t) APPLICATION TO TRANSFER A WATER USE PERMIT, FORM NO. LEG-R.002.04 (____)(4/09), incorporated by reference in subsection 40D-2.351(1), F.A.C.

(u) SUPPLEMENTAL FORM – SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.007.02 (____)(4/09), incorporated by reference in subsection 40D-2.101(6), F.A.C.

(v) NET BENEFIT SUPPLEMENTAL FORM – SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.010.01 (____)(4/09), incorporated by reference in paragraph 40D-2.101(6)(b), F.A.C.

(w) SOUTHERN WATER USE CAUTION AREA GROUND WATER REPLACEMENT CREDIT APPLICATION, FORM NO. LEG-R.011.01 (____)(4/09), incorporated by reference in paragraph 40D-2.101(6)(c), F.A.C.

(x) No change.

(y) IRRIGATION WATER USE FORM – ANNUAL CROPS, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.017.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(b), F.A.C.

(z) IRRIGATION WATER USE FORM – ANNUAL RECREATIONAL/AESTHETIC/GOLF, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.018.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(c), F.A.C.

(aa) IRRIGATION WATER USE FORM – SUMMER/FALL SEASONAL, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.019.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(d), F.A.C.

(bb) IRRIGATION WATER USE FORM – WINTER/SPRING SEASONAL, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.020.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(e), F.A.C.

(cc) APPLICATION TO RENEW A SMALL GENERAL WATER USE PERMIT FOR AGRICULTURAL USE, FORM NO. LEG-R.036.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(c), F.A.C.

(dd) through (fff) No change.

(gg) WATER USE PERMIT APPLICATION – MINING AND DEWATERING MATERIALS OTHER THAN PHOSPHATE, FORM NO. LEG-R.048.00 (____)(8/09), incorporated by reference in paragraph 40D-2.101(2)(d), F.A.C.

(hh) through (mm) No change.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.083, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS. History--New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1) and (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09, 1-27-10, 4-12-10, 4-27-10, 9-5-10, 9-12-10, 12-7-10, 1-16-11, 6-16-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christopher Pettit, Senior Attorney

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2012

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.351	Transfer of Permits
40D-2.801	Water Use Caution Areas

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUMMARY: Discrepancies have been discovered between the boundaries of the Southern Water Use Caution Area (SWUCA) as adopted by rule and the District’s Geographic Information System (GIS) feature classes representing the SWUCA. The discrepancies were investigated and it was determined that several corrections or clarifications should be made to the legal description, and maps and figures contained in and incorporated in Rules 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101, 40D-2.351 and 40D-2.801, F.A.C., and Part B, Basis of Review, Water Use Permit Information Manual, including permit applications and forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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

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

LAW IMPLEMENTED: 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715, 403.0877 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Martinez, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2011042)

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-2.091 Publications and Forms Incorporated by Reference.

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District’s website at www.WaterMatters.org or from the District upon request:

(a) Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (~~___~~)(12-12-11).

(b) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11,_____.

40D-2.101 Content of Application.

(1) through (2) No change.

(a) Individual Water Use Permit.

Application for a new or renewal of an existing Individual Water Use Permit shall be made using the Individual Water Use Permit Application, Form No. LEG-R.029.01 (~~___~~)(12/10). Applicants shall also submit one or more of the following Supplemental Forms as appropriate for each type of water use proposed in the permit application:

1. through 5. No change.

(b) General Water Use Permit.

Application for a new or renewal of an existing general WUP shall be made using the General Water Use Permit Application Form, No. LEG-R.028.01 (____) (~~12/10~~). Applicants shall also submit one or more supplemental forms listed in paragraph (2)(a) above as appropriate for each type of water use proposed in the permit application. Applicants seeking an initial, renewal, or modification of a general WUP for a combined annual average daily water demand of less than 100,000 gallons per day for public supply use may submit the Small General Water Use Permit Application – Public Supply Attachment, Form No. LEG-R.045.00 (12/09), in lieu of the Water Use Permit Application Supplemental Form – Public Supply, Form LEG-R.033.01 (09/09).

(c) Small General Water Use Permit.

Application for a new small general WUP shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01(____) (~~12/10~~). To renew a small general WUP issued solely for agricultural use, application shall be made using the Application to Renew a Small General Water Use Permit for Agricultural Use Form, No. LEG-R.036.01 (12/10). Application to renew all other small general WUPs shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01 (____) (~~12/10~~). One or more of the following Attachment Forms for a specific water use shall be submitted with the application form if the application proposes one of the specified water uses:

1. through 4. No change.

(d) No change.

(3) through (4) No change.

(5) Optional Application Forms.

The following forms may be used by applicants in support of permit applications, are hereby incorporated by reference and are available from the District’s website at www.WaterMatters.org or from the District offices:

(a) through (b) No change.

(6) Southern Water Use Caution Area Application Forms.

In addition to the permit application and information forms identified in subsections (1)-(5) above, all applicants for permits in the Southern Water Use Caution Area (SWUCA) shall submit the “Supplemental Form – Southern Water Use Caution Area,” Form No. LEG-R.007.02 (____) (~~4/09~~) incorporated herein by reference. Applicants in the SWUCA shall also submit the following application and supplemental forms as appropriate for the intended water use type as described in Chapters 3 and 4 of the Water Use Permit Information Manual, Part B “Basis of Review.” All SWUCA application and supplemental information forms may be obtained from the District’s website at www.WaterMatters.org or from District offices:

(a) Net Benefit Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.010.01 (____) (~~4/09~~); and

(b) Southern Water Use Caution Area Ground Water Replacement Credit Application, Form No. LEG-R.011.01 (____) (~~4/09~~)

(7) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0363, 373.116, 373.117, 373.1175, 373.216, 373.229, 373.236, 403.0877 FS. History–Readopted 10-5-74, Amended 10-24-76, 1-6-82, 2-14-82, Formerly 16J-2.06, Amended 10-1-89, 10-23-89, 2-10-93, 7-15-99, 1-1-03, 1-1-07, 11-25-07, 9-10-08, 7-1-09, 8-30-09, 10-26-09, 1-27-10, 4-27-10, 6-16-11,_____.

40D-2.351 Transfer of Permits.

(1) Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue an existing, permitted water use and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of such water withdrawal facilities or such land. The applicant shall request such transfer using the “Application to Transfer a Water Use Permit,” Form No. LEG-R.002.04 (____) (~~04/09~~), incorporated herein by reference. Copies of the form can be obtained from the District’s website at www.watermatters.org or from District offices. The District will transfer the permit provided all aspects of the permit except for ownership remain the same. All terms and conditions of the permit shall become binding on the transferee.

(2) through (4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.219 FS. History–New 10-1-89, Amended 2-10-93, 3-30-93, 2-1-05, 10-19-05, 11-25-07, 8-30-09,_____.

40D-2.801 Water Use Caution Areas.

(1) through (2) No change.

(3) The regions described in this rule have been declared WUCAs by the District Governing Board. This rule reaffirms the declaration of WUCAs and creates conditions to be applied to water users in those areas.

(a) Northern Tampa Bay Water Use Caution Area.

To address groundwater withdrawals that have resulted in lowering of lake levels, destruction or deterioration of wetlands, reduction in streamflow and salt water intrusion, the Governing Board declared portions of northern Hillsborough County, southwestern Pasco County and all of Pinellas County a WUCA on June 28, 1989, pursuant to Resolution Number 934. The Governing Board approved expansion of the boundaries of the WUCA in June 2007.

1. The boundary for the Northern Tampa Bay Water Use Caution Area is as follows:

- All of Pinellas County;
- All of Pasco County; and

That portion of Hillsborough County within the following sections; (all Townships are South; all Ranges are East);

- Township 27, Range 17: All Sections;
- Township 27, Range 18: All Sections;
- Township 27, Range 19: All Sections;
- Township 27, Range 20: All Sections;
- Township 27, Range 21: All Sections;
- Township 27, Range 22: All Sections;
- Township 28, Range 17: All Sections;
- Township 28, Range 18: All Sections;
- Township 28, Range 19: All Sections;
- Township 28, Range 20: All Sections;
- Township 28, Range 21: All Sections;
- Township 28, Range 22: All Sections;
- Township 29, Range 17: All Sections;
- Township 29, Range 18: All Sections;
- Township 30, Range 17: All Sections;
- Township 30, Range 18: All Sections;
- Township 30, Range 19: Section 5 West of the Hillsborough Bay Westerly Shoreline;
- Township 30, Range 19: Section 6;

- Township 29, Range 22: All Sections North of State Road 60;
- Township 29, Range 21: All Sections North of State Road 60;
- Township 29, Range 20: All Sections North of State Road 60;
- Township 29, Range 19: Sections 1 through 20, 30 and 31, Section 21 West of the Hillsborough Bay Westerly Shoreline, Section 24 North of State Road 60, Section 29 West of the Hillsborough Bay Westerly Shoreline and Section 32 West of the Hillsborough Bay Westerly Shoreline and all remaining Sections except 22, 23, 25, 26, 27 and 34 through 36.

2. through 4. No change.

(b) Southern Water Use Caution Area (SWUCA). To address lowered lake levels, stream flows and ground water levels, water quality degradation and adverse impacts to water users, the Governing Board declared all or portions of Manatee, Sarasota, DeSoto, Hardee, Charlotte, Highlands, Hillsborough and Polk Counties within the District's boundaries a WUCA on October 26, 1992, pursuant to Resolution Number 92-10.

1. As shown in Figure 2-1, the boundary for the Southern Water Use Caution Area is as follows:

All of Manatee, Sarasota, Charlotte, Hardee, DeSoto, and Highlands Counties within the boundaries of the Southwest Florida Water Management District, and that portion of Hillsborough County within the following sections (all Townships are South; all Ranges are East):

- Township 29, Range 19: Section 21 East of the Hillsborough Bay Easterly Shoreline, Sections 22 and 23, Section 24 All whole or partial Sections South of State Road 60, Sections 25

- through 28, Section 29 East of the Hillsborough Bay Easterly Shoreline, Section 32 East of the Hillsborough Bay Easterly Shoreline and Sections 33 through 36;

- Township 29, Range 20: All whole or partial Sections South of State Road 60;

- Township 29, Range 21: All whole or partial Sections South of State Road 60;

- Township 29, Range 22: All whole or partial Sections South of State Road 60;

- Township 30, Range 19: Sections 1 through 4, Section 5 East of the Hillsborough Bay Easterly Shoreline and Section 7 through 36; All Sections;

- Township 30, Range 20: All Sections

- Township 30, Range 21: All Sections;

- Township 30, Range 22: All Sections;

- Township 31, Range 18: All Sections;

- Township 31, Range 19: All Sections;

- Township 31, Range 20: All Sections;

- Township 31, Range 21: All Sections;

- Township 31, Range 22: All Sections;

- Township 32, Range 17: Section 36;

- Township 32, Range 18: All Sections;

- Township 32, Range 19: All Sections;

- Township 32, Range 20: All Sections;

- Township 32, Range 21: All Sections;

- Township 32, Range 22: All Sections;

- Township 33, Range 15: All Sections;

- Township 33, Range 16: All Sections;

and that portion of Polk County within the Southwest Florida Water Management District and within the following sections:

- Township 26, Range 25: Section 36 South of Interstate 4;

- Township 26, Range 26: All whole or partial Sections 28, 29, 31 and 32 South of Interstate 4, and All of Section 33;

- Township 27, Range 23: All whole or partial Sections South of Interstate 4;

- Township 27, Range 24: All whole or partial Sections South of Interstate 4;

- Township 27, Range 25: All whole or partial Sections South of Interstate 4;

- Township 27, Range 26: Sections 4 through 9, Sections 16 through 21, Sections 28 through 36, and Partial Sections 25 through 27 South of State Road 600 (US Route 17/92) All Sections;

- Township 27, Range 27: Sections 25 through 28, Partial Sections 29 and 30 South of State Road 600 (US Route 17/92), and Sections 31 through 36;

- ~~Township 27, Range 28: Section 31;~~

- Township 28, Range 23: All Sections;

- Township 28, Range 24: All Sections;

- Township 28, Range 25: All Sections;

- Township 28, Range 26: All Sections;

Township 28, Range 27: All Sections;
 Township 28, Range 28: All Sections;
 Township 29, Range 23: All Sections;
 Township 29, Range 24: All Sections;
 Township 29, Range 25: All Sections;
 Township 29, Range 26: All Sections;
 Township 29, Range 27: All Sections;
 Township 29, Range 28: All Sections;
 Township 29, Range 29: Sections 19, 30, 31;
 Township 30, Range 23: All Sections;
 Township 30, Range 24: All Sections;
 Township 30, Range 25: All Sections;
 Township 30, Range 26: All Sections;
 Township 30, Range 27: All Sections;
 Township 30, Range 28: All Sections;
 Township 30, Range 29: Sections 5, 6, 7, 8, 18, 19, 30, 31;
 Township 31, Range 23: All Sections;
 Township 31, Range 24: All Sections;
 Township 31, Range 25: All Sections;
 Township 31, Range 26: All Sections;
 Township 31, Range 27: All Sections;
 Township 31, Range 28: All Sections;
 Township 31, Range 29: Section 6;
 Township 32, Range 23: All Sections;
 Township 32, Range 24: All Sections;
 Township 32, Range 25: All Sections;
 Township 32, Range 26: All Sections;
 Township 32, Range 27: All Sections;
 Township 32, Range 28: All Sections;

2. As shown in Figure 2-1, the area for the MIA of the Southern Water Use Caution Area is as follows:

Township 30, Range 19, Sections 2 through 36;
 Township 30, Range 20, Sections 17 through 22; and 27 through 36;
 Township 31, Range 18, all sections;
 Township 31, Range 19, all sections;
 Township 31, Range 20, all sections;
 Township 31, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
Township 32, Range 17: Section 36;
 Township 32, Range 18, all sections;
 Township 32, Range 19, all sections;
 Township 32, Range 20, all sections;
 Township 32, Range 21, Sections 5 through 7;
~~Township 33, Range 16, all sections;~~
 Township 33, Range 17, all sections;
 Township 33, Range 18, all sections;
 Township 33, Range 19, all sections;
 Township 33, Range 20, all sections;
 Township 33, Range 21, Sections 19, 30, 31;

Township 34, Range 15, all sections;
 Township 34, Range 16, all sections;
 Township 34, Range 17, all sections;
 Township 34, Range 18, all sections;
 Township 34, Range 19, all sections;
 Township 34, Range 20, all sections;
~~Township 34, Range 16, all sections;~~
~~Township 34, Range 17, all sections;~~
~~Township 34, Range 18, all sections;~~
~~Township 34, Range 19, all sections;~~
~~Township 34, Range 20, all sections;~~
 Township 34, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
 Township 35, Range 16, all sections;
 Township 35, Range 17, all sections;
 Township 35, Range 18, all sections;
 Township 35, Range 19, all sections;
 Township 35, Range 20, all sections;
 Township 35, Range 21, Sections 5 through 8; 17 through 20; and 30;
 Township 36, Range 17, all sections;
 Township 36, Range 18, all sections;
 Township 36, Range 19, Sections 1 through 24; and 27 through 32;
 Township 36, Range 20, Sections 2 through 10; and 17 and 18;
 Township 37, Range 17, Sections 1 through 18;
 Township 37, Range 18, Sections 1 through 10; and 17 and 18.
~~Township 34, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;~~
~~Township 35, Range 16, all sections;~~
~~Township 35, Range 17, all sections;~~
~~Township 35, Range 18, all sections;~~
~~Township 35, Range 19, all sections;~~
~~Township 35, Range 20, all sections;~~
~~Township 35, Range 21, Sections 5 through 8; 17 through 20; and 30;~~
~~Township 36, Range 17, all sections;~~
~~Township 36, Range 18, all sections;~~
~~Township 36, Range 19, Sections 1 through 24; and 27 through 32;~~
~~Township 36, Range 20, Sections 2 through 10; and 17 and 18;~~
~~Township 37, Range 17, Sections 1 through 18;~~
~~Township 37, Range 18, Sections 1 through 10; and 17 and 18-3. through 7. No change.~~
 (c) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.216, 373.219, 373.223 FS. History—Readopted 10-5-74, Formerly 16J-3.30, Amended 10-1-89, 11-15-90, 3-1-91, 7-29-93, 1-1-03, 1-1-07, 10-1-07, 2-13-08, 4-7-08, 5-26-10, 6-16-11_____.

Figure 2-1
Boundaries of the Southern Water Use Caution Area, Ridge
Lakes Area
and Most Impacted Area

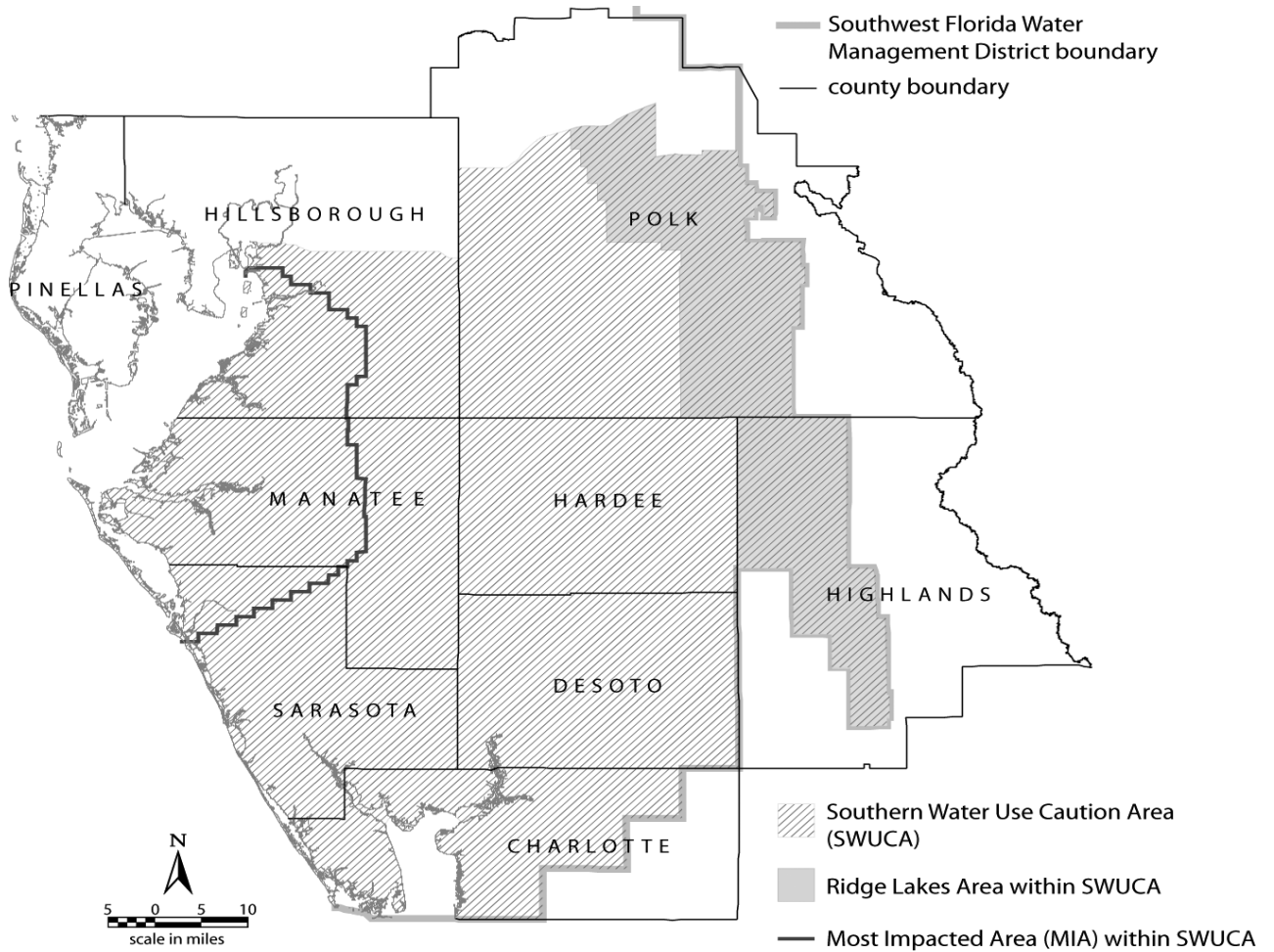


Figure 2-3 Dover Plant City Water Use Caution Area

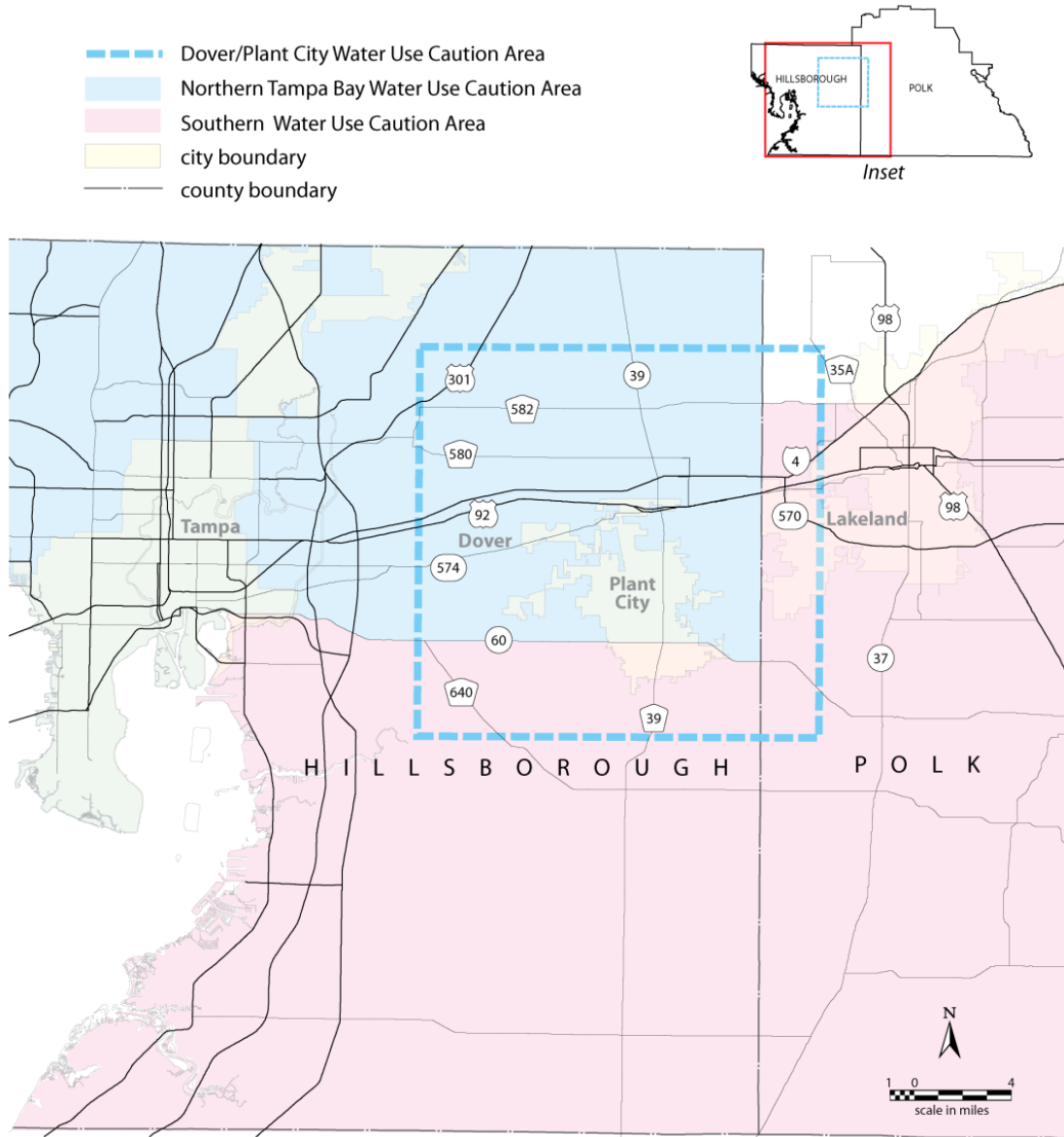
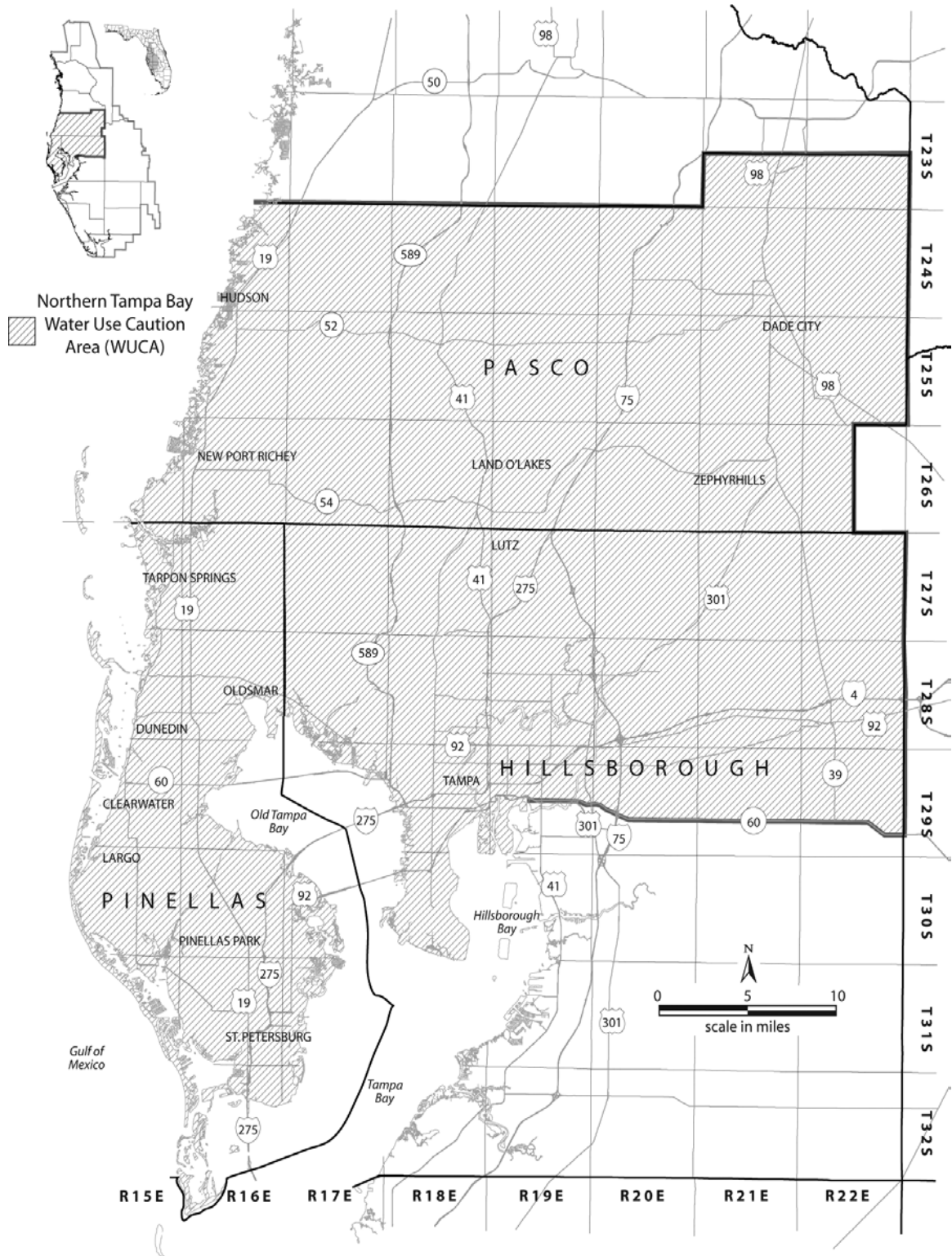


Figure 7.3-1



NAME OF PERSON ORIGINATING PROPOSED RULE:
Christopher Pettit, Senior Attorney
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Southwest Florida Water Management
District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 27, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 27, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-3.021	Definitions
40E-3.036	Rules and Publications Incorporated by Reference
40E-3.038	Violations of Contractor Licensing and Well Construction Requirements
40E-3.101	Content of Application
40E-3.411	Well Completion Reports
40E-3.507	Casing and Liner Pipe Standards
40E-3.512	Well Construction Requirements
40E-3.517	Grouting and Sealing
40E-3.521	Well Seals
40E-3.600	Scope of Part VI
40E-3.601	General Permit for Water Wells within a Portion of Southern Miami-Dade County

PURPOSE AND EFFECT: To amend Rules 40E-3.021, 40E-3.036, 40E-3.038, 40E-3.101, 40E-3.411, 40E-3.507, 40E-3.512, 40E-3.517, and 40E-3.521, F.A.C., and to create new rules, Rule 40E-3.600, F.A.C., Scope of Part VI, and Rule 40E-3.601, F.A.C., General Permit for Water Wells within a Portions of southern Miami-Dade County, in order to incorporate construction standards and forms adopted by the Florida Department of Environmental Protection (FDEP). New Rule 40E-3.600, F.A.C., will set forth the scope of Part VI in regard to the granting of general permits for certain specified well construction, repair or abandonment activities which have been determined by the District to exist in unique geographic areas, and new Rule 40E-3.601, F.A.C., will set forth requirements for general permits for agricultural wells in a specified portion of southern Miami-Dade County that are 25 feet or less in depth. Rule 40E-3.601, F.A.C., will also provide a legal description of the specified portion of southern Miami-Dade County and an updated map depicting the specified area (Figure 3-1).

SUMMARY: To incorporate construction standards and forms adopted by the Florida Department of Environmental Protection.

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. The District has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. A Statement of Estimated Regulatory Costs (SERC) has 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: 373.044, 373.113, 373.171, 373.309, 373.333 FS.

LAW IMPLEMENTED: 373.019, 373.103, 373.106, 373.113, 373.303, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.326, 373.329, 373.333, 373.336, 373.342 FS.

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

DATE AND TIME: July 12, 2012, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2945, x2087 or (561)682-2087. 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: Paulette Glebocki, Hydrogeologist – Lead, Water Use Bureau, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6941 or (561)682-6941 or by email to pglebock@sfwmd.gov. For procedural questions, please contact Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 or by email to kruff@sfwmd.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-3.021 Definitions.
When used in this chapter:

~~(1)~~ “Abandoned Well” means a well, the use of which has been permanently discontinued. Any well which is in such a state of disrepair that its continued use for the purpose of obtaining groundwater, or disposing of water or liquid wastes, or for observation, is impractical, shall be deemed to be abandoned.

~~(1)(2)~~ “Annulus” or “Annular Space” means any artificially created void existing between a well casing or liner pipe and a borehole wall, or between two casings, or between tubing and the casing for liner pipes.

~~(3)~~ “Aquifer” means a geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield useful quantities of groundwater to wells, springs, or surface water.

~~(4)~~ “Bentonite Grout” means a pumpable grouting material, consisting of high solid sodium montmorillonite, used for plugging or sealing water wells.

~~(2)(5)~~ “Casing Diameter” or “Diameter of Casing” means the largest nominal permanent water bearing casing. For the purpose of this chapter, the diameter of the casing at the upper terminus will be presumed to be the diameter for the entire length, unless the well owner or contractor can demonstrate that the well has a smaller diameter permanent water bearing casing below the upper terminus.

~~(3)(6)~~ “Consolidated” means a geologic stratum, which is cemented with a binding substance commonly derived from within the deposit containing that stratum.

~~(4)(7)~~ “Consumptive Use Permit” or “Water Use Permit” means a Water Use Permit issued under Chapter 40E-2 or 40E-20, F.A.C.

~~(8)~~ “Department” means the Florida Department of Environmental Protection (FDEP).

~~(5)(9)~~ “Dewatering” means the use of wells or other such equipment to temporarily lower a water level as may be necessary during construction activities.

~~(6)(10)~~ “Driller” means a person licensed by the water management district or a person working under the direct supervision of a licensed water well contractor who actually constructs the well.

~~(11)~~ “Driven Casing” means well casing installed by the percussion drilling method, in which the well casing is advanced into a borehole that is less than the nominal outside diameter of the casing.

~~(12)~~ “Drive Shoe” means any device specifically designed, fabricated, and installed to protect the bottom end of a water well casing or liner pipe from collapse or other damage while the casing or liner pipe is being driven into place in a water well.

~~(7)(13)~~ “Field Log” means a log with accurate, written documentation of all construction activities needed to fill out well completion reports.

~~(8)(14)~~ “Filter Pack” means sand or gravel that is uniform, clean, and siliceous. It is placed in the annulus of the well between the borehole wall and the well screen.

~~(15)~~ “Grout” or “Neat Cement Grout” means a mixture consisting of water and Portland cement (American Concrete Institute Types I, II, or III, or other types of cement and acceptable amounts of those additives approved for use in cement grouts by the District), also Bentonite grout as defined by subsection 62-532.200(4), F.A.C.

~~(9)(16)~~ “Inspection Port” means any opening not less than three-quarters (3/4) inch in diameter through which unobstructed access to the inside of the casing can be obtained for measuring water levels. Inspection ports shall be threaded openings temporarily sealed with a removable watertight plug.

~~(10)(17)~~ “Jetted Well” or “Sand Point Well” means a pipe with an attached well point or open-ended screen. The well is installed in unconsolidated formations by the washing action of a water jet.

~~(18)~~ “Liner” means a metallic or nonmetallic pipe, which is installed within the permanent water bearing casing to improve, repair, or protect the casing or is installed below and separate from the casing to seal off casing material which may be encountered in the open hole of the well.

~~(11)(19)~~ “Monitoring Well” or “Observation Well” means a well used primarily to monitor hydrologic parameters such as water levels or water quality.

~~(20)~~ “Nominal” means the standard size of the well casing and may be less than or greater than the number indicated. Nominal, when referring to the grouting annulus, means either the available void thickness between the telescoped casings or the average available void thickness between the borehole and the outside wall of the casing at any point.

~~(12)(21)~~ “Packer” means a device placed within a well casing that seals the annulus between two pieces of casing, between the casing and the screen, between one formation or water bearing strata and another, or between the formation and the casing.

~~(13)(22)~~ “Public Water Supply Well” means a well constructed for the purpose of supplying water to a public water system, as permitted under Chapters 62-550, 62-555, 62-560, 62-524, and 64E-8, F.A.C.

~~(23)~~ “Public Water System” means a system for the provision to the public of piped water for human consumption through pipes or other constructed conveyances, if such a system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

~~(24)~~ “Telescoped casing” means an interior well casing extending below an exterior casing.

~~(14)(25)~~ “Test Hole” means any temporarily cased or uncased hole drilled, bored, cored, washed, or jetted, for the intended use of obtaining data for engineering, geophysical or

geological exploration, and/or prospecting for minerals or products of mining or quarrying, and not for the purposes of either producing, disposing of, or searching for water.

~~(15)(26)~~ “Upper Terminus” means that portion of a well casing ending at land surface or within an approved depth below land surface. Land surface is considered to be the ground elevation of the finished grade at the well.

~~(16)(27)~~ “Water Test Well” means a temporary water well for the purpose of obtaining data to determine aquifer properties or water quality. Water test wells are typically drilled prior to applying for a water use permit. Water test wells must either be abandoned or converted to a water well or monitoring well within 30 days of completion of testing.

~~(28)~~ “Water Use Permit” means a permit issued under Chapter 40E-2 or 40E-20, F.A.C.

~~(29)~~ “Water Well” means a well as defined in Section 373.303(7), F.S., which includes any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of ground water. This term does not include any well constructed for the purpose of obtaining or prospecting for oil, natural gas, or products of mining or quarrying, for disposing of oil brine or re-pressuring oil bearing or natural gas bearing formations, for storing petroleum, natural gas or other products, or for temporary dewatering of subsurface formations for mining, quarrying or construction purposes.

~~(17)(30)~~ “Water Well Contractor” means an individual who is responsible for the location, construction, repair, or abandonment of a water well and who is licensed under Chapter 62-531, F.A.C., to engage in the business of construction, repair, or abandonment of water wells.

~~(18)(31)~~ “Well Casing” means a metallic or non-metallic pipe installed in a borehole or driven to prevent caving, provide structural strength, seal off zones of poor water quality, or prevent the interchange of waters between aquifers.

~~(19)(32)~~ “Well Completion Report” means the form, supplied or approved by the District, that is completed and signed by the licensed water well contractor.

~~(20)~~ All definitions contained in Section 373.303, F.S., and Chapters 62-531 and 62-532, F.A.C., adopted and incorporated by reference in paragraphs 40E-3.036(1)(a) and (c), F.A.C., respectively.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.019, 373.106, 373.303, 373.306 FS. History—New 1-1-85, Amended 12-19-89, 3-16-05, _____.

40E-3.036 Rules and Publications Incorporated by Reference.

~~(1)~~ The following Department rules and publications are incorporated by reference into this rule and shall apply to the well contractor licensing program administered by the District and to all wells constructed, repaired, or abandoned in the District.

~~(a)(1)~~ Chapter 62-531, F.A.C., Well Contractor Licensing Requirements (11-25-07), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00573>. ~~(12-25-02)~~

~~(b)(2)~~ The Department’s Water Well Contractor Disciplinary Guidelines and Procedures Manual (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00581>, and the Department’s Florida Unified Citations Dictionary for Well Construction (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00580>.

~~(c)(3)~~ Chapter 62-532, F.A.C., Water Well Permitting and Construction Requirements (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00574>. ~~(3-28-03)~~

~~(d)(4)~~ Chapter 62-555, F.A.C., Construction of Public Supply Water Wells (4-10-03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00575>.

~~(e)(5)~~ Chapter 62-524, F.A.C., Construction of Water Wells in Delineated Areas (6-27-00), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00572>.

~~(2)~~ The following Department forms are incorporated by reference into this chapter and shall apply to the well contractor licensing program administered by the District and to all wells constructed, repaired, or abandoned in the District:

~~(a)~~ State of Florida Permit Application to Construct, Repair, Modify, or Abandon a Well, DEP Form 62-532.900(1), incorporated by reference in subsection 40E-3.101(1), F.A.C.

~~(b)~~ State of Florida Well Completion Report, DEP Form 62-532.900(2), incorporated by reference in subsection 40E-3.411(1), F.A.C.

~~(c)~~ Application for a State of Florida Water Well Contractor’s License, Form 0186, incorporated by reference in subsection 40E-3.038(3), F.A.C.

~~(3)~~ Copies of these publications and forms can be obtained at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.308, 373.309, 373.323, 373.324, 373.326, 373.329, 373.333 FS. History—New 3-16-05, Amended _____.

40E-3.038 Violations of Contractor Licensing and Well Construction Requirements.

~~(1)~~ Applications for a water well contractor license shall be filed with the District on Form 0186, (~~_____~~-2012), “Application for a State of Florida Water Well Contractor

License”, incorporated by reference herein: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00607>. Form 0186 is available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

(2) Each well contractor meeting the licensing requirements set forth in Chapter 62-531, F.A.C., incorporated by reference in paragraph 40E-3.036(1)(a), F.A.C., will be assigned a permanent license number and shall be issued a certificate with that number.

(3)(+) Violations of the contractor licensing requirements and well construction requirements are provided by Chapter 373, F.S., and Chapter 62-531, F.A.C.

(4)(-) The licensed contractor must submit any change of address to the District within 30 days.

Rulemaking Authority 373.044, 373.113, 373.171, 373.333 FS. Law Implemented 373.323, 373.326, 373.333, 373.336 FS. History—New 12-19-89, Amended 3-16-05, _____.

40E-3.101 Content of Application.

(1) All applications shall be submitted to the permitting authority by the owner or by the water well contractor on behalf of the owner. All applications shall be submitted on DEP Form 62-532.900(1), (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00576>, the form entitled “State of Florida Permit Application to Construct, Repair, Modify, or Abandon a Well,” incorporated by reference herein and available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

(2) All applications shall be submitted with the required non-refundable fee pursuant to Rule 40E-1.607, F.A.C., or the fee schedule established by the agency to which permitting authority has been delegated shall be submitted with the permit application.

(3) Applications for permits required by this chapter shall be filed with the District or the entity to which the authority to issue a permit has been delegated. The application for the construction, repair or abandonment of water wells shall contain:

(a) The name, address, telephone number, license number and signature of the licensed contractor who will be constructing the well, except in the case of a state agency or political subdivision that needs an indication of approval from the District in order to obtain financing to construct a well. In this case, the District will take action on the application for a permit not signed by a licensed water well contractor with the following condition: “Prior to well construction, a copy of the

original application, signed by the licensed water well contractor chosen to construct the well, will be submitted to the District”;

(b) The name, address, telephone number and signature of the property owner or his agent, if applicable, on whose property the well is being drilled,

(c) Written authorization from the owner designating the authorized agent, if any,

(d) The location of the well (to the nearest one-quarter-quarter section, or latitude and longitude to the nearest second, or Florida State Planar Coordinates to the nearest one hundred feet), and property site map of the well location, depicting land marks and providing a scale,

(e) The expected cased depth and total depth of the well,

(f) The proposed use of the well,

(g) The proposed grouting interval,

(h) The specification for well construction including the size(s) of the casing to be used, the proposed construction, repair or abandonment methods, specifications including casing types, casing diameters; open hole or screened intervals, sizes and screen openings; and proposed grouting materials;

(i) The proposed method of construction and completion of the well, or the method of plugging and abandoning of the well,

(j) The anticipated starting date to begin drilling,

(k) The District water use permit number, the water use application number, and the well number from the water use permit Table A, if applicable,

(l) A well completion report and/or lithologic or cuttings log for any test hole or water test well and testing results, which is being requested to be converted to a water well,

(m) Applications for public supply wells shall include: the name and address of the water system; the number of persons the well is intended to serve; and ~~three copies of~~ a scaled map showing the well location, property boundaries, existing buildings or physical features, the location of all known and proposed sources of contamination within a 500 foot radius of the proposed well location, and

(n) Applications for water test wells must be accompanied by a description of the proposed test. The description at a minimum shall include:

1. Purpose of the test, a brief description of the testing method, and a summary of the results to be provided to the District within 30 days of completion of the testing.

2. Name, address, and telephone number of the person or consulting firm performing the test.

3. A site map showing the location of the water test well and any observation wells.

(4) In addition to the information required to be submitted on the District form, the District staff may specifically request such reasonable additional information as may be necessary to evaluate the hydrologic impacts of the withdrawal to ensure

that the impacts will not be harmful to the water resource of the District as set forth in Chapter 40E-2, F.A.C., and that the withdrawals are in compliance with statutory and rule requirements. Pursuant to Section 373.314, F.S., the District will cite a specific rule when requesting such additional information. Such requests for additional information will be made in compliance with Section 120.60, F.S., and Chapter 40E-1, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 12-19-89, 11-8-99, 3-16-05,_____.

40E-3.411 Well Completion Reports.

(1) The water well contractor shall ~~complete and submit a fully completed well completion report (Form 0124) DEP Form 62-532.900(2), (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00578>, “State of Florida Well Completion Report.”~~ incorporated by reference herein, to the District and delegated agency for the construction, repair or abandonment of all wells, regardless of whether a permit is required under Rules 40E-3.101 and 40E-3.600, F.A.C. Well completion reports shall be filed with the District and delegated agency within 30 days of the completion of the work, using DEP Form 62-532.900(2). Copies of DEP Form 62-532.900(2) are available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

~~(a)~~ Well completion reports for sites controlled by Chapter 62-761, F.A.C., Underground Storage Tank Systems, may include all monitoring wells for the same site on a single form.

~~(b)~~ Computer generated completion reports developed by the contractor may be used in place of District supplied forms.

(2) The water well contractor shall keep or cause to be kept by a person in his employ an accurate field log of all well construction, repair or abandonment activities performed under each permit. Such logs shall be available for inspection at the site during all times when work is in progress.

(3) If no work is performed or if the well is not completed, a report shall be filed within 30 ~~thirty~~ days of the expiration of the permit stating that no well construction was performed under the permit or outlining the status of the incomplete well.

(4) For water test wells, a report on the test results shall be submitted to the District within 30 days of completion of the testing. The report shall also include a request and a proposed schedule to either abandon the water test well or convert the water test well to a production well or monitoring well.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 3-16-05,_____.

40E-3.507 Casing and Liner Pipe Standards.

~~(1)(a) Well casing, liner pipe, and well screen shall be new or in like new condition. Such well casing, liner pipe, and well screen shall not be used unless free of breaks, corrosion, and dents, straight and true, and not out of round. Welded or seamless black or galvanized steel pipe or casing, or stainless steel pipe or casing, or approved types of nonmetallic pipe shall be used for well casing or liner pipe.~~

~~(b)~~ All well casing shall conform to the standards identified in subsection 62-532.500(1), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C.

(2) Wells constructed using telescoping casings shall be considered as a continuous casing provided the following conditions are met:

(a) Any annular space including the overlapped section shall be grouted in accordance with subparagraph ~~62-532.500(3)(i),(4) 62-532.500(2)(f)4~~, F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C. The grout shall extend from the bottom of the casing to the top of the innermost casing. The use of lead packers is prohibited.

(b) The bottom end of the casing shall extend to or below the water level of the aquifer intended to supply water to the well.

(c) All casing zones below the uppermost consolidated unit shall be cased.

(d) A minimum of 10 feet overlap is required for non-public supply wells. One casing centralizer shall be used within the overlapped section.

(e) A minimum of 20 feet overlap is required for public supply wells. Two casing centralizers shall be used within the overlapped section.

~~(3) Steel well casing and liner pipe shall be joined in a watertight manner by threaded couplings, electrical welding methods, or other methods approved by the District which provide equivalent protection. PVC pipe shall be joined by solvent bonded couplings, threaded couplings, heat welding, or other methods approved by the District which provide equivalent protection.~~

~~(4) Nonmetallic and stainless steel well casing or liner pipe shall not be installed by driving unless prior approval is obtained from the District based on a demonstration that the integrity of the well casing or liner pipe will be maintained.~~

~~(a) For well casing or liner pipe installed by driving, the casing or pipe shall not butt together inside threaded couplings unless the joint is electrically welded so as to be completely watertight.~~

~~(b) A drive shoe is required for use on casing or pipe installed by driving unless prior approval is obtained from the District based on a demonstration that a drive shoe is not necessary to maintain the integrity of the casing or pipe.~~

Rulemaking Authority 373.044, 373.171, 373.309, ~~373.171~~ FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 1-1-85, Amended 3-16-05,_____.

40E-3.512 Well Construction Requirements.

~~(1) In the construction of a well, reasonable caution shall be taken to maintain the work site so as to minimize the entrance of contaminants into the water resource.~~

~~(1)(a) Materials used in construction shall be reasonably free of contamination.~~

~~(b) Water used during construction shall be supplied from a potable well or potable water supply. If the well or water supply is a known source of contamination or is within a known area of contamination, it shall not be used to provide water for well construction.~~

~~(2)(a) All water wells which penetrate multiple aquifers or water bearing zones shall be properly designed and constructed to prevent an interchange of water between water bearing zones which may result in deterioration of the quality of water in one or more water bearing zones, or will result in a loss of artesian pressure.~~

~~(b) If a well cannot be properly completed to prevent an unauthorized interchange of water between water bearing zones or to prevent a loss of artesian pressure, the well shall be abandoned and plugged in accordance with subsection 40E-3.531(3), F.A.C., or other instructions from the District, which are appropriate for the geological conditions encountered.~~

~~(3) For wells obtaining water from unconsolidated earth materials, casing shall extend from the upper terminus of the well to the well screen.~~

~~(a) The well screen shall be attached to the casing with a watertight seal;~~

~~(2)(a)(b) The well shall be constructed to prevent caving or pumping of sand. A filter pack shall be installed around the screened portion of the well;~~

~~(b)(c) The well shall be adequately developed until clear of any drilling fluids, particulate material and turbidity.~~

~~(3)(4) For wells obtaining water from consolidated earth materials, a continuous casing shall extend from the upper terminus of the well to the top of the uppermost consolidated unit.~~

~~(4)(5) For artesian wells, the casing shall penetrate the entire thickness of the overlying formation above the aquifer. The District may grant waivers for seating of casing within the confining zone above an artesian aquifer provided that:~~

~~(a) The casing extends a sufficient distance into the confining zone so as to prevent movement of water from the artesian aquifer to overlying aquifers;~~

~~(b) The District determines that such construction will not harm the water resources.~~

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 1-1-85, Amended 3-16-05, _____.

40E-3.517 Grouting and Sealing.

Wells shall be grouted and sealed in accordance with paragraph 62-532.500(3)(i)(2)(f), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C., and this section to protect the water resource from degradation caused by movement of waters along the well annulus either from the surface to the aquifer or between aquifers, and to prevent loss of pressure in artesian aquifers.

(1) All wells that are constructed in a manner which creates an annular space between the casing and the naturally occurring geologic formations shall be grouted and sealed in accordance with the methodologies listed in paragraph 62-532.500(3)(i)(2)(f), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C., and this section.

~~(2) For any part of a well casing with an outside diameter of four inches or larger intended to be installed in a bore hole which is larger in diameter than the outside diameter of the casing, the annular space shall be filled from bottom to top with not less than a nominal two inch thickness of neat cement grout.~~

~~(3) For any part of a well casing with an outside diameter of less than four inches intended to be installed in a bore hole which is larger in diameter than the outside diameter of the casing, the annular space shall be filled from bottom to top with not less than a nominal one inch thickness of neat cement grout minimum.~~

~~(2)(4) Wells obtaining water from unconsolidated formations, using a method other than jetting or driving a casing, and creating an annular space, shall be grouted from no more than ten (10) feet above the top of the screen to the upper terminus. Borehole cuttings shall not be reintroduced into the annular space.~~

~~(3)(5) For jetted wells or sand point wells obtaining water from an unconsolidated formation of a naturally caving nature in which the annular space is completely filled with formation material, only the upper three (3) feet shall be grouted to provide protection from possible contaminated surface water.~~

~~(4)(6) For jetted wells or sand point wells circulating drilling fluids to the surface, and obtaining water from a consolidated formation, shall be grouted bottom to top prior to being seated into water bearing formation.~~

~~(5)(7) For wells constructed by driven casing, dry bentonite, with an average mesh size of between 4 and 20 U.S. standard sieve size or grain size between 5mm and .85mm, must be added to the continuous casing string at land surface at the beginning and during construction of the well.~~

~~(6)(8) All other wells shall be grouted from the bottom of the casing to land surface.~~

~~(7)(9) Unless a variance has been granted by the District, grouting and sealing of water wells shall be accomplished in the following manner:~~

(a) The grout mixture shall consist of either Portland Cement or a natural bentonite slurry for wells and boreholes meeting the requirements in subsection 40E-3.512(7), F.A.C. The mixture shall consist of 5.2 to 5.5 gallons of water per sack of Portland Cement or a mixture of 6.0 gallons of water per sack of Portland Cement with 3 to 7.5 pounds of Bentonite, not to exceed 8% by weight.

(b) The minimum set time for grouting of casing using either Portland Cement or Bentonite before drilling operations may continue is 12 hours.

~~(c) The casing shall be centered in the borehole prior to grouting and sealing.~~

~~(c)(d)~~ Grouting of the annular space shall be completed using the tremie pipe, forced pressure, or other equivalent method approved by the District. In all cases, grout will be introduced into the annular space from bottom to top.

~~(e) In those cases where, during grouting operation, circulation of the grout is lost so that the annular space being grouted cannot be filled in one continuous operation, a tremie pipe shall be installed in the annular space to a point immediately above the zone of lost circulation. The annulus shall be bridged at that point by sand or other approved material introduced through the pipe. Grouting or sealing of the annular space shall be completed using the tremie pipe or other approved methods.~~

~~(8)(10)~~ Water wells constructed using Bentonite grouts shall meet all the following requirements:

(a) The slurry grout mixture shall be introduced into the annular space from bottom to top. The casing seat must be clean, allowing the casing to set at the total depth bored in a hole reasonably free of drill cuttings;

(b) A formation packer or a 5-foot neat cement plug must be installed at the casing seat;

(c) Neat cement must be placed in the upper ten (10) feet of the annular space to prevent deterioration of, or damage to, the bentonite seal; and

(d) Bentonite grout may be used only on monitor, domestic, irrigation, water source, or ground source heat pump installations with a nominal casing diameter of five (5) inches or less. Use of bentonite grout is not allowed on public supply wells, wells in delineated areas, wells where artesian flow occurs, in any identified contamination sites where the contaminants will prevent an adequate seal, or in wells with the water quality concentrations exceeding 10,000 milligrams per liter total dissolved solids.

(e) Bentonite grout may be used for abandonment purposes for any well. However, it cannot be used to abandon a dry well, or a well which flows to surface and cannot be placed any higher in the well than the height of the static water level. Any unsealed remainder above the height of the static water level must be filled with neat cement.

(f) Bentonite chips or pellets used for abandonment purposes may not be placed in any well casing or hole less than three inches in diameter or for sealing the annular space of any well.

(g) In all circumstances, the manufacturer's mixing instructions shall be followed.

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History--New 1-1-85, Amended 3-16-05, _____.

40E-3.521 Well Seals.

Wells shall be covered and sealed in accordance with paragraph 62-532.500(4)(a), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C.

(1) Temporary Well Seals.

~~(a) Whenever there is a temporary interruption in work on the well during construction, repair or abandonment, the well opening shall be sealed with a tamper resistant cover.~~

~~(b) Except in areas designated by the Department with the concurrence of the District, any well in which pumping equipment is installed seasonally or periodically shall, whenever pumping equipment is not installed, be capped with steel or reinforced concrete cover, or valve.~~

(1)(2) Permanent Well Seals.

(a) Wells shall be properly sealed to prevent the movement of contaminants and surface water into the well.

(b) The top of the well casing shall at a minimum extend 12 inches above land surface and if practical, 12 inches above the 100-year flood elevation.

~~(c) Any cased well equipped with permanently installed pumping equipment shall have that pumping equipment and any necessary piping installed through a well seal.~~

~~(d) Any unused well shall be capped in a watertight manner with a threaded, welded, or bolted cover or valve. The top of the well casing shall at a minimum extend 12 inches above land surface.~~

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History--New 3-16-05, Amended _____.

40E-3.600 Scope of Part VI.

(1) This Part grants a general permit for certain specified well construction, repair or abandonment activities which have been determined by the District to exist in unique geographic areas.

(2) The District reserves the right to require permits under Parts I and II of this Chapter if the proposed construction, repair or abandonment of the well does not comply with the provisions of this Part or may be harmful to the water resources of the District, inconsistent with the intent and purpose of Part III of Chapter 373, Florida Statutes, or with the overall objectives of this rule or may be otherwise contrary to the public interest.

(3) The construction, repair or abandonment of wells in accordance with Rule 40E-30.302, F.A.C., are authorized subject to the requirements of this Part.

Rulemaking Authority 373.044, 373.113, 373.171, 373.309 FS. Law Implemented, 373.113, 373.306, 373.308, 373.309, 373.342 FS. History—New _____.

40E-3.601 General Permit for Water Wells within a Portion of Southern Miami-Dade County.

(1) It is determined that compliance with Rules 40E-3.101, 40E-3.201, 40E-3.301, 40E-3.321, 40E-3.411, 40E-3.507, 40E-3.512, 40E-3.517 and 40E-3.531, F.A.C., will create an undue hardship to those persons proposing to construct, repair or abandon wells used for agricultural water use within south Miami-Dade County. It is further determined that the continued existence of these wells and method of well construction has not been shown to impair the ground water resources. However, if the continued existence of the rule is determined in any way to impair the purpose and intent of Part III of Chapter 373, Florida Statutes, adversely impact the water resources, not be in the public interest, or for any other reason the District may delete the General Permit threshold at any time in accordance with applicable law.

(2) A general permit is granted to those wells intended for agricultural use which do not exceed 25 feet in depth and which are located within the area depicted on Figure 3-1 and described as follows:

BEGINNING at the intersection of the centerline of South Florida Water Management District's Levee 31 West and the south line of Section 7, Township 58 South, Range 38 East; Thence, Easterly along the south line of said Section 7 to the

centerline of South Florida Water Management District's Canal 111; Thence, Southeasterly, Southerly and Southeasterly along said centerline of Canal 111 to the centerline of State Road 5 (U.S. Highway 1); Thence, Southerly along said centerline of State Road 5 (U.S. Highway 1) to the Dade-Monroe County line and Florida Bay; Thence, Northeasterly along the Dade-Monroe County line to the Western shore of Little Card Sound; Thence, Northeasterly and Northerly along the Western shore of Little Card Sound and Biscayne Bay to the south line of Section 14, Township 56 South, Range 40 East; Thence, Westerly along the section lines to the centerline of State Road 821; Thence, Northerly along said centerline of State Road 821 to the South line of the North one-half of Section 17, Township 56 South, Range 40 East; Thence, Westerly along the one-quarter section lines to the Southwest corner of the Northwest one-quarter of said Section 18; Thence, Northerly to the Southeast corner of Section 12, Township 56 South, Range 39 East; Thence, Westerly along the south line of said Section 12 to the Southwest corner of said Section 12; Thence, Northerly along the West line of said Section 12 to the centerline of South Florida Water Management District's Canal 1 West; Thence, Northwesterly and Westerly along said centerline of Canal 1 West and its Westerly Extension to the centerline of South Florida Water Management District's Levee 31 North; Thence, Southerly along the centerline of said Levee 31 North and the centerline of South Florida Water Management District's Levee 31 West to the POINT OF BEGINNING.

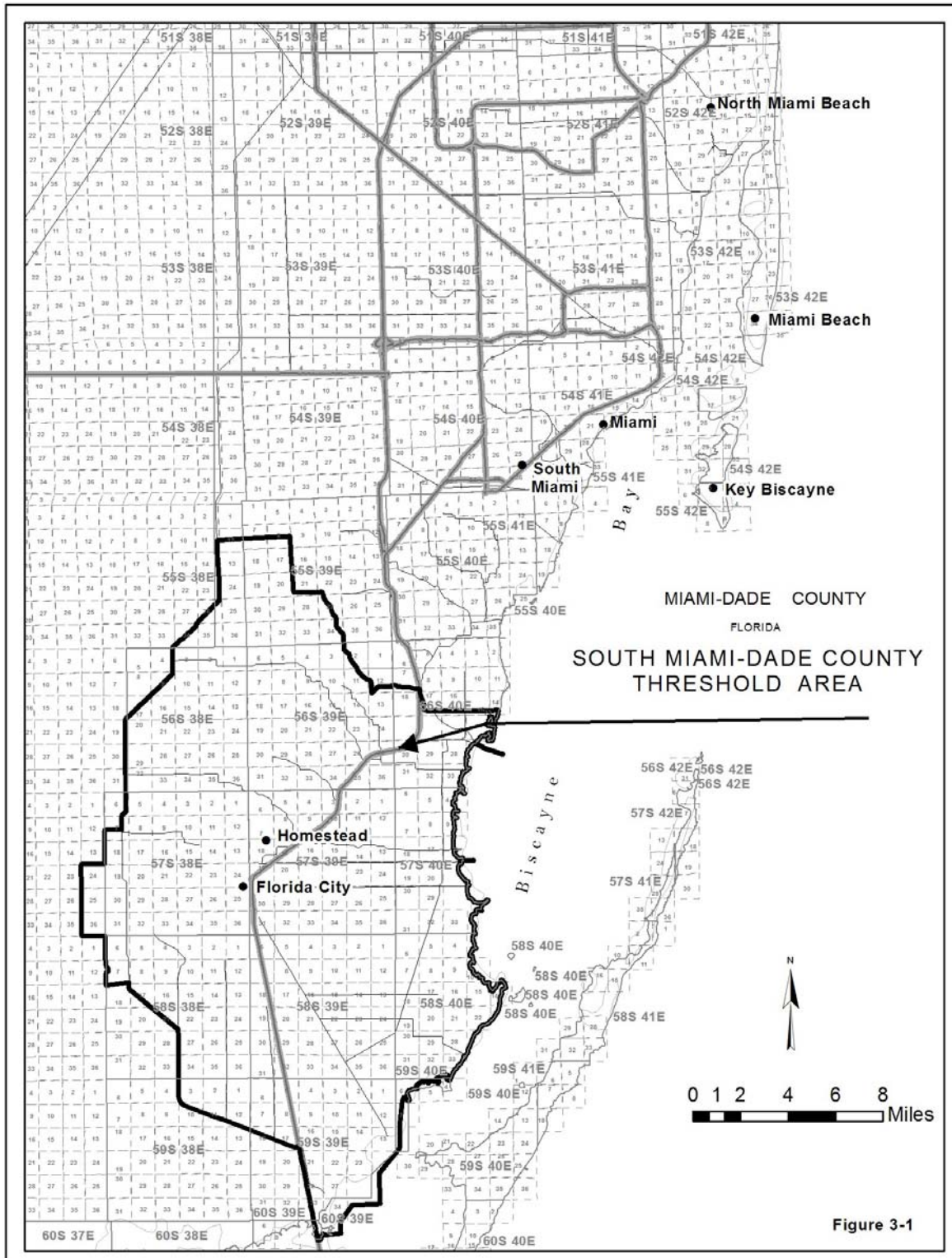


Figure 3-1

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Steven Memberg, P.G., Water Use Policy Principal Scientist,
Water Use Bureau; phone (561)682-2133

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 7, 2011

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-30.011	General Permit for Wells
40E-30.031	Implementation
40E-30.042	General Permit for Construction, Repair or Abandonment of Wells
40E-30.112	Notice of Intent
40E-30.141	Request for Additional Information
40E-30.302	Thresholds for South Dade County

PURPOSE AND EFFECT: To repeal Chapter 40E-30, F.A.C., because, in the District's rule review, it was determined that the rules within this chapter are duplicative and will be unnecessary once the no-notice permit is put into Chapter 40E-3, F.A.C. New rules are being proposed in Chapter 40E-3, F.A.C., setting forth the scope of Part VI in regard to the granting of general permits which have been determined by the District to exist in unique geographic areas, and creating a general water well permit by rule for agricultural wells in a specified portion of southern Miami-Dade County that are 25 feet or less in depth.

SUMMARY: To repeal duplicative rule chapter.

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. The District has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. A Statement of Estimated Regulatory Costs (SERC) has been prepared.

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

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.309, 373.313, 373.326, 373.342 FS.

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

DATE AND TIME: July 12, 2012, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (561)682-2087. 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 RULES IS: Paulette Glebocki, Hydrogeologist – Lead, Water Use Bureau, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, ext. 6941 or (561)682-6941 or by email to pglebock@sfwmd.gov. For procedural questions, please contact Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, ext. 6320 or (561)682-6320 or by email to kruff@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-30.011 General Permit for Wells.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.113, 373.326, 373.342 FS. History—New 1-10-85, Repealed _____.

40E-30.031 Implementation.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed _____.

40E-30.042 General Permit for Construction, Repair or Abandonment of Wells.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed _____.

40E-30.112 Notice of Intent.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed _____.

40E-30.141 Request for Additional Information.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed

40E-30.302 Thresholds for South Dade County.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed

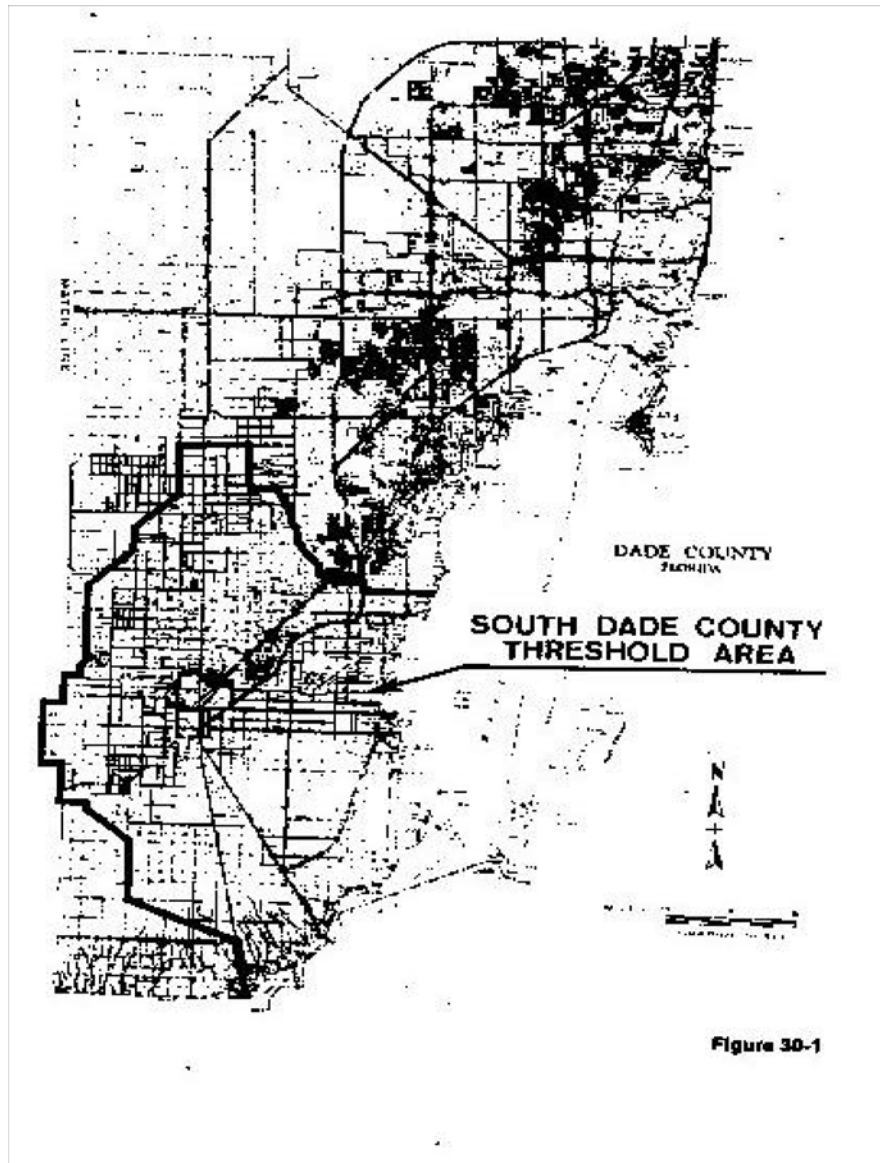


Figure 30-1

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Steven Memberg, P.G., Water Use Policy Principal Scientist,
 Water Use Bureau, phone (561)682-2133
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: South Florida Water Management
 District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: August 11, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: October 7, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.002 Medicaid Provider Reimbursement
 Schedule

PURPOSE AND EFFECT: The proposed rule amends Rule 59G-4.002, F.A.C. The purpose of the rule amendment is to record effective dates for practitioner procedure codes and fees. The rule amendment also excludes injectable medications from the fee schedule. This latter action is pursuant to Section 409.912(37)(a), F.S.

SUMMARY: The current amendment to Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule including changes to the following: 1) practitioner procedure codes and fees, effective January 1, 2011; 2) practitioner procedure codes and fees, effective January 1, 2012; 3) fees for general dental services, effective July 1, 2011; 4) physician immunization fees, effective April 1, 2011; and 5) physician immunization fees, effective October 1, 2011. As indicated, the amendment also excludes injectable medications from the fee schedule, because reimbursement rates for medications are established pursuant to Section 409.912(37)(a), F.S. and Rule 59G-4.251, 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 not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, F.S., the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, June 27, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Fred Lawrence at the Bureau of Medicaid Services, (850)412-4208. 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: Fred Lawrence, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4208, e-mail: fred.lawrence@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule. Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule for the following services, January 1, 2010, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, general dental, hearing, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, registered nurse first assistant, and visual. Rule 59G-4.002, F.A.C., incorporates by reference changes to the Florida Medicaid Provider Reimbursement Schedule for the following services: practitioner procedure codes and fees, effective January 1, 2011, practitioner procedure codes and fees, effective January 1, 2012, fees for general dental services, effective July 1, 2011, physician immunization fees, effective April 1, 2011, and physician immunization fees, effective October 1, 2011.

The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select Click on Public Information for Providers, then on Provider Support, and then

Fee Schedules. Paper copies of the reimbursement schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08, 4-28-09, 2-11-10, 1-31-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Fred Lawrence

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.088
 RULE TITLE: Developmental Disabilities Consumer Directed Care Plus

PURPOSE AND EFFECT: The purpose is to adopt a new rule for the Developmental Disabilities Medicaid Waivers Consumer Directed Care Plus (CDC+) Program in response to Legislative mandates per the Appropriations Act, adding 2,500 Developmental Disabilities Waivers consumers to the program by July 1, 2010.

SUMMARY: The handbook will include guidelines and requirements specific to the Developmental Disabilities Medicaid Waivers Consumer-Directed Care Plus Program such as definitions, roles, responsibilities, coverage, limitations, forms, and reimbursement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information and the requirements found in Section 120.541, F.S., the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.221 FS.
 LAW IMPLEMENTED: 409.221, 409.902, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, June 25, 2012, 2:00 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Danielle Reatherford at the Bureau of Medicaid Services, (850)412-4263. 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: Danielle Reatherford, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4263, e-mail: danielle.reatherford@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.088 Developmental Disabilities Consumer Directed Care Plus.

(1) Individuals enrolled in the Developmental Disabilities Medicaid Waivers Program for Consumer Directed Care Plus, along with all program representatives, consultants, employees, vendors, and Agency for Persons with Disabilities staff must be in compliance with the Developmental Disabilities Medicaid Waivers Consumer Directed Care Plus Program Coverage, Limitations, and Reimbursement Handbook, July, 2012, which is incorporated by reference. The handbook is available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting Option 7.

(2) The following appendices are incorporated by reference: Appendix A: CDC+ New Participant Training Program Affirmation Form, July 2012; Appendix B: CDC+ New Participant Training Registration, July 2012; Appendix C: CDC+ Participant Refresher Training Program Affirmation Form, March 1, 2011; Appendix D: CDC+ Participant Refresher Training Registration, March 1, 2011; Appendix E: CDC+ Purchasing Plan, February 14, 2012; Appendix F: CDC+ Quick Update to My Purchasing Plan, June 1, 2009;

Appendix G: Florida CDC+ Weekly Timesheet, January 1, 2011; and Appendix H: CDC+ Participant Information Update Form, November 1, 2009.

Rulemaking Authority 409.221 FS. Law Implemented 409.221, 409.902, 409.907, 409.908, 409.912, 409.913 FS. History New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Danielle Reatherford

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-11.001	Application Deadlines
61-11.002	How to Apply
61-11.004	Certification of Eligibility
61-11.005	Notification of Applicants
61-11.006	Examination Administration
61-11.007	Conduct at Test Site, and Notice of Protection Privileges by and to the Department
61-11.008	Licensure Examination Format and Procedures for Candidates with Disabilities (ADA)
61-11.010	Grading of Examinations and Grade Notification
61-11.012	Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review
61-11.015	Definition of a National Examination
61-11.017	Candidates' Post Exam Review of Examination Questions, Answers, Papers, Grades and Grading Key
61-11.0175	Petition or a Formal Administrative Hearing and Requesting a Pre-Hearing Review
61-11.018	Translations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to remove burdensome, unnecessary language, or language that is not statutorily mandated, to clarify technical language, to update reference manuals and other forms used by the Department, and to update the process for applying for, taking, reviewing, and challenging examinations with the Department or contracted vendors, as permitted by Section 455.217, F.S. The language in

Rule 61-11.012, F.A.C. is being amended and moved to 61-11.0175, F.A.C., as it is more appropriately located following Rule 61-11.017, F.A.C.

SUMMARY: The amendments remove burdensome, unnecessary language, or language that is not statutorily mandated, clarifies technical language, updates reference manuals and other forms used by the Department, and updates the process for applying for, taking, reviewing, and challenging examinations with the Department or contracted vendors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Bureau of Education and Testing conducted an analysis of the proposed rule's potential economic impact and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 455.203(5), 455.213(1), 455.217(1), 455.229 FS.

LAW IMPLEMENTED: 119.07(3), 120.60, 455.213(1), 455.217(1), 455.217(3), 455.217(6), 455.229 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: R. Kathleen Brown-Blake, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

THE FULL TEXT OF THE PROPOSED RULES IS:

61-11.001 Application Deadlines.

(1) Unless otherwise provided below or in board rule, completed applications for licensure examinations shall be submitted on a form as required by board rule, or department rule when there is no board, to the Department at least 60 days prior to the scheduled examination.

~~(2) Applications for permission to sit as a first-time candidate for the accountancy examination shall be postmarked or filed with the Department on or before February 1 for the May examination and on or before August 1 for the November examination.~~

~~(a) The items of original application which must be filed or postmarked by February 1 or August 1 are as follows: application fee, completed application form, character reference forms, and photographs.~~

~~(b) Official transcripts must be received on or before March 1 for the May examination and September 1 for the November examination. For those applicants who complete the educational requirements after February 1 and August 1, official transcripts must be delivered to the Department within 30 days after completion of the requirements. In no instance shall transcripts be delivered to the Department later than the thirtieth day prior to the commencement of the examination, which dates will be considered the times of application for the purpose of satisfying Chapter 473, F.S., if mailed, the postmark will be considered the delivery date.~~

~~(c) Applications to sit as an extended or conditioned candidate shall be made in writing to the Department. Such written request and application fee shall be postmarked or filed with the Department no later than March 1 for the May examination and September 1 for the November examination.~~

~~(3)(a) Applicants applying for the land surveyors examination shall submit their applications 120 days prior to scheduled examination.~~

~~(b) Completed applications will be reviewed by the board or its designee, to determine eligibility, 90 days prior to scheduled examination.~~

~~(c) Applicants applying for the Surveyor-in-Training (SIT) examination shall submit their completed application 90 days prior to scheduled examination.~~

~~(4) Application for the national funeral director and embalmer licensure examinations must be submitted ninety (90) days prior to the date of the administration of the examination.~~

~~(2)(5)(a) An applicant will be rescheduled for the next available examination if the applicant is unable to sit for the originally scheduled examination by reason of military service and submits to the board, or the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, a copy of the applicant's military orders or a letter from the applicant's commanding officer.~~

~~(b) An applicant's examination will be rescheduled if the applicant demonstrates to the board, or to the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, that there was a death in the immediate family, serious injury, illness, or other physical impairment that prevented the candidate from taking the examination. Any such request to reschedule an examination shall include a copy of documentation demonstrating the~~

forementioned circumstance which a death notice or death certificate or a statement from the applicant's treating physician which attests that such injury, illness or physical impairment prevented the applicant from taking the examination.

~~(c) Any requests for rescheduling of an examination under this section shall be submitted to the board, or the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, in writing no later than 21 days following the last day of the applicable examination.~~

Rulemaking Specific Authority 455.203(5), 455.213(1) FS. Law Implemented 455.213(1) FS. History-New 9-25-80, Amended 1-30-83, Formerly 21-11.01, Amended 11-29-89, 6-9-91, 6-18-91, Formerly 21-11.001, Amended 9-18-96, 2-25-01, _____.

61-11.002 How to Apply.

The application will be accompanied by the required fee for application and examination and all documents and other material that are to be considered in support of the application. In addition, two photographs of the applicant's face and head, size two (2) inches by two (2) inches, not more than twelve (12) months old, will be included. Any photograph which is not identifiable will be returned to the applicant and will delay the processing of the application. For examinations administered by a computer-based testing vendor, applicants shall provide two (2) forms of signature identification, one of which contains a photograph and the signature of the applicant. only one photograph shall be required. Applicants must be prepared to show sufficient identification to obtain admission to the test site. Student and employment identification cards shall not be accepted.

Rulemaking Specific Authority 455.203(5), 455.213(1) FS. Law Implemented 455.213(1), 455.217(1) FS. History-New 9-25-80, Formerly 21-11.02, 21-11.002, Amended 2-25-01, _____.

61-11.004 Certification of Eligibility.

~~(1) The Department, or its designee, will review all applications for licensure by examination to determine completeness of the application.~~

~~(1)(2) The Department shall determine that an application is complete within thirty (30) days after receipt. The Department, where there is no board, shall determine whether the applicant is qualified to take the licensure examination. Where there is a board, the application shall be scheduled for the next available meeting of the appropriate board for the board to determine whether the applicant is qualified to take the licensure examination. This eligibility determination shall be made within the time requirements of Section 120.60(1), Florida Statutes.~~

~~(3) If the Department or board determines that the applicant is not qualified to take the examination the applicant may petition for a hearing before an administrative law judge under Section 120.57, Florida Statutes.~~

~~(2)(4)~~ For Department administered examinations, or examinations administered by the computer-based testing (CBT)-contracted vendor, unless otherwise specified by board rule, the board, or the Department when there is no board, shall provide the Bureau of Education and Testing or the computer-based testing (CBT)-contracted vendor a certified list of candidates eligible or pending determination of eligibility to take an examination. The certified list shall be provided to the Bureau of Education and Testing or to the computer-based testing (CBT)-contracted vendor at least 20 ~~45~~ days prior to each examination administration. Candidates who are identified as pending eligibility will ~~may~~ be changed to certified eligible up to 18 days prior to the examination administration date. Candidates who are not identified on the original certified list shall not be permitted to take the examination unless approved by the Chief of the Bureau of Education and Testing.

~~(a) The Barbers' Board shall provide a certified list of eligible candidates to the Bureau of Testing at least 21 days prior to the examination administration date. The list must be final and shall not include any candidates who are pending determination of eligibility.~~

~~(b) The Division of Certified Public Accounting shall provide the Bureau of Testing with site rosters and copies of admission slips at least 21 days prior to the examination admission date.~~

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 120.60, 455.213(1), 455.217(1) FS. History—New 9-25-80, Amended 2-3-81, Formerly 21-11.04, 21-11.004, Amended 9-18-96, 2-25-01, _____.

61-11.005 Notification of Applicants.

(1) For Department administered examinations, unless otherwise specified by board rule, after a decision is made that an applicant meets the lawful requirements for the licensure examination, the Department will schedule the applicant for the next examination where ~~for which~~ space is available that begins at least forty-five (45) days after the applicant is certified eligible.

(2) If all certified candidates cannot be scheduled for the next examination due to space, time, or other limitations beyond the control of the Department, the candidates will be scheduled chronologically according to the date the candidate was certified as eligible or the date the scheduling request was received by the computer-based testing (CBT)-contracted vendor.

(3) The Department or CBT-contracted vendor will notify applicants of the time, place, and date of the examination and provide the applicant with an official admission card or confirmation number, which will be required for admission to the examination. The notice will also inform the applicant what material, if any, should be taken to the examination. The Department or CBT-contracted vendor shall inform the

candidate of the length of the examination, subject content of the examination, and any special equipment or materials needed for the examination.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1), 120.60 FS. History—New 9-25-80, Formerly 21-11.05, 21-11.005, Amended 9-18-96, 2-25-01, _____.

61-11.006 Examination Administration.

(1) During the examination, the candidates will follow the instructions of the examination supervisor. The candidates will be permitted to ask reasonable questions of the Department's or computer-based testing (CBT)-contracted vendor's examination supervisor and proctors relating to the instructions.

(2) The Department's valid admission slip for the specified examination and a government-issued, signature bearing photo I.D., such as a driver's license, must be presented in order to gain admission to the examination. This identification shall be acceptable in the absence of the admission slip provided the candidate's name appears on the examination admission roster that has been prepared by the Department for the specific examination. All CBT examination candidates will be required to provide two forms of signature identification, one of which must be photo bearing.

(3) If the candidate arrives at the designated testing location after the designated starting time for an examination administered by the Department, the candidate will be permitted to take the examination only after the candidate has signed a statement clearly indicating the candidate's late arrival time, and agreeing that the candidate will have only the remaining designated time in the examination to complete the examination. Any candidate who refuses to sign such a statement will be disqualified from the examination and must ~~may~~ apply to the Department for scheduling for the next available examination. If, when the late candidate arrives, any other candidate has already finished the examination and left the examination room, the late candidate will not be permitted to sit for the examination and must apply to the Department for scheduling for the next available examination. For CBT examinations and national examinations, late candidates shall comply with the CBT-contracted vendor's or the national examination organization's policies and procedures.

(4) All Department administered examinations will be administered in accordance with the "General Administration Manual for Examinations (GAME), copyright 2010 ~~2000~~," incorporated herein by reference and made available by the Bureau of Education and Testing, which may be obtained by writing to the Department of Business and Professional Regulation, Attention: Examination Administration, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0791. Administration requirements set forth by national boards and councils will be complied with in the administration of the specific examination.

(5) All examination items, answer sheets, examination books, other examination papers, computer files, and materials are the sole property of the Department of Business and Professional Regulation or the national provider. No candidate shall take any of the examination questions, examination books, answer sheets, other examination papers, computer files, and materials from the examination room or retain, reproduce, or compromise the materials in whole or in part by any means or method whatsoever.

(6) For CBT examinations, candidates are permitted to test out of state and are, subject to fees charged by the CBT-contracted vendor to the candidates for this service.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1) FS. History—New 9-25-80, Amended 2-3-81, 12-7-81, 10-28-82, Formerly 21-11.06, Amended 6-22-88, 7-10-90, Formerly 21-11.006, Amended 9-18-96, 2-25-01, _____.

61-11.007 Conduct at Test Site, and Notice of Protection Privileges by and to the Department.

(1) The examination supervisor, proctors, and computer-based testing (CBT-contracted vendor are the Department's designated agents in maintaining a secure and proper examination administration.

(2) The department and its designated agents shall may use any technology reasonably necessary to protect the integrity and security of any licensure examination. To safeguard and maintain the validity, reliability, integrity, security, and confidentiality of the examination items, as set forth in Section 119.07(6), Florida Statutes, Section 119.071(1)(a), Florida Statutes, Section 455.217(1)(e) and (5), Florida Statutes, Section 455.229(1) and (2), Florida Statutes, Rule 61-11.006, Florida Administrative Code, and Rule 61-11.017, Florida Administrative Code, candidates must wait a twenty-four (24)-hour grace period after the release date on the original failed grade notification to reschedule on-line or through any contact with a representative of the Department or CBT-contracted vendor to reschedule for any failed examination.

(3) Any individual found by the Department or any board within the Department to have engaged in conduct which subverts or attempts to subvert the examination process will be subject to confiscation of any written, photographic, or recording materials or devices in the possession of the applicant at the examination site, will may have his or her scores on the examination withheld and/or declared invalid, be disqualified from the practice of the profession, and/or be subject to the imposition of other appropriate sanctions by the Department or, if administered by a board within the Department, by the applicable board. Any individual under investigation for an alleged violation of Section 455.2175, F.S. shall be prohibited from taking another exam until the criminal investigation determines if a violation occurred. If the

investigation reveals that a violation did occur, the individual is prohibited from taking another exam for licensure with the Department.

(4) Conduct which subverts or attempts to subvert the examination process includes:

(a) Conduct which violates the security of the examination materials, such as removing from the examination room any of the examination materials; reproducing or reconstructing any portion of the licensing examination; aiding by any means in the reproduction or reconstruction of any portion of the licensing examination; selling, distributing, buying, receiving or having unauthorized possession of any portion of a future or current licensing examination.

(b) Conduct which violates the standard of test administration, such as communicating with any other applicant examinee during the administration of the examination; copying answers from another applicant examinee or permitting one's answers to be copied by another applicant examinee during the administration of the examination; having in one's possession during the administration of the licensing examination any book, notes, written or printed materials or data of any kind, other than the examination materials distributed or specifically listed as approved materials for the examination room in the information provided to the applicant examinee in advance of the examination date by the Department and/or the national supplier of the examination.

(c) Conduct which violates the credentialing process, such as falsifying or misrepresenting educational credentials or other information required for admission to the examination; impersonating an applicant examinee or having an impersonator take the licensing examination on one's own behalf.

(5) Any violation of the conduct rules or other irregularities will be documented in writing by the Department's agent(s) and the documentation of the violation or irregularity will be presented to the appropriate regulatory board or departmental unit for consideration and action. The Department's agent(s) shall exercise extreme care in their documentation to ensure that the violation or irregularities are precisely recorded as they were witnessed.

(6) The department or its designated agents shall take steps reasonably necessary to prevent or investigate any conduct which subverts or attempts to subvert the examination process.

Rulemaking Specific Authority 455.203(5), 455-217(1)(e) FS. Law Implemented 455.217(1) FS. History—New 9-25-80, Formerly 21-11.07, Amended 6-22-88, Formerly 21-11.007, Amended 9-18-96, 2-25-01, 9-1-02, _____.

61-11.008 Licensure Examination Format and Procedures for Candidates with Disabilities (ADA).

(1) The Department of Business and Professional Regulation will provide reasonable and appropriate accommodations to candidates with physical, mental, or specific learning disabilities to the extent permitted by cost, administration restraints, security considerations, and availability of resources. Accommodations made will vary depending upon the nature and the severity of the impairment. Each case will be dealt with on an individual basis within the limits prescribed herein. In the instances of nNational examinations, guidance will be sought from the nNational provider. Reference information and guidelines regarding the process for documenting disabilities are contained in the document titled "ADA Application Instruction Booklet", ~~Request for Test Accommodations for Examinees with Disabilities,~~ made available by the Bureau of Education and Testing, which may be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing Coordinator, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791.

(2) A candidate requesting special accommodation must file the ADA application, incorporated herein by reference, ~~request~~ in addition to his or her completed application for licensure examination by the final application deadline of the assigned examination. The candidate must provide the following documentation of his or her disability completed by an appropriate professional. ~~The application and documentation required by this subsection must be provided on form number 2002-064, incorporated herein by reference and dated March 2000. This form can be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791. The candidate's documentation shall include:~~

- (a) The diagnosis and length of time with the condition;
- (b) The name and the results of the test(s) used for diagnosis; and
- (c) Recommended accommodations and testing environment.

(3) Reasonable and appropriate accommodations will be made for qualifying candidates. All accommodations must be directly linked to the amelioration of the identified functional limitations caused by the asserted disability and must be reasonable and effective. Permissible accommodations include:

(a) Flexible Time. Candidates requiring extra time for the examination must submit a recommendation of such from an appropriate professional. The Department recognizes that reading Braille or using a live reader takes longer than reading regular print. Untimed examinations will not be provided.

(b) Flexible Setting. Individual and small group setting examination administrations shall be available to candidates when such a service is recommended by an appropriate professional.

(c) Flexible Recording of Responses. The candidate's responses can be recorded by a proctor, a tape recorder, a typewriter, a Braille writer, marked on the examination test booklet, or other method approved by the Department. The proctor may transcribe the candidate's responses onto a machine scannable answer sheet. In these instances, the candidate will verify that the answers he or she indicated were marked.

(d) Flexible Format. The examination test booklet may be produced in large print, high quality regular print, Braille, or the test may be tape recorded, read aloud, or signed by an interpreter.

(e) Assistive Devices. The candidate, upon approval of the department, will be allowed to use appropriate assistive devices, such as lights, magnifiers, or special computer screens.

(4) The Department shall request further evidence on the necessity of the accommodation when the evidence substantiating the need for the accommodation is not complete. The Department shall request that the applicant submit to another professional evaluation to verify the disability or to determine what accommodations are most appropriate and effective when the initial evaluation is inconclusive, unclear, or does not substantiate the need for the requested accommodation.

(5) In no case shall any modifications authorized herein be interpreted or construed as an authorization to provide a candidate with assistance in determining the answer to any test item. No accommodation or modification shall be made that adversely affects the integrity of the examination.

(6) Definition of Terms.

(a) A person with disabilities means any person who:

1. Has a physical, mental, or specific learning disability which presently substantially limits one or more major life activities;
2. Has a record of such a disability; or
3. Is regarded as having such a disability.

(b) Major life activities are activities that an average person can perform with little or no difficulty including walking, talking, hearing, breathing, learning, working, caring for one's self, and performing manual tasks.

(c) A person with a physical disability means any person who has a permanent or temporary physical or psychomotor disability. Examples of a disability under this section include those disabilities that require the use of a wheelchair, braces, or crutches. It also includes candidates with a hearing or sight disability, or those who will ~~may~~ need special accommodation to move about.

(d) A person with a learning disability means any person who has a permanent or temporary mental disability such as brain damage, brain dysfunction, dyslexia, or a perceptual disorder.

(e) For purposes of this rule, “an appropriate professional” means a physician licensed pursuant to Chapters 458 (Medical Practice) or 459 (Osteopathic Medicine), Florida Statutes; a professional licensed pursuant to Chapters 460 (Chiropractic), 461 (Podiatric Medicine), 463 (Optometry), 468, Part I (Speech-Language Pathology and Audiology), or 490 (Psychological Services), Florida Statutes; or appropriately licensed in the state where in which the certification of disability was performed. Any certification, documentation, or recommendation relating to a candidate’s disability provided by an appropriate professional pursuant to the requirements of this rule must not be beyond the scope permitted by law for that professional or that which the professional knows or has reason to know that he or she is not competent to perform.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1) FS. History–New 9-25-80, Formerly 21-11.08, Amended 6-22-88, Formerly 21-11.008, Amended 2-25-01,

61-11.010 Grading of Examinations and Grade Notification.

(1) Pursuant to Section 455.217, Florida Statutes, grading of all examinations shall be processed only as follows:

(a) National Examinations shall be graded solely and exclusively by the national examination provider or its designee. National examinations shall include those developed by or for national boards, councils, associations or societies.

(b) Departmentally developed objective, multiple choice examinations shall be graded by the Department or its designee. The Department shall review the item analysis and any statistically questionable items after the examination has been administered. Based upon this review, the Department shall adjust the scoring key by totally disregarding the questionable items for grading purposes or by multi-keying, giving credit for more than one correct answer per item. All items which do not adequately and reliably measure the applicant’s ability to practice the profession shall be rejected. The Department or its designee shall calculate each candidate’s grade utilizing the scoring key or adjusted scoring key, if applicable, and shall provide each candidate with a grade report. The only paper that shall be graded is the official answer sheet. No credit shall be given for answers written in a candidate’s examination booklet.

(c) Departmentally developed practical examinations shall be graded by the Department or its designee. The Department shall review the item analysis, if applicable, examiner agreement report, and any procedure judged to be statistically questionable after the examination has been administered. Based upon this review, the Department shall adjust the scoring criteria by rejecting, crediting, or giving partial credit

for any procedure or question which does not adequately and reliably measure the applicant’s ability to practice the profession. The Department or its designee shall calculate each candidate’s grade using the scoring criteria or adjusted scoring criteria, if applicable, and shall provide each candidate with a grade report.

(d) If after the distribution of grades for a particular administration there are adjustments to the scoring, amended grade reports shall be mailed to all failing candidates whose scores are increased and to all candidates whose pass/fail status changes due to the adjustment unless the candidate has taken and passed a subsequent administration of the examination.

(e) Examinations developed or administered for the Department by contracted vendors ~~professional testing companies~~ other than national examination providers shall be graded by the contracted vendor testing company or by its designee. Grading procedures shall be in compliance with the provisions of this rule.

(2) The Department shall notify the candidate of the results of the candidate’s examination no later than sixty (60) days after the examination date, except when the grades, or portions thereof, are computed by the national board, council, association, or society responsible for a national examination in Florida. The grades for an examination containing a national portion shall be sent to the candidate no later than thirty (30) days after the receipt of the grades by the Department from the national board, council, association, or society responsible for the national examination in Florida. For Harbor Pilots, final results of the examination will be released sixty (60) ~~60~~ days after the reviews are completed.

(3) The Department or its designee shall inform each passing candidate of the candidate’s status and provide necessary instructions for obtaining a license.

(4) Any candidate who does not receive a passing score on a licensure or certification examination will be notified of the examination results test(s) failed, the requirements for re-examination, ~~and review~~, and formal administrative hearing appeal rights and procedures.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 420.60, 455.217(1), 455.229 FS. History–New 9-25-80, Formerly 21-11.10, Amended 10-27-92, 5-27-93, Formerly 21-11.010, Amended 9-18-96, 2-25-01,

61-11.012 Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review

Rulemaking Specific Authority 455.203(5), 455.229 FS. Law Implemented 420.60, 455.217, 455.229 FS. History–New 9-25-80, Amended 2-3-81, 12-7-81, Formerly 21-11.12, Amended 6-14-89, 5-2-91, 7-28-92, 10-27-92, 5-27-93, Formerly 21-11.012, Amended 9-18-96, 2-25-01, Repealed

61-11.015 Definition of a National Examination.

~~(1) In compliance with Section 455.217(1)(d), Florida Statutes, the Department shall use any national examination which is available and approved by the board.~~

~~(1)(2) A national examination is an examination developed by or for a national or multi-state professional association, board, council, or society (hereinafter referred to as organization) and administered for the purpose of assessing entry level standards of practice skills necessary to protect the health, safety, and welfare of the public from incompetent practice and meets the following standards:~~

~~(a) The organization must be generally recognized by practitioners across the nation in the form of representatives from the State Boards or shall have membership representing a substantial number of the nation's or states' practitioners who have been licensed through the national examination.~~

~~(b) The organization shall be the responsible body for overseeing the development and scoring of the national examination.~~

~~(2) Generally accepted testing standards must meet the following criteria:~~

~~(a) The purpose of the examination assesses shall be to establish entry level standards of practice that shall be common to all practitioners;~~

~~(b) The practice of the profession at the national level must be defined through an occupational analysis survey with a representative sample of all practitioners and professional practices; and~~

~~(c) The examination for licensure must assess the scope of practice and the entry skills defined by the national occupational analysis; and survey.~~

~~(3) The organization must be generally recognized by practitioners across the nation in the form of representatives from the State Boards or shall have membership representing a substantial number of the nation's or states' practitioners who have been licensed through the national examination.~~

~~(4) The organization shall be the responsible body for overseeing the development and scoring of the national examination.~~

~~(d)(5) The organization shall provide security guidelines for the development and grading of the national examination and shall oversee the enforcement of these guidelines.~~

~~(3) Parts A and B of the Examination Evaluation Questionnaire are adopted and incorporated herein by reference. This questionnaire can be obtained at 1940 North Monroe Street, Tallahassee, Florida 32399.~~

Rulemaking Specific Authority 455.203(5), 455.217(1)(d) FS. Law Implemented 455.217(1)(d)(e) FS. History--New 6-14-89, Formerly 21-11.015, Amended 2-25-01, _____.

61-11.017 Candidates' Post Exam Review of Examination Questions, Answers, Papers, Grades and Grading Key.

~~(1) Subsections (1) through (7) shall apply to all examinations other than those given pursuant to Chapter 475, Florida Statutes, and the Division of Real Estate. Pursuant to Section 455.217(3), Florida Statutes, a candidate who has taken and failed a departmentally developed objective multiple choice examination, a departmentally developed practical examination, or an examination developed for the Department by a computer-based testing (CBT)-contracted vendor or qualified national testing vendor permitting such a service, will professional testing company shall have the right to review only the last administered examination items, answers sheets, examination books, other examination- papers, grades, and grading keys for the parts of the examination failed or the questions the candidate answered incorrectly only. Review of examinations developed by or for a national council, association, or society (hereinafter referred to as "national organization") shall be conducted in accordance with national examination security guidelines and timeframes.~~

~~(2) Those candidates who elect to exercise their right to review must submit a request in writing to the Department or on-line with the computer-based testing (CBT)-contracted vendor within the time frame as set forth in this section.~~

~~(a) Unless otherwise provided in board rule, written or on-line review requests must be received no later than twenty-one (21) days after the release date on the original grade notification. The issuance of an amended grade notice, if applicable, will not extend the deadline for a candidate to request a post-examination review, unless the amended grade notice affects the pass/fail status of the candidate.~~

~~(b) No request received past the specified deadline in paragraph (2)(a) will be accepted.~~

~~(3) Examination reviews shall be conducted in the presence of a representative of the Department or CBT vendor at the Department's Tallahassee headquarters, Orlando, or Miami, where possible. Only the applicant will be permitted to attend the examination review and only one (1) review of the applicant's last administered examination will be allowed or in the same city where the candidate sat for the exam.~~

~~(a) All examination reviews shall be conducted in accordance with that examination's administration procedures to the extent possible and feasible.~~

~~(b) All security rules defined in Rules 61-11.006 and 61-11.007, Florida Administrative Code, shall apply to all review sessions. Any candidate violating any provision of said rules shall be dismissed from the review session and may be subject to other sanctions pursuant to Department and/or Board statutes or rules as determined by the board or Department when there is no board.~~

~~(c) Unless specified otherwise in board rule, all examination reviews by candidates shall be scheduled and completed no later than ninety (90) days after the release date~~

on the original grade notification. However, a candidate may not participate in a review during the twenty-one (21) day period immediately prior to his or her next examination attempt. The review and challenge process is only available for the last failed examination administered or taken by the applicant.

(d) A representative of the Department or the CBT vendor shall remain with all candidates throughout all examination reviews. Candidates shall be informed that the representative cannot defend the examination or attempt to answer any examination questions during the review.

(e) Candidates will be given an examination review time of one-half (1/2) the time provided for the examination administration of the part failed at the Department or at the CBT-contracted vendor's examination site at any reasonable time, under reasonable conditions, and in the presence of a representative of the Department or the CBT-contracted vendor.

(f) Examination Test booklets used by the candidate during the examination are not retained. Candidates reviewing the examination will be provided with a clean, exact copy of the original test questions. They will not be given the actual examination test booklets they used during the examination. Consequently, any marks or notes made by candidates during the examination will not be available during the review.

(g) Unless prohibited by board rule or national guidelines, candidates have the right to challenge any question ~~that which~~ they believe ~~to may~~ be ambiguous or any solution ~~that which~~ they believe ~~to may~~ be incorrect, and to request a formal administrative hearing if there are any disputed issues of material fact as set forth by Sections 120.569, 120.57, F.S., and Rule 61-11.012, F.A.C. if the challenge is found to be without merit. The candidate's challenges must be submitted in writing during the scheduled review. Any challenges or supporting documentation submitted after the candidate has left the review room shall not be accepted.

(h) Upon completion of reviews, candidates shall acknowledge in writing the review start time, the review end time, all materials reviewed, and other relevant review information, which candidate's acknowledgement must be verified by a representative of the Department or the CBT-contracted vendor.

(4) In addition to the provisions of subsection (3), examination candidates shall be prohibited from leaving the review with any written challenges, grade sheets, or any other examination materials.

(5) If an examination review results in a re-grade of examination, that re-grade shall be limited to the candidate who filed the examination challenge. For a practical examination, unless examination security is involved, a candidate may obtain by mail a copy of his or her grade sheets resulting from a practical examination. The request must be made in writing to the Department, and adhere to provisions

~~set forth in subsection (2), be signed by the candidate, and state the address to which the grade sheets are to be mailed. This shall constitute a review of the practical examination.~~

(6) Unless otherwise specified in board rule or prohibited by guidelines as set forth by national contracted vendors, the review fee will not exceed \$150 per exam part shall be 75, in addition to any fee charged for review by the national organization, if there is one.

(7) If a successful challenge results in a regrade of an examination, that regrade shall be limited to the candidate who filed the successful challenge.

~~(8) Division of Real Estate Examination Reviews.~~

~~(a) Each candidate who has taken a Division of Real Estate (DRE) examination for licensure or certification shall have the right to review the candidate's most recent examination within two years from the date of the examination. The candidate shall be permitted to review only those questions the candidate answered incorrectly.~~

~~(b) The candidate or the candidate's attorney shall make a request to the examination vendor, by telephone, facsimile, or in writing, for an appointment to review the candidate's examination. The examination review, consisting of not more than one hour, shall be conducted at the examination vendor's examination site during normal working hours.~~

~~(c) An employee of the examination vendor (examination review monitor) or authorized representative of the Department shall remain with the candidate and the candidate's attorney during the reviewing process. Neither the examination review monitor nor authorized Department representatives are permitted to defend the examination or attempt to answer or refute any questions.~~

~~(d) Only the candidate and the candidate's attorney shall be permitted to attend the examination review and only one review of the candidate's examination will be allowed. Neither the candidate nor the candidate's attorney will be permitted to copy questions from the test but may write on a separate paper, in the presence of the examination review monitor or authorized Department representative, any objections or questions the candidate has to the examination.~~

~~(e) The candidate and the candidate's attorney shall leave the written objections and questions with the examination review monitor or authorized Department representative when the candidate and the candidate's attorney leave the review room.~~

~~(f) If desired, a review by the appropriate Validation Committee may be requested, in writing to the Division, within 30 days from the date of the examination review.~~

~~(g) The review fee shall be \$75.~~

~~(h) If an examination review results in a regrade of an examination, that regrade shall be limited to the candidate who filed the examination challenge.~~

Rulemaking Specific Authority 455.203(5), 455.217(3), 455.229 FS. Law Implemented 119.07(3)(a), 455.217(3)(2), 455.229 FS. History–New 10-26-92, Amended 5-27-93, Formerly 21-11.017, Amended 11-16-95, 9-18-96, 2-25-01, _____.

61-11.0175 Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review.

(1) If the candidate did not exercise his or her right for the post-examination review, pursuant to Section 455.217, F.S., and elects to request a formal administrative hearing, he or she will be required to pay the post-examination review fee, as specified by board rule or by Department rule when there is no board, before a pre-hearing review is scheduled. In order to preserve the security and integrity of the examination, such candidate shall be permitted to review only the questions and answers missed on the examination.

(2) Any comments made during the pre-hearing review will not be responded to by the Department. All pre-hearing reviews shall be conducted at a location determined by the Department. All security procedures outlined in Rules 61-11.007 and 61-11.017, Florida Administrative Code, shall apply to the candidate, the candidate’s attorney, and the candidate’s expert witness for all review sessions.

(3) In preparation for a formal administrative hearing, if it is discovered by the Department that credit should be awarded for one or more items outlined in the candidate’s petition, an amended grade notice shall be issued reflecting his or her amended score.

Rulemaking Authority 455.203(5), 455.229 FS. Law Implemented 455.217, 455.229 FS. History–New _____.

61-11.018 Translations.

In authorizing the translation of licensure examinations to an applicant’s native language, the Legislature has determined that translated licensure examinations pose no inherent threat to the public health, safety, and welfare.

(1) To allow the Department sufficient time to translate an examination, an applicant for licensure in a profession directly regulated by the department wishing to take the examination in a language other than English or Spanish shall:

(a) File a written request with the Department at least six (6) months prior to the date of the scheduled examination.

(b) Submit, in addition to all other applicable fees, the required translation fee as defined in subsection (2) of this rule on or before the 60th day prior to the date of the scheduled examination.

(2) The Department shall notify the applicant of the amount of the translation fee on or before the 75th day prior to the scheduled examination. The amount of the fee for each applicant for the translated examination shall be a pro rata share for all applicants applying to take the scheduled translated examination to cover the Department’s full direct

and indirect costs of the development, preparation, administration, grading and evaluation of the translated examination.

(3) Unless otherwise specified in board rule or prohibited by national guidelines, in lieu of a translated examination, candidates may elect to use a translation dictionary. This dictionary must consist of only word or phrase translations and must remain as published. Dictionaries containing definitions of words, explanations of words or handwritten notes will not be permitted. A representative of the Department or Computer-Based Testing (CBT)-contracted vendor Testing center staff will inspect and approve the dictionary at the examination site and approve it before it can be used during the examination. Any dictionary that does not meet these criteria will be rejected.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(6) FS. History–New 1-4-94, Amended 2-25-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: R. Kathleen Brown-Blake, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012
 RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: This proposal codifies the purpose of the provisional license which was intended to provide local governments with a means to immediately authorize new hires and newly promoted individuals who are unlicensed to perform their newly assigned function while said newly commissioned employee endeavors to successfully complete the statutorily mandated licensure examination.

SUMMARY: Currently, in order to provide continuity of service to the public without placing the public at risk, governmental entities are authorized to utilize unlicensed newly hired or newly promoted individuals to perform building code administration and inspection services provided that said individuals meet all experiential requirements and only lack the successful completion of the licensure examination related to the license required.

The proposal restricts the activity of a provisional government servant to the jurisdiction of the governmental entity with which they were recently commissioned.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Council has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.012 Provisional Certificates.

(1) through (3) No change.

(4) Provisional certificates shall only be issued to persons employed by an agency of government and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed at the time the provisional certificate was originally issued.

(5) through (6) No change.

Rulemaking Specific Authority 468.606, 468.609(7) FS. Law Implemented 468.609(7) FS. History—New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01, 1-10-07, 1-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-621.500 Permits

PURPOSE AND EFFECT: The Department is revising subsection 62-621.500(1), F.A.C., the existing Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds, providing permit requirements that meet a level of protection commensurate with potential environmental impacts, based on long-term monitoring data from existing citrus packinghouse facilities under individual permits.

SUMMARY: The Department is amending this Generic Permit to standardize ground water monitoring, reduce the number of parameters and frequency of effluent and ground water sampling and to develop standard Best Management Practices (BMPs) that can be implemented at all facilities covered under the generic permit.

OTHER RULES INCORPORATING THIS RULE: 62-620.310; 62-660.806, F.A.C.

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The purpose of this rulemaking is to reduce and standardize the permitting requirements from what currently exists in Department rules. Therefore the rule reduces regulatory costs and does not impose any adverse impacts.

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: 403.061, 403.087, 403.088, 403.814 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.0877, 403.088, 403.814 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: June 25, 2012, 1:30 p.m. – 2:30 p.m.

PLACE: Conference Room A204/208, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Rd., Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shirley Shields, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8589, Shirley.shields@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hubbard, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8589, allen.hubbard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-621.500 Permits.

(1) Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds.

(a) The document “Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds,” document number 62-621.500(1)(a), issued by the Department and dated (effective date of this revised rule), May 10, 2005, is hereby incorporated by reference and made part of this Chapter. This document may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website or from (F.A.C. website link).

(b) Form number 62-621.500(1)(b), Notice of Intent to use Request for Coverage under the Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds, effective (effective date of this revised rule), May 10, 2005, is hereby incorporated by reference and made part of this Chapter. This form may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website or from (F.A.C. website link).

(c) Definitions.

1. “Existing fresh citrus fruit packinghouse” or “existing facility” means a packinghouse which was in operation, under construction or under expansion on or before (effective date of this revised rule).

2. “Expanded fresh citrus fruit packinghouse” means a facility that increases the quantity of discharge flow.

3. “New fresh citrus fruit packinghouse” or “new facility” means a fresh citrus fruit packinghouse that begins construction after (effective date of this revised rule).

(d)(e) Applicability and Coverage.

1. This generic permit authorizes:

a. Construction and operation of new or expanded fresh citrus fruit packinghouses under Section 403.814, F.S., that use utilize percolation ponds to dispose discharge wash water to ground water; and

b. Operation of existing fresh citrus fruit packinghouses under Section 403.814, F.S., that use utilize percolation ponds to dispose discharge wash water to ground water.

2. This generic permit does not authorize; constitute authorization for the construction

a. Construction and operation of storm water management facilities under Part IV of Chapter 373, F.S.;

b. Discharge of domestic wastewater;

c. Discharge of vehicle or mobile equipment wash water;

or

d.3. This generic permit does not constitute authorization to discharge of pollutants to waters of the United States under the National Pollutant Discharge Elimination System established by the federal Clean Water Act or surface waters of the state.

3. Existing facilities with current individual industrial wastewater permits or coverage under the generic permit adopted May 10, 2005, may submit DEP Form 62-621.500(1)(b), F.A.C., with Parts I, II, III and VI completed to convert directly to coverage under this generic permit, provided that:

a. The facility has no unresolved consent orders or notices of violation related to wastewater activities, and

b. The facility certifies in DEP Form 62-621.500(1)(b), F.A.C., that it does not propose to expand its discharge flow as defined in paragraph 62-621.500(1)(c), F.A.C.

4. Coverage under this generic permit is available for fresh citrus fruit packinghouses that utilize percolation ponds to discharge wash water to ground water, provided all criteria specified in the this permit are met.

5. through 6. No change.

7. Fresh Citrus Fruit Packinghouses that New and existing facilities that utilize percolation ponds to discharge wash water to ground water which do not qualify for coverage or do not choose to be covered under this generic permit shall:

a. through b. No change.

8. through 9. No change.

10. This generic permit does not apply to fresh citrus fruit packinghouses that ~~use~~ utilize sprayfield type land application wash water disposal systems, or other types of land application wash water disposal systems not otherwise complying with the requirements of this rule.

~~(e)~~(d) Exemptions.

1. ~~Fresh Citrus Fruit Packinghouses~~ Any facility as defined under this rule generating less than 5,000 gallons of wash water per day during the operating season ~~are~~ is exempt from the requirement to obtain a Department industrial wastewater permit if all of the following requirements are met:

a. The facility can document the volume of wash water generated.

~~b.a.~~ Wash water ~~Wastewater~~ is not discharged ~~directly~~ to surface waters or to ground waters through wells or sinkholes that allow direct contact with Class G-I, F-1 or G-II ground waters as defined in Chapter 62-520, F.A.C.;

~~c.b.~~ The disposal of the facility's wash water ~~wastewater~~ does not cause or contribute to a violation of surface water and/or ground water quality standards; and

~~e.~~ There is a 100-foot ~~setback between the wetted perimeter and the facility's property boundary;~~

d. Best Management Practices (BMPs) are implemented to minimize overflows and runoff from the land application site, and ensure proper pond maintenance.;

~~e.~~ The facility shall maintain records in accordance with ~~condition H.F.1. of this generic permit.~~

~~(f)~~(e) Requests for Coverage.

~~1.~~ Request for coverage under this generic permit shall be submitted to the appropriate district office of the Department. New or expanded facilities shall submit ~~For new facilities,~~ requests for coverage ~~shall be submitted~~ at least 30 days prior to planned commencement of construction. Facilities seeking conversion from individual permits and facilities seeking continued coverage shall submit requests at least 30 days prior to expiration of current permit coverage. ~~All r~~Requests for coverage ~~for new and existing facilities~~ shall include the following ~~items~~:

1.a. Completed Notice of Intent to use the Request for Coverage Under Generic Permit for Discharges From Fresh Citrus Fruit Packinghouses to Percolation Ponds, DEP Form 62-621.500(1)(b);

2.b. Applicable generic permit fee pursuant to Rule 62-4.050, F.A.C., and Section 403.087, F.S., as specified in Form 62-621.500(1)(b), Notice of Intent to use the Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds.

~~e.~~ Ground Water Monitoring Plan prepared in accordance with Rule 62-621.500, F.A.C.

~~d.~~ Engineering report, signed and sealed by a professional engineer in accordance with Part V.A.3, certifying that the design of the percolation pond meets the requirements of Part III of this permit.

~~2.~~ The permittee may request continued coverage under this generic permit in accordance with the requirements contained in Rule 62-621.500(1)(e)1, F.A.C., above. ~~Alternatively, if no modifications or expansions to the facility have been made during the current term of coverage, the permittee may request continued coverage by completing Parts II, III, VII and VIII of DEP Form 62-621.500(1)(b), along with the applicable generic permit fee pursuant to Rule 62-4.050, F.A.C.~~

~~3.~~ Request for continued coverage under this generic permit shall be made at least 180 days before expiration of current coverage.

(2) No change.

Rulemaking Specific Authority 403.061, 403.087, 403.088, 403.814 FS. Law Implemented 403.061, 403.087, 403.0877, 403.088, 403.814 FS. History—New 5-10-05, Amended 2-7-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hubbard

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2012

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-4.0011
RULE TITLE: Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: The Board proposes this rule amendment to update the form revision date and incorporate it by reference.

SUMMARY: The rule amendment will update the form revision date and incorporate it by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 457.104 FS.

LAW IMPLEMENTED: 456.048, 457.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.0011 Documentation Necessary for Licensure Application.

(1) A properly completed application shall be submitted on Department of Health Form Acupuncture Application for Licensure with Instructions, DH-MQA 1116, 03/12 ~~4/09~~, adopted and incorporated herein by reference as this Board's application and available on the web at www.doh.state.fl.us/mqa/acupunct. To complete the application attach the appropriate fees and supporting documents and submit it to the Board Office.

(2) through (3) No change.

Rulemaking Authority 457.104 FS. Law Implemented 456.048, 457.105 FS. History--New 2-18-98, Amended 10-11-04, 5-25-09, 8-5-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.420
 RULE TITLE: Registered Pharmacy Technician Responsibilities

PURPOSE AND EFFECT: The Board proposes the rule amendment to update tasks that registered pharmacy technicians may assist the pharmacist in performing.

SUMMARY: Tasks that registered pharmacy technicians may assist the pharmacist in performing will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 465.005, 465.014 FS.

LAW IMPLEMENTED: 465.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.420 Registered Pharmacy Technician Responsibilities.

(1) Registered pharmacy technicians may assist the pharmacist in performing the following tasks:

(a) through (c) No change.

(d) The counting, weighing, measuring, pouring and ~~mixing compounding~~ of prescription medication or stock legend drugs and controlled substances, including the filling of an automated medication system;

(e) through (g) No change.

(3) No change.

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

Rulemaking Authority 465.005, 465.014 FS. Law Implemented 465.014 FS. History--New 8-31-87, Formerly 21S-4.0025, Amended 7-30-91, Formerly 21S-27.420, 61F10-27.420, 59X-27.420, Amended 2-23-98, 1-1-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 10, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 16, 2012

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Marine Fisheries

RULE NO.: 68B-14.0036
RULE TITLE: Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

PURPOSE AND EFFECT: The purpose of this rule amendment is to update subsection (8) to reflect numbering changes that have been made to the reef fish recreational bag limits rule. Subsection (8) includes two exceptions to the bag limits and creates multi-day possession limits for these exceptions. Red porgy harvested from the Atlantic Ocean would not be included in the state’s multi-day possession limits because they are regulated in Atlantic Ocean federal waters by a trip limit rather than a daily bag limit and are not allowed under the multi-day possession limits. These proposed amendments would make the state’s exceptions to the reef fish bag limits compatible with the federal exceptions to the reef fish bag limits.

SUMMARY: Rule 68B-14.0036 (Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption) would be amended to reflect numbering changes that have been made to this rule over the years. Red porgy harvested from the Atlantic Ocean would not be included in the state’s multi-day possession limit because they are regulated in federal waters of the Atlantic Ocean under a trip limit rather than a daily bag limit and are not allowed under the federal multi-day possession limit. Therefore, the state’s multi-day possession limit would be compatible with the federal multi-day possession limit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting June 27-28, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: PGA National Resort & Spa, 400 Avenue of the Champions, Palm Beach Gardens, FL 33418

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) through (7) No change.

(8) Exception.

(a) Any person harvesting pursuant to the bag limits established in paragraphs (a), (b), (c), subparagraphs (d)1., and (f)1., of subsection (1), paragraphs (a) and (b) of subsection (2), and subsections (3), (4), (5), paragraphs (6)(a) and (b) of this rule, with the exclusion of red porgy harvested from the Atlantic Ocean, who has fished for more than one day, may possess double the bag limit once such person has landed the fish, departed the fishing site and is no longer within 100 yards of any state waters, docks, fishing piers, or other fishing sites.

(b) Any person harvesting pursuant to the bag limits established in paragraphs (a), (b), (c), subparagraphs (d)1., and (f)1., of subsection (1), paragraphs (a) and (b) of subsection (2), and subsections (3), (4), (5), paragraphs (6)(a) and (b) of this rule, with the exclusion of red porgy harvested from the Atlantic Ocean, who has fished aboard a charter vessel or headboat on a trip that spans more than 24 hours may possess and land double the bag limit if the vessel has a sleeping berth for each passenger aboard the vessel and each such passenger possess a receipt issued on behalf of the vessel that verifies the length of the trip.

(9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 10-16-09, 1-19-10, 12-30-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE NO.: 68E-18.003
RULE TITLE: Certificate Allocations and Fees

PURPOSE AND EFFECT: The purpose of this rule amendment is to update Rule 68E-18.003, Florida Administrative Code to be consistent with Section 379.3671(2)(c)7., Florida Statutes. The effect of this rule would be to clarify that any trap certificates for which the required annual fee is not paid for a period of two years revert to the Commission and become ineligible for reissue. The

update would not result in any changes to the way FWC manages the trap certificate program because FWC already follows the provisions of the statute.

SUMMARY: Rule 68E-18.003 (Certificate Allocations and Fees) would be amended to state that trap certificates with unpaid annual fees revert to the Florida Fish and Wildlife Conservation Commission after a period of two years, instead of three as was previously the case. This update would mirror the change in Florida statutes that was made in 2010.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: 379.3671 FS.; Article IV, Section 9, Florida Constitution.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting June 27-28, 2012, 8:30 a.m.– 5:00 p.m., each day

PLACE: PGA National Resort & Spa, 400 Avenue of the Champions, Palm Beach Gardens, 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 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68E-18.003 Certificate Allocations and Fees.

(1) No change.

(2) Any certificates for which the annual certificate fee is not paid for a period of two (2) ~~three (3)~~ years shall be considered abandoned and shall revert to the Commission. During any period of trap reduction, any certificates reverting to the Commission shall become permanently unavailable and be considered in that amount to be reduced during the next license-year period. A report of all certificates reduced is furnished by the Division of Marine Fisheries to the FWC pursuant to the annual evaluation process required in Section 379.3671(3), F.S. Certificates reduced from the certificate inventory are not recoverable or otherwise available for use or reissue during the remainder of any year in which there is an annual reduction.

(3) through (9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012

Rulemaking Specific Authority Article IV, Section 9, Fla. Const. Law Implemented 379.3671 FS. History--New 5-16-95, Formerly 62R-18.003, Amended 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.:	RULE TITLES:
73C-49.001	Purpose and Effect
73C-49.002	Schedule

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt by rule a phased schedule for local governments to submit an evaluation and appraisal notification letter regarding their local government comprehensive plan.

SUMMARY: The adoption of Chapter 73C-49, F.A.C., will establish a phased schedule for the local government evaluation and appraisal notification letter required by Section 163.3191(1), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: this proposed rule is restricted to implementation of a statutory provision and is not anticipated to have any substantive effect. The proposed rule is not anticipated to have an impact on small business or the private sector.

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: 163.3191(5) FS.

LAW IMPLEMENTED: 163.3191 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:

DATE AND TIME: June 25, 2012, 1:00 p.m. – 2:00 p.m.

PLACE: Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Room 132, Tallahassee, Florida 32399-6545.

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: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, (850)717-8483. 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 RULES IS: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, (850)717-8483

THE FULL TEXT OF THE PROPOSED RULES IS:

73C-49.001 Purpose and Effect.

The purpose of this chapter is to establish the due dates for the evaluation and appraisal notification letter to be submitted by the local governing body and sent to the department pursuant to Section 163.3191(1), Florida Statutes. The evaluation and appraisal notification letter is the principal process for updating local comprehensive plans to reflect changes in state requirements in Chapter 163, Part II, Florida Statutes, since the last update of the comprehensive plan. The schedule divides the workload for the department over the submittal period and meets the required local governments deadlines set in Section 163.3191, Florida Statutes. Local governments which fail to submit the notification letter by their scheduled due date are subject to provisions of Subsection 163.3191(4), Florida Statutes.

Rulemaking Authority 163.3191(1), 163.3191(5) FS. Law Implemented 163.3191 FS. History—New _____.

73C-49.002 Schedule.

Local governing bodies shall submit their evaluation and appraisal notification letter to the Department of Economic Opportunity, Bureau of Community Planning, Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, FL 32399-6545, Attention Plan Processing Unit, in accordance with the schedule set forth below:

<u>LOCAL GOVERNMENT</u>	<u>NOTIFICATION DUE DATE</u>
<u>ALACHUA CITY</u>	<u>1/1/2012</u>
<u>ALACHUA COUNTY</u>	<u>4/1/2018</u>
<u>ALFORD</u>	<u>1/1/2013</u>
<u>ALTAMONTE SPRINGS</u>	<u>10/1/2017</u>
<u>ALTHA</u>	<u>5/1/2014</u>
<u>ANNA MARIA</u>	<u>12/1/2014</u>
<u>APALACHICOLA</u>	<u>2/1/2012</u>
<u>APOPKA</u>	<u>8/1/2017</u>
<u>ARCADIA</u>	<u>2/1/2012</u>
<u>ARCHER</u>	<u>12/1/2013</u>
<u>ASTATULA</u>	<u>2/1/2013</u>
<u>ATLANTIC BEACH</u>	<u>3/1/2017</u>
<u>ATLANTIS</u>	<u>11/1/2013</u>
<u>AUBURNDALE</u>	<u>11/1/2017</u>
<u>AVENTURA</u>	<u>1/1/2014</u>
<u>AVON PARK</u>	<u>3/1/2015</u>
<u>BAKER COUNTY</u>	<u>4/1/2018</u>
<u>BAL HARBOUR</u>	<u>1/1/2013</u>
<u>BALDWIN</u>	<u>6/1/2018</u>
<u>BARTOW</u>	<u>10/1/2017</u>
<u>BASCOM</u>	<u>2/1/2013</u>
<u>BAY COUNTY</u>	<u>10/1/2016</u>
<u>BAY HARBOR ISLAND</u>	<u>2/1/2012</u>

<u>BAY LAKE</u>	<u>7/1/2017</u>
<u>BELL</u>	<u>11/1/2014</u>
<u>BELLE GLADE</u>	<u>2/1/2015</u>
<u>BELLE ISLE</u>	<u>2/1/2017</u>
<u>BELLEAIR</u>	<u>2/1/2015</u>
<u>BELLEAIR BEACH</u>	<u>2/1/2015</u>
<u>BELLEAIR BLUFFS</u>	<u>2/1/2015</u>
<u>BELLEAIR SHORE</u>	<u>3/1/2015</u>
<u>BELLEVIEW</u>	<u>6/1/2013</u>
<u>BEVERLY BEACH</u>	<u>11/1/2013</u>
<u>BISCAYNE PARK</u>	<u>10/1/2017</u>
<u>BLOUNTSTOWN</u>	<u>3/1/2012</u>
<u>BOCA RATON</u>	<u>10/1/2017</u>
<u>BONIFAY</u>	<u>7/1/2015</u>
<u>BONITA SPRINGS</u>	<u>4/1/2016</u>
<u>BOWLING GREEN</u>	<u>10/1/2013</u>
<u>BOYNTON BEACH</u>	<u>8/1/2015</u>
<u>BRADENTON</u>	<u>9/1/2016</u>
<u>BRADENTON BEACH</u>	<u>7/1/2018</u>
<u>BRADFORD COUNTY</u>	<u>8/1/2018</u>
<u>BRANFORD</u>	<u>12/1/2013</u>
<u>BREVARD COUNTY</u>	<u>12/1/2016</u>
<u>BRINY BREEZES</u>	<u>4/1/2012</u>
<u>BRISTOL</u>	<u>11/1/2013</u>
<u>BRONSON</u>	<u>5/1/2012</u>
<u>BROOKER</u>	<u>4/1/2014</u>
<u>BROOKSVILLE</u>	<u>1/1/2016</u>
<u>BROWARD COUNTY</u>	<u>12/1/2013</u>
<u>BUNNELL</u>	<u>12/1/2013</u>
<u>BUSHNELL</u>	<u>6/1/2014</u>
<u>CALHOUN COUNTY</u>	<u>6/1/2012</u>
<u>CALLAHAN</u>	<u>11/1/2012</u>
<u>CALLAWAY</u>	<u>4/1/2016</u>
<u>CAMPBELLTON</u>	<u>5/1/2013</u>
<u>CAPE CANAVERAL</u>	<u>10/1/2017</u>
<u>CAPE CORAL</u>	<u>10/1/2014</u>
<u>CARRABELLE</u>	<u>4/1/2012</u>
<u>CARYVILLE</u>	<u>10/1/2017</u>
<u>CASSELBERRY</u>	<u>7/1/2016</u>
<u>CEDAR KEY</u>	<u>8/1/2016</u>
<u>CENTER HILL</u>	<u>7/1/2014</u>
<u>CENTURY</u>	<u>10/1/2012</u>
<u>CHARLOTTE COUNTY</u>	<u>4/1/2014</u>
<u>CHATTAHOOCHEE</u>	<u>12/1/2015</u>
<u>CHIEFLAND</u>	<u>5/1/2017</u>
<u>CHIPLEY</u>	<u>8/1/2012</u>
<u>CINCO BAYOU</u>	<u>8/1/2016</u>
<u>CITRUS COUNTY</u>	<u>7/1/2013</u>
<u>CLAY COUNTY</u>	<u>10/1/2016</u>
<u>CLEARWATER</u>	<u>12/1/2015</u>

<u>CLERMONT</u>	<u>10/1/2014</u>	<u>FERNANDINA BEACH</u>	<u>9/1/2012</u>
<u>CLEWISTON</u>	<u>3/1/2014</u>	<u>FLAGLER BEACH</u>	<u>1/1/2012</u>
<u>CLOUD LAKE</u>	<u>3/1/2015</u>	<u>FLAGLER COUNTY</u>	<u>12/1/2018</u>
<u>COCOA</u>	<u>10/1/2017</u>	<u>FLORIDA CITY</u>	<u>1/1/2015</u>
<u>COCOA BEACH</u>	<u>1/1/2014</u>	<u>FORT LAUDERDALE</u>	<u>5/1/2015</u>
<u>COCONUT CREEK</u>	<u>5/1/2015</u>	<u>FORT MEADE</u>	<u>10/1/2013</u>
<u>COLEMAN</u>	<u>8/1/2014</u>	<u>FORT MYERS</u>	<u>9/1/2014</u>
<u>COLLIER COUNTY</u>	<u>1/1/2014</u>	<u>FORT MYERS BEACH</u>	<u>8/1/2016</u>
<u>COLUMBIA COUNTY</u>	<u>7/1/2012</u>	<u>FORT PIERCE</u>	<u>2/1/2018</u>
<u>COOPER CITY</u>	<u>12/1/2014</u>	<u>FORT WALTON BEACH</u>	<u>1/1/2018</u>
<u>CORAL GABLES</u>	<u>11/1/2016</u>	<u>FORT WHITE</u>	<u>10/1/2013</u>
<u>CORAL SPRINGS</u>	<u>8/1/2013</u>	<u>FRANKLIN COUNTY</u>	<u>5/1/2016</u>
<u>COTTONDALE</u>	<u>6/1/2013</u>	<u>FREEPORT</u>	<u>4/1/2012</u>
<u>CRESCENT CITY</u>	<u>6/1/2014</u>	<u>FROSTPROOF</u>	<u>11/1/2017</u>
<u>CRESTVIEW</u>	<u>5/1/2017</u>	<u>FRUITLAND PARK</u>	<u>11/1/2014</u>
<u>CROSS CITY</u>	<u>2/1/2012</u>	<u>GADSDEN COUNTY</u>	<u>5/1/2012</u>
<u>CRYSTAL RIVER</u>	<u>6/1/2018</u>	<u>GAINESVILLE</u>	<u>5/1/2012</u>
<u>CUTLER BAY</u>	<u>4/1/2014</u>	<u>GILCHRIST COUNTY</u>	<u>9/1/2013</u>
<u>DADE CITY</u>	<u>4/1/2017</u>	<u>GLADES COUNTY</u>	<u>6/1/2017</u>
<u>DANIA BEACH</u>	<u>2/1/2016</u>	<u>GLEN RIDGE</u>	<u>2/1/2016</u>
<u>DAVENPORT</u>	<u>10/1/2017</u>	<u>GLEN ST MARY</u>	<u>12/1/2012</u>
<u>DAVIE</u>	<u>8/1/2016</u>	<u>GOLDEN BEACH</u>	<u>8/1/2016</u>
<u>DAYTONA BEACH</u>	<u>10/1/2016</u>	<u>GOLF</u>	<u>6/1/2014</u>
<u>DAYTONA BEACH SHORES</u>	<u>1/1/2017</u>	<u>GRACEVILLE</u>	<u>3/1/2015</u>
<u>DEBARY</u>	<u>10/1/2017</u>	<u>GRAND RIDGE</u>	<u>7/1/2013</u>
<u>DEERFIELD BEACH</u>	<u>5/1/2014</u>	<u>GRANT-VALKARIA</u>	<u>4/1/2018</u>
<u>DEFUNIAK SPRINGS</u>	<u>10/1/2017</u>	<u>GREEN COVE SPRINGS</u>	<u>9/1/2018</u>
<u>DELAND</u>	<u>11/1/2016</u>	<u>GREENACRES</u>	<u>9/1/2015</u>
<u>DELRAY BEACH</u>	<u>12/1/2015</u>	<u>GREENSBORO</u>	<u>1/1/2014</u>
<u>DELTONA</u>	<u>10/1/2017</u>	<u>GREENVILLE</u>	<u>2/1/2014</u>
<u>DESOTO COUNTY</u>	<u>9/1/2013</u>	<u>GREENWOOD</u>	<u>8/1/2013</u>
<u>DESTIN</u>	<u>1/1/2012</u>	<u>GRETNA</u>	<u>1/1/2014</u>
<u>DIXIE COUNTY</u>	<u>11/1/2013</u>	<u>GROVELAND</u>	<u>10/1/2017</u>
<u>DORAL</u>	<u>6/1/2018</u>	<u>GULF BREEZE</u>	<u>12/1/2018</u>
<u>DUNDEE</u>	<u>10/1/2017</u>	<u>GULF COUNTY</u>	<u>12/1/2016</u>
<u>DUNEDIN</u>	<u>12/1/2015</u>	<u>GULFPORT</u>	<u>4/1/2016</u>
<u>DUNNELLON</u>	<u>12/1/2014</u>	<u>GULFSTREAM</u>	<u>7/1/2016</u>
<u>DUVAL/JACKSONVILLE</u>	<u>11/1/2016</u>	<u>HAINES CITY</u>	<u>1/1/2018</u>
<u>EAGLE LAKE</u>	<u>5/1/2018</u>	<u>HALLANDALE BEACH</u>	<u>9/1/2016</u>
<u>EATONVILLE</u>	<u>12/1/2014</u>	<u>HAMILTON COUNTY</u>	<u>11/1/2012</u>
<u>EBRO</u>	<u>10/1/2017</u>	<u>HAMPTON</u>	<u>6/1/2014</u>
<u>EDGEWATER</u>	<u>4/1/2018</u>	<u>HARDEE COUNTY</u>	<u>10/1/2017</u>
<u>EDGEWOOD</u>	<u>8/1/2012</u>	<u>HASTINGS</u>	<u>3/1/2012</u>
<u>EL PORTAL</u>	<u>3/1/2012</u>	<u>HAVANA</u>	<u>1/1/2014</u>
<u>ESCAMBIA COUNTY</u>	<u>6/1/2017</u>	<u>HAVERHILL</u>	<u>4/1/2016</u>
<u>ESTO</u>	<u>4/1/2013</u>	<u>HAWTHORNE</u>	<u>12/1/2014</u>
<u>EUSTIS</u>	<u>11/1/2017</u>	<u>HENDRY COUNTY</u>	<u>10/1/2017</u>
<u>EVERGLADES CITY</u>	<u>3/1/2012</u>	<u>HERNANDO COUNTY</u>	<u>12/1/2012</u>
<u>FANNING SPRINGS</u>	<u>2/1/2014</u>	<u>HIALEAH</u>	<u>8/1/2014</u>
<u>FELLSMERE</u>	<u>7/1/2013</u>	<u>HIALEAH GARDENS</u>	<u>5/1/2014</u>

<u>HIGH SPRINGS</u>	<u>6/1/2013</u>	<u>LAKE BUTLER</u>	<u>8/1/2014</u>
<u>HIGHLAND BEACH</u>	<u>1/1/2018</u>	<u>LAKE CITY</u>	<u>4/1/2014</u>
<u>HIGHLAND PARK</u>	<u>11/1/2017</u>	<u>LAKE CLARKE SHORES</u>	<u>6/1/2016</u>
<u>HIGHLANDS COUNTY</u>	<u>9/1/2017</u>	<u>LAKE COUNTY</u>	<u>5/1/2017</u>
<u>HILLCREST HEIGHTS</u>	<u>2/1/2013</u>	<u>LAKE HAMILTON</u>	<u>5/1/2018</u>
<u>HILLIARD</u>	<u>1/1/2013</u>	<u>LAKE HELEN</u>	<u>7/1/2012</u>
<u>HILLSBORO BEACH</u>	<u>4/1/2017</u>	<u>LAKE MARY</u>	<u>7/1/2017</u>
<u>HILLSBOROUGH COUNTY</u>	<u>6/1/2015</u>	<u>LAKE PARK</u>	<u>10/1/2015</u>
<u>HOLLY HILL</u>	<u>9/1/2017</u>	<u>LAKE PLACID</u>	<u>1/1/2013</u>
<u>HOLLYWOOD</u>	<u>2/1/2015</u>	<u>LAKE WALES</u>	<u>6/1/2012</u>
<u>HOLMES BEACH</u>	<u>2/1/2016</u>	<u>LAKE WORTH</u>	<u>10/1/2016</u>
<u>HOLMES COUNTY</u>	<u>3/1/2013</u>	<u>LAKELAND</u>	<u>8/1/2017</u>
<u>HOMESTEAD</u>	<u>7/1/2016</u>	<u>LANTANA</u>	<u>6/1/2016</u>
<u>HORSESHOE BEACH</u>	<u>4/1/2012</u>	<u>LARGO</u>	<u>12/1/2015</u>
<u>HOWEY-IN-THE-HILLS</u>	<u>10/1/2017</u>	<u>LAUDERDALE-BY-THE-SEA</u>	<u>9/1/2015</u>
<u>HYPOLUXO</u>	<u>1/1/2016</u>	<u>LAUDERDALE LAKES</u>	<u>5/1/2018</u>
<u>INDIALANTIC</u>	<u>11/1/2016</u>	<u>LAUDERHILL</u>	<u>6/1/2013</u>
<u>INDIAN CREEK VILLAGE</u>	<u>12/1/2012</u>	<u>LAUREL HILL</u>	<u>6/1/2018</u>
<u>INDIAN HARBOUR BEACH</u>	<u>10/1/2017</u>	<u>LAWTEY</u>	<u>7/1/2014</u>
<u>INDIAN RIVER COUNTY</u>	<u>10/1/2017</u>	<u>LAYTON</u>	<u>2/1/2015</u>
<u>INDIAN RIVER SHORES</u>	<u>10/1/2017</u>	<u>LAZY LAKE</u>	<u>3/1/2012</u>
<u>INDIAN ROCKS BEACH</u>	<u>4/1/2017</u>	<u>LEE TOWN</u>	<u>3/1/2014</u>
<u>INDIAN SHORES</u>	<u>7/1/2015</u>	<u>LEE COUNTY</u>	<u>5/1/2014</u>
<u>INGLIS</u>	<u>7/1/2017</u>	<u>LEESBURG</u>	<u>9/1/2014</u>
<u>INTERLACHEN</u>	<u>8/1/2014</u>	<u>LEON/TALLAHASSEE</u>	<u>1/1/2016</u>
<u>INVERNESS</u>	<u>4/1/2015</u>	<u>LEVY COUNTY</u>	<u>12/1/2015</u>
<u>ISLAMORADA</u>	<u>12/1/2015</u>	<u>LIBERTY COUNTY</u>	<u>8/1/2013</u>
<u>JACKSON COUNTY</u>	<u>11/1/2017</u>	<u>LIGHTHOUSE POINT</u>	<u>6/1/2016</u>
<u>JACKSONVILLE BEACH</u>	<u>5/1/2013</u>	<u>LIVE OAK</u>	<u>3/1/2014</u>
<u>JACOB CITY</u>	<u>8/1/2013</u>	<u>LONGBOAT KEY</u>	<u>12/1/2014</u>
<u>JASPER</u>	<u>3/1/2013</u>	<u>LONGWOOD</u>	<u>6/1/2016</u>
<u>JAY</u>	<u>11/1/2012</u>	<u>LOXAHATCHEE GROVES</u>	<u>8/1/2014</u>
<u>JEFFERSON COUNTY</u>	<u>11/1/2016</u>	<u>LYNN HAVEN</u>	<u>2/1/2017</u>
<u>JENNINGS</u>	<u>6/1/2013</u>	<u>MACCLENNY</u>	<u>10/1/2017</u>
<u>JUNO BEACH</u>	<u>5/1/2012</u>	<u>MADEIRA BEACH</u>	<u>5/1/2015</u>
<u>JUPITER</u>	<u>6/1/2015</u>	<u>MADISON CITY</u>	<u>3/1/2014</u>
<u>JUPITER INLET COLONY</u>	<u>9/1/2015</u>	<u>MADISON COUNTY</u>	<u>5/1/2013</u>
<u>JUPITER ISLAND</u>	<u>5/1/2018</u>	<u>MAITLAND</u>	<u>9/1/2017</u>
<u>KENNETH CITY</u>	<u>5/1/2015</u>	<u>MALABAR</u>	<u>8/1/2016</u>
<u>KEY BISCAYNE</u>	<u>7/1/2018</u>	<u>MALONE</u>	<u>8/1/2013</u>
<u>KEY COLONY BEACH</u>	<u>7/1/2014</u>	<u>MANALAPAN</u>	<u>3/1/2015</u>
<u>KEY WEST</u>	<u>1/1/2012</u>	<u>MANATEE COUNTY</u>	<u>12/1/2013</u>
<u>KEYSTONE HEIGHTS</u>	<u>6/1/2018</u>	<u>MANGONIA PARK</u>	<u>5/1/2012</u>
<u>KISSIMMEE</u>	<u>8/1/2017</u>	<u>MARATHON</u>	<u>1/1/2012</u>
<u>LABELLE</u>	<u>10/1/2018</u>	<u>MARCO ISLAND</u>	<u>3/1/2015</u>
<u>LA CROSSE</u>	<u>4/1/2014</u>	<u>MARGATE</u>	<u>1/1/2017</u>
<u>LADY LAKE</u>	<u>5/1/2013</u>	<u>MARIANNA</u>	<u>8/1/2012</u>
<u>LAFAYETTE COUNTY</u>	<u>11/1/2012</u>	<u>MARINELAND</u>	<u>10/1/2012</u>
<u>LAKE ALFRED</u>	<u>10/1/2017</u>	<u>MARION COUNTY</u>	<u>2/1/2018</u>
<u>LAKE BUENA VISTA</u>	<u>7/1/2017</u>	<u>MARTIN COUNTY</u>	<u>12/1/2016</u>

<u>MARY ESTHER</u>	<u>3/1/2017</u>	<u>OKEECHOBEE CITY</u>	<u>9/1/2012</u>
<u>MASCOTTE</u>	<u>9/1/2013</u>	<u>OKEECHOBEE COUNTY</u>	<u>5/1/2012</u>
<u>MAYO</u>	<u>10/1/2013</u>	<u>OLDSMAR</u>	<u>8/1/2015</u>
<u>MCINTOSH</u>	<u>5/1/2014</u>	<u>OPA-LOCKA</u>	<u>2/1/2012</u>
<u>MEDLEY</u>	<u>2/1/2016</u>	<u>ORANGE CITY</u>	<u>1/1/2018</u>
<u>MELBOURNE</u>	<u>1/1/2017</u>	<u>ORANGE COUNTY</u>	<u>5/1/2016</u>
<u>MELBOURNE BEACH</u>	<u>10/1/2017</u>	<u>ORANGE PARK</u>	<u>1/1/2017</u>
<u>MELBOURNE VILLAGE</u>	<u>8/1/2012</u>	<u>ORCHID</u>	<u>10/1/2013</u>
<u>MEXICO BEACH</u>	<u>6/1/2012</u>	<u>ORLANDO</u>	<u>6/1/2016</u>
<u>MIAMI</u>	<u>11/1/2015</u>	<u>ORMOND BEACH</u>	<u>6/1/2017</u>
<u>MIAMI BEACH</u>	<u>4/1/2018</u>	<u>OSCEOLA COUNTY</u>	<u>8/1/2017</u>
<u>MIAMI GARDENS</u>	<u>4/1/2014</u>	<u>OTTER CREEK</u>	<u>6/1/2012</u>
<u>MIAMI LAKES</u>	<u>9/1/2012</u>	<u>OVIEDO</u>	<u>11/1/2017</u>
<u>MIAMI SHORES</u>	<u>7/1/2015</u>	<u>PAHOKEE</u>	<u>9/1/2016</u>
<u>MIAMI SPRINGS</u>	<u>8/1/2016</u>	<u>PALATKA</u>	<u>7/1/2015</u>
<u>MIAMI-DADE COUNTY</u>	<u>12/1/2012</u>	<u>PALM BAY</u>	<u>3/1/2014</u>
<u>MICANOPY</u>	<u>5/1/2014</u>	<u>PALM BEACH TOWN</u>	<u>4/1/2016</u>
<u>MIDWAY</u>	<u>1/1/2014</u>	<u>PALM BEACH COUNTY</u>	<u>11/1/2012</u>
<u>MILTON</u>	<u>1/1/2013</u>	<u>PALM BEACH GARDENS</u>	<u>12/1/2015</u>
<u>MINNEOLA</u>	<u>9/1/2013</u>	<u>PALM BEACH SHORES</u>	<u>12/1/2017</u>
<u>MIRAMAR</u>	<u>6/1/2017</u>	<u>PALM COAST</u>	<u>2/1/2014</u>
<u>MONROE COUNTY</u>	<u>5/1/2014</u>	<u>PALM SHORES</u>	<u>9/1/2017</u>
<u>MONTICELLO</u>	<u>9/1/2013</u>	<u>PALM SPRINGS</u>	<u>11/1/2016</u>
<u>MONTVERDE</u>	<u>10/1/2013</u>	<u>PALMETTO</u>	<u>11/1/2017</u>
<u>MOORE HAVEN</u>	<u>9/1/2017</u>	<u>PALMETTO BAY</u>	<u>3/1/2014</u>
<u>MOUNT DORA</u>	<u>4/1/2012</u>	<u>PANAMA CITY</u>	<u>8/1/2017</u>
<u>MULBERRY</u>	<u>4/1/2012</u>	<u>PANAMA CITY BEACH</u>	<u>12/1/2016</u>
<u>NAPLES</u>	<u>9/1/2016</u>	<u>PARKER</u>	<u>9/1/2017</u>
<u>NASSAU COUNTY</u>	<u>10/1/2017</u>	<u>PARKLAND</u>	<u>8/1/2015</u>
<u>NEPTUNE BEACH</u>	<u>11/1/2018</u>	<u>PASCO COUNTY</u>	<u>6/1/2013</u>
<u>NEW PORT RICHEY</u>	<u>12/1/2014</u>	<u>PAXTON</u>	<u>5/1/2012</u>
<u>NEW SMYRNA BEACH</u>	<u>4/1/2018</u>	<u>PEMBROKE PARK</u>	<u>8/1/2013</u>
<u>NEWBERRY</u>	<u>7/1/2014</u>	<u>PEMBROKE PINES</u>	<u>10/1/2014</u>
<u>NICEVILLE</u>	<u>10/1/2017</u>	<u>PENNEY FARMS</u>	<u>11/1/2017</u>
<u>NORTH BAY</u>	<u>12/1/2014</u>	<u>PENSACOLA</u>	<u>11/1/2018</u>
<u>NORTH LAUDERDALE</u>	<u>5/1/2015</u>	<u>PERRY</u>	<u>7/1/2013</u>
<u>NORTH MIAMI</u>	<u>12/1/2014</u>	<u>PIERSON</u>	<u>11/1/2012</u>
<u>NORTH MIAMI BEACH</u>	<u>4/1/2018</u>	<u>PINECREST</u>	<u>5/1/2018</u>
<u>NORTH PALM BEACH</u>	<u>1/1/2017</u>	<u>PINELLAS COUNTY</u>	<u>3/1/2015</u>
<u>NORTH PORT</u>	<u>12/1/2015</u>	<u>PINELLAS PARK</u>	<u>6/1/2016</u>
<u>NORTH REDINGTON BEACH</u>	<u>11/1/2014</u>	<u>PLANT CITY</u>	<u>4/1/2016</u>
<u>NOMA</u>	<u>4/1/2013</u>	<u>PLANTATION</u>	<u>11/1/2014</u>
<u>OAK HILL</u>	<u>7/1/2012</u>	<u>POLK CITY</u>	<u>6/1/2013</u>
<u>OAKLAND</u>	<u>9/1/2012</u>	<u>POLK COUNTY</u>	<u>8/1/2017</u>
<u>OAKLAND PARK</u>	<u>12/1/2014</u>	<u>POMONA PARK</u>	<u>10/1/2014</u>
<u>OCALA</u>	<u>8/1/2012</u>	<u>POMPANO BEACH</u>	<u>1/1/2017</u>
<u>OCEAN BREEZE PARK</u>	<u>3/1/2013</u>	<u>PONCE DE LEON</u>	<u>4/1/2013</u>
<u>OCEAN RIDGE</u>	<u>4/1/2017</u>	<u>PONCE INLET</u>	<u>11/1/2015</u>
<u>OCOE</u>	<u>1/1/2013</u>	<u>PORT ORANGE</u>	<u>10/1/2017</u>
<u>OKALOOSA COUNTY</u>	<u>10/1/2016</u>	<u>PORT RICHEY</u>	<u>11/1/2015</u>

<u>PORT ST. JOE</u>	<u>3/1/2017</u>	<u>SUNNY ISLES BEACH</u>	<u>12/1/2014</u>
<u>PORT ST. LUCIE</u>	<u>9/1/2012</u>	<u>SUNRISE</u>	<u>7/1/2016</u>
<u>PUNTA GORDA</u>	<u>11/1/2015</u>	<u>SURFSIDE</u>	<u>1/1/2017</u>
<u>PUTNAM COUNTY</u>	<u>10/1/2017</u>	<u>SUWANNEE COUNTY</u>	<u>6/1/2012</u>
<u>QUINCY</u>	<u>1/1/2015</u>	<u>SWEETWATER</u>	<u>7/1/2018</u>
<u>RAIFORD</u>	<u>9/1/2014</u>	<u>TAMARAC</u>	<u>6/1/2015</u>
<u>REDDICK</u>	<u>9/1/2014</u>	<u>TAMPA</u>	<u>2/1/2016</u>
<u>REDINGTON BEACH</u>	<u>12/1/2015</u>	<u>TARPON SPRINGS</u>	<u>8/1/2016</u>
<u>REDINGTON SHORES</u>	<u>1/1/2016</u>	<u>TAVARES</u>	<u>7/1/2014</u>
<u>REEDY CREEK</u>	<u>7/1/2017</u>	<u>TAYLOR COUNTY</u>	<u>6/1/2017</u>
<u>RIVIERA BEACH</u>	<u>7/1/2017</u>	<u>TEMPLE TERRACE</u>	<u>6/1/2016</u>
<u>ROCKLEDGE</u>	<u>2/1/2018</u>	<u>TEQUESTA</u>	<u>2/1/2016</u>
<u>ROYAL PALM BEACH</u>	<u>4/1/2016</u>	<u>TITUSVILLE</u>	<u>6/1/2017</u>
<u>SAFETY HARBOR</u>	<u>4/1/2015</u>	<u>TREASURE ISLAND</u>	<u>11/1/2012</u>
<u>SAN ANTONIO</u>	<u>9/1/2016</u>	<u>TRENTON</u>	<u>11/1/2014</u>
<u>SANFORD</u>	<u>11/1/2016</u>	<u>UMATILLA</u>	<u>3/1/2013</u>
<u>SANIBEL</u>	<u>8/1/2014</u>	<u>UNION COUNTY</u>	<u>10/1/2014</u>
<u>SANTA ROSA COUNTY</u>	<u>12/1/2016</u>	<u>VALPARAISO</u>	<u>2/1/2012</u>
<u>SARASOTA CITY</u>	<u>12/1/2015</u>	<u>VENICE</u>	<u>6/1/2017</u>
<u>SARASOTA COUNTY</u>	<u>4/1/2013</u>	<u>VERNON</u>	<u>10/1/2017</u>
<u>SATELLITE BEACH</u>	<u>12/1/2016</u>	<u>VERO BEACH</u>	<u>2/1/2015</u>
<u>SEA RANCH LAKES</u>	<u>10/1/2012</u>	<u>VIRGINIA GARDENS</u>	<u>8/1/2016</u>
<u>SEBASTIAN</u>	<u>8/1/2012</u>	<u>VOLUSIA COUNTY</u>	<u>11/1/2015</u>
<u>SEBRING</u>	<u>10/1/2017</u>	<u>WAKULLA COUNTY</u>	<u>5/1/2017</u>
<u>SEMINOLE CITY</u>	<u>3/1/2018</u>	<u>WALDO</u>	<u>9/1/2014</u>
<u>SEMINOLE COUNTY</u>	<u>12/1/2015</u>	<u>WALTON COUNTY</u>	<u>3/1/2018</u>
<u>SEWALL'S POINT</u>	<u>4/1/2013</u>	<u>WASHINGTON COUNTY</u>	<u>10/1/2017</u>
<u>SHALIMAR</u>	<u>9/1/2012</u>	<u>WAUCHULA</u>	<u>10/1/2018</u>
<u>SNEADS</u>	<u>8/1/2013</u>	<u>WAUSAU</u>	<u>10/1/2017</u>
<u>SOUTH BAY</u>	<u>4/1/2018</u>	<u>WEBSTER</u>	<u>1/1/2012</u>
<u>SOUTH DAYTONA</u>	<u>5/1/2017</u>	<u>WEEKI WACHEE</u>	<u>4/1/2012</u>
<u>SOUTH MIAMI</u>	<u>4/1/2017</u>	<u>WELAKA</u>	<u>10/1/2014</u>
<u>SOUTH PALM BEACH</u>	<u>12/1/2015</u>	<u>WELLINGTON</u>	<u>7/1/2016</u>
<u>SOUTH PASADENA</u>	<u>3/1/2015</u>	<u>WEST MELBOURNE</u>	<u>10/1/2017</u>
<u>SOUTHWEST RANCHES</u>	<u>12/1/2016</u>	<u>WEST MIAMI</u>	<u>10/1/2015</u>
<u>SOPCHOPPY</u>	<u>12/1/2012</u>	<u>WEST PALM BEACH</u>	<u>12/1/2015</u>
<u>SPRINGFIELD</u>	<u>8/1/2017</u>	<u>WEST PARK</u>	<u>6/1/2014</u>
<u>ST. AUGUSTINE</u>	<u>12/1/2018</u>	<u>WESTON</u>	<u>1/1/2016</u>
<u>ST. AUGUSTINE BEACH</u>	<u>4/1/2018</u>	<u>WESTVILLE</u>	<u>4/1/2013</u>
<u>ST. CLOUD</u>	<u>2/1/2014</u>	<u>WEWAHITCHKA</u>	<u>10/1/2018</u>
<u>ST. JOHNS COUNTY</u>	<u>8/1/2017</u>	<u>WHITE SPRINGS</u>	<u>7/1/2013</u>
<u>ST. LEO</u>	<u>8/1/2016</u>	<u>WILDWOOD</u>	<u>2/1/2013</u>
<u>ST. LUCIE COUNTY</u>	<u>10/1/2017</u>	<u>WILLISTON</u>	<u>7/1/2017</u>
<u>ST. LUCIE VILLAGE</u>	<u>7/1/2013</u>	<u>WILTON MANORS</u>	<u>6/1/2017</u>
<u>ST. MARKS</u>	<u>1/1/2018</u>	<u>WINDERMERE</u>	<u>6/1/2017</u>
<u>ST. PETERSBURG</u>	<u>5/1/2016</u>	<u>WINTER GARDEN</u>	<u>6/1/2017</u>
<u>ST. PETE BEACH</u>	<u>7/1/2016</u>	<u>WINTER HAVEN</u>	<u>10/1/2018</u>
<u>STARKE</u>	<u>9/1/2013</u>	<u>WINTER PARK</u>	<u>2/1/2016</u>
<u>STUART</u>	<u>6/1/2012</u>	<u>WINTER SPRINGS</u>	<u>9/1/2016</u>
<u>SUMTER COUNTY</u>	<u>9/1/2012</u>	<u>WORTHINGTON SPRINGS</u>	<u>10/1/2014</u>

YANKEETOWN 7/1/2012
ZEPHYRHILLS 9/1/2017
ZOLFO SPRINGS 5/1/2013

Rulemaking Authority 163.3191(1), 163.3191(5) FS. Law Implemented 163.3191 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Ray Eubanks, Community Program Administrator,
 Department of Economic Opportunity, 107 East Madison
 Street, Caldwell Building, MSC 160, Tallahassee, Florida
 32399-4120, (850)717-8483

NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Hunting F. Deutsch

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: May 15, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: March 2, 2012

Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF AGRICULTURE AND CONSUMER
 SERVICES**

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-17.016	Time for Compliance With Final Order; Probation
5J-17.029	Application Deadlines
5J-17.030	Certification of Eligibility for Examination and Notification to Applicants
5J-17.0321	Examination Administration
5J-17.0322	Licensure Examination Format and Procedures for Candidates with Disabilities
5J-17.034	Grading
5J-17.036	Grades Review Procedure
5J-17.039	Licensure, Inactive Status, Delinquent Status, Reactivation
5J-17.047	Approval of Continuing Education Courses
5J-17.080	Citations
5J-17.082	Mediation
5J-17.208	Pre-examination Continuing Education Program for Foreign Trained Exiled Professionals

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly.

5J-17.016 Time for Compliance With Final Order; Probation.

(1) through (4) No change.

Rulemaking Authority 472.008 FS. Law Implemented 472.0202, 472.0351 FS. History–New 2-23-05, Formerly 61G17-2.006, Amended _____.

5J-17.029 Application Deadlines.

(1)(a) No change.

(b) A person wishing to apply for licensure by examination or licensure by endorsement shall submit a completed application to the Board by applying online at: <https://csapp.800helpfla.com/csrep/>. In lieu of completing an application online, an applicant shall obtain the application entitled “Board of Professional Surveyors and Mappers Application For Licensure By Examination or Endorsement”, DACS-10050, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>. Applications deemed complete by the Board will be reviewed by the board or contracted vendor its designee, to determine eligibility at a date and time scheduled by the Board.

(c) A person wishing to apply for licensure as a surveyor intern shall submit a completed application to the Board by applying online at: <https://csapp.800helpfla.com/csrep/>. In lieu of completing an application online, an applicant shall obtain the application entitled “Board of Professional Surveyors and Mappers Application For Licensure As Surveyor In Training”, DACS-10055, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>. Applicants applying for the Surveyor-in-Training (SIT) examination shall submit their completed application no less than 90 days prior to scheduled examination or no less than 35 days prior to a scheduled meeting.

(d) Applicants for reexamination shall submit their completed applications no less than 21 days prior to the scheduled examination deadline set by the Department or contracted vendor its designee.

(2)(a) An applicant will be rescheduled by the Department or contracted vendor their designee for the next available examination if the applicant is unable to sit for the originally scheduled examination by reason of military service and submits to the Board a copy of the applicant’s military orders or a letter from the applicant’s commanding officer.

(b) An applicant’s examination will be rescheduled by the Department or contracted vendor, their designee if the applicant demonstrates that there was a death in the immediate family, serious injury, illness, or other physical impairment which prevented the candidate from taking the examination. Any such request to reschedule an examination shall include a copy of a death notice or death certificate or a statement from