

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0253
RULE TITLE: Diabetes Management

PURPOSE AND EFFECT: The purpose and effect of this rule is to address the management and care of students with diabetes.

SUBJECT AREA TO BE ADDRESSED: The management and care of students with diabetes.

RULEMAKING AUTHORITY: 1002.20(3)(j) FS.

LAW IMPLEMENTED: 1002.20(3)(j) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

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

PLACE: Department of Education, 325 West Gaines Street, Room 1721, Turlington Building, Tallahassee, Florida 32399, Call in information: 1(888)670-3525, When prompted, enter your Conference Code (1556084838) followed by #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Monica Verra-Tirado, Chief, Bureau of Exceptional Education and Student Services, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 614, Tallahassee, Florida 32399, (850)245-0475. To submit a comment or request a rule development, go to: <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.0253 Diabetes Management.

(1) Definitions.

(a) Diabetes. Diabetes is a disease that impairs the body's ability to produce or properly use insulin, a hormone that is needed to convert food into energy.

(b) Diabetes Medical Management Plan (DMMP). A DMMP is a medical authorization for diabetes treatment that includes medication orders from a student's healthcare provider for routine and emergency care.

(c) Emergency Care Plan (ECP). An ECP is a child-specific action plan to facilitate quick and appropriate responses for an individual emergency in the school setting. The ECP may be a component of the Individualized Healthcare Plan (IHP) that is developed in accordance with Section 1006.062(4), F.S., and Rule 64F-6.004, F.A.C. The ECP shall

specify when the emergency number (911) will be called and describe a plan of action when the student is unable to self-administer medication or self-manage treatment as prescribed.

(d) Individualized Health Care Plan (IHP). An IHP is a written plan of care developed at the local level to outline the provision of student healthcare services intended to achieve specific student outcomes. The IHP is part of the nursing process that is detailed in the National Association of School Nurses Position Statement: Individualized Healthcare Plans (2008), hereby incorporated by reference, available online at <http://www.nasn.org/Portals/0/positions/2008psindividualized.pdf>. The IHP is developed from the DMMP by a registered nurse (RN) in collaboration with the family, student, student's health care providers, and school personnel for the management of diabetes while in school, participating in school-sponsored activities, and in transit to or from school or school-sponsored activities. The IHP is child-specific and includes a written format for nursing assessment (health status, risks, concerns, and strengths), nursing diagnoses, interventions, delegation, training, expected outcomes, and goals to meet the health care needs of a student with diabetes and to protect the safety of all students from the misuse or abuse of medication, supplies, and equipment.

(e) Self-Administration. Self-administration means that a student with diabetes is able to self-manage medication, supplies, and equipment in the manner directed by a licensed healthcare provider without additional assistance or direction.

(2) In compliance with Section 1002.20(3)(j), F.S., and the local School Health Services Plan under Section 381.0056, F.S., school districts are to have appropriate personnel, whether licensed nurses or trained school personnel, assigned to each school a student with diabetes would otherwise attend if he or she did not have diabetes. School districts are to ensure that such personnel are available to provide the necessary diabetes care throughout the school day and during school-sponsored activities.

(3) With written consent from the healthcare provider and parent, a student with diabetes shall be allowed to carry and self-administer medication, supplies, and equipment based on the student's diabetes medical management plan.

(4) The Department of Education, in collaboration with the Department of Health, shall develop technical assistance regarding the care of students with diabetes, and shall identify and provide sources to school districts for training school personnel.

Rulemaking Authority 1002.20(3)(j) FS. Law Implemented 1002.20(3)(j) FS. History—New _____.

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:

25-4.004 Certificates of Public Convenience and Necessity

25-4.005 Transfer of Certificate of Public Convenience and Necessity As to All or Portion of Service Area

PURPOSE AND EFFECT: These rules are to be amended in order to implement statutory changes to Chapter 364, F.S., made by the Regulatory Reform Act of 2011.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Application and transfer of certificates of necessity or authority for telecommunications services.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.33, 364.335 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, IF AVAILABLE, IS: Kathryn G.W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

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

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:

25-24.565 Certificate of Public Convenience and Necessity Required

25-24.567 Application for Certificate

25-24.568 Improper Use of a Certificate

25-24.569 Application for Approval of Sale, Assignment or Transfer of Certificate

25-24.572 Cancellation of a Certificate

25-24.705 Scope and Waiver

25-24.710 Terms and Definitions

25-24.715 Certificate of Public Convenience and Necessity Required

25-24.720 Application for Certificate

25-24.725 Certificates Not Transferable

25-24.730 Application for Approval of Sale, Assignment, or Transfer of Certificate

25-24.735 Cancellation of a Certificate

25-24.800 Scope

25-24.805 Certificate of Public Convenience and Necessity Required

25-24.810 Application for Certificate

25-24.815 Application for Approval of Sale, Assignment or Transfer of Certificate

25-24.820 Revocation of a Certificate

PURPOSE AND EFFECT: These rules would be repealed consistent with changes made to Chapter 364, F.S., by the Regulatory Reform Act of 2011, including repeal of certain implementing statutes.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Application, transfer and cancellation or revocation of certificates of public convenience and necessity for shared tenant service, alternative access vendor service, and competitive local exchange service

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, 350.127(1), 364.01, 364.02, 364.32, 364.33, 364.335, 364.337, 364.339, 364.345 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, IF AVAILABLE, IS: Kathryn G.W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.210 Custody Classification

PURPOSE AND EFFECT: The proposed rule adds language specifying that all custodial assignments at private facilities will require the approval of the Department of Corrections Representative, strikes the requirement that a post-sentence investigation will be requested if not included in the inmate's record at the time of first assessment, and changes a title.

SUBJECT AREA TO BE ADDRESSED: Classification and Central Records.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 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: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.210 Custody Classification.

(1) No change.

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

(e) All custody assignments will require the approval of the Institutional Classification Team. At private correctional facilities, all custody assignments will require the approval of the Department of Corrections Representative.

(f) through (l) No change.

(3) No change.

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

(j) At the time of the first assessment and review, should the inmate record not contain ~~either a pre-sentence or post sentence~~ investigation, the classification officer is responsible for requesting such document(s) from the Probation and Parole Services Office in the region from which the inmate was committed. ~~Care should be exercised to be sure that at least sixty (60) days have lapsed since the post sentence investigation was originally requested prior to making this follow-up.~~

(k) through (l) No change.

(m) The department may in selected cases recommend to the Florida Parole Commission that an inmate be placed on parole at an earlier date than scheduled. Note should be made of an inmate's presumptive parole release date (PPRD) when considering such possibilities. If it is felt that such significant progress has taken place since the setting of the PPRD that it should be moved forward to an earlier date, then such recommendations should be made to the Parole Commission in an assessment and review setting forth the basis for recommending a change in the PPRD. All assessments and reviews containing parole recommendations will be reviewed and approved or disapproved by the Institutional Classification Team and forwarded to the State Classification Office for approval or disapproval. The assessment and review shall then be submitted to the Chief of the Bureau of Classification Management and Central Records who, on behalf of the Secretary, shall make a recommendation to the Parole Commission. A copy of the report shall be forwarded to the Parole Commission.

Rulemaking Authority 944.09, 958.11 FS. Law Implemented 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 FS. History—New 12-7-81, Formerly 33-6.09, Amended 6-8-82, 10-26-83, 6-8-86, 7-8-86, 10-27-88, 1-1-89, 7-4-89, 10-12-89, 1-2-91, Formerly 33-6.009, Amended 7-21-91, 8-30-92, 5-13-96, 6-12-96, 11-19-96, 10-15-97, Formerly 33-6.0045, Amended 9-19-00, 2-25-07, 11-4-08, 7-4-10_____.

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.713	Inmate Visiting – Definitions
33-601.731	Suspension of Visiting Privileges
33-601.732	Reinstatement of Suspended Visiting Privileges

PURPOSE AND EFFECT: The amended rules update definitions, clarify the factors to consider before suspending visiting privileges, updates Form NI1-102, limits concurrent suspension time for subsequent offenses, and specifies the authority of the regional director.

SUBJECT AREA TO BE ADDRESSED: Inmate Visiting, Suspension of Visiting Privileges, and Reinstatement of Suspended Visiting Privileges.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.8031 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.713 Inmate Visiting – Definitions.

(1) through (16) No change.

~~(17) “Major Rule Violation” for the purpose of Rules 33-601.713 through 33-601.737, F.A.C., refers to any assault, battery, or attempted assault or battery; any intentional lewd or lascivious exhibition in the presence of staff or visitors; any spoken or written threat towards any person; inciting, attempting to incite, or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives, or escape paraphernalia; and any escape or escape attempt.~~

~~(18) Lewd or Lascivious Exhibition—An inmate commits a lewd or lascivious exhibition when the inmate:~~

~~(a) Intentionally masturbates;~~

~~(b) Intentionally exposes the genitals without authorization; or~~

~~(c) Intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including, but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity in the presence of a staff member or volunteer.~~

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 3-7-04, 12-6-04, 9-8-11_____.

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of Inmate Visiting Privileges.

(a) ~~Suspension, including indefinite suspension,~~ of an inmate's visiting privileges shall be considered by the ICT as a management tool independent of any disciplinary action taken pursuant to Rules 33-601.301 through 33-601.314, F.A.C. The ICT shall consider the following factors when contemplating a suspension of an inmate's visitation privileges:

1. Allowing for continued visiting privileges would present a threat to the safe and secure operation of the institution, or to the security and operational integrity of visiting area;

2. The severity of the precipitating conduct/offense(s);

3. The inmate's placement or pending placement into a special status such as close management, administrative confinement, disciplinary confinement, or maximum management would on its own result in the appropriate visitation restriction;

4. The suspension of visiting privileges will be a significant detriment to the inmate's successful reentry into society by hindering maintenance of community and family ties.

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

1. Any major rule violation as defined as Rule 33-601.713, F.A.C. which occurred during visiting, is visiting-related conduct, or is reasonably connected to the visitation process;

2. No change.

3. Possessing any firearms, dangerous weapons, explosives or explosive devices;

4. Lewd or lascivious exhibition by intentionally masturbating, intentionally exposing genitals in a lewd or lascivious manner, or intentionally committing any other sexual act in the presence of a staff member, contracted staff member or visitor;

~~(e) An inmate shall be subject to suspension of visiting privileges by the IOCT as a management tool when the inmate is found guilty of the following disciplinary offenses:~~

5. Participation in a sexual assault or battery;

6. Committing or engaging in sexual misconduct (i.e., nudity, sexual acts with or without others, willful exposure of private body parts, or soliciting sexual acts from others);

7. Participation in an escape or attempted escape;

8. Possession of escape paraphernalia or any other item that presents a threat to the safe and secure operation of the institution;

9. An incident causing death;

10. Any physical assault on staff causing injury or that could have caused injury;

11. The taking of a hostage(s);

12. Possessing or passing money;

~~13. Possessing or using drugs or refusing to submit to substance abuse testing;~~

~~14. Possessing or using intoxicating beverages;~~

~~15. Possessing a recording device.~~

~~6. Violation of visiting rules.~~

~~(c)(d)~~ The ICT shall suspend the visiting privileges of any inmate subject to a pending investigation for escape, attempted escape, or possession of escape paraphernalia until the investigation is complete. If the inmate is found guilty, the ICT shall consider suspension of the inmate's visiting privileges pursuant to paragraph (1)(b) of this rule. If the inmate is not found guilty, the ICT shall immediately reinstate the inmate's visiting privileges.

~~(d)(e)~~ If an inmate is found guilty of an offense listed in paragraph (1)(b)(e), the ICT shall suspend the inmate's visiting privileges for the length of time specified on Form NII-102, Visiting Privileges Suspension Matrix, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00539> Form NII-102 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is September, 2011. If an inmate's visiting privileges are suspended pursuant to this rule and the inmate receives a subsequent guilty finding for one of the offenses listed in paragraph (1)(b)(e), the inmate is subject to an increased period of suspension as follows:

1. If the subsequent offense occurs within two years of a guilty finding for the same offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NII-102 for subsequent offenses. This period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of one two years from the time of the subsequent offense.

2. If the subsequent offense is different from the previous offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NII-102 for an initial violation. However, this period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of one two years from the time of the subsequent offense.

(e) In lieu of suspending an inmate's visiting privileges, the ICT is authorized to consider placement of an inmate in non-contact visitation status as provided in Rule 33-601.735, F.A.C., for offenses listed in paragraph (1)(b)(e).

(f) The regional director shall consider, as a management tool, visiting suspensions outside the timeframe limits of the Visiting Privileges Suspension Matrix, Form NII-102, up to and including indefinite suspensions, for those inmates who have demonstrated through continued behavior to be a chronic and recurring management problem or it has been determined that the inmate committed such an egregious act(s) that threatens the safety of others, threatens the security, order or effective management of the institution, or otherwise

demonstrates an inability to respect and honor the visiting privileges bestowed upon him/her. The ICT shall submit a detailed recommendation to the regional director outlining the reasons for its recommendation. The recommendation and the regional director's decision shall be recorded in the department's electronic inmate database and the inmate will be notified accordingly.

(2) through (4) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, 10-23-11, _____.

33-601.732 Reinstatement of Suspended Visiting Privileges.

(1) The warden or designee shall approve or deny requests for reinstatement of an inmate's suspended visiting privileges except in those cases in which the regional director was the suspending authority. The inmate shall submit a written request for reinstatement to the warden or if applicable, the regional director on Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.00549, F.A.C.

(a) Reinstatement of indefinitely suspended privileges shall only be considered after two years from imposition.

1. The regional director ~~warden or designee~~ shall review the request, render a final decision and notify the inmate concerned.

2. No change.

(b) Privileges suspended for two years or less shall not be considered for reinstatement by the regional director for a period of one year. Should the inmate be denied, the inmate may not make another request for six months from the last decision requesting reinstatement.

(c) Privileges suspended for one year or less shall not be considered for reinstatement by the warden or designee until at least six months from the date of suspension. Should the inmate be denied reinstatement, the inmate may not make another request.

(d) The regional director, warden or designee shall consider the following factors in considering whether an inmate's visitation privileges shall be reinstated:

1. through 3. No change.

(2) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, 2-13-12, _____.

COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-5.006	Probable Cause Determination
34-5.0291	Award of Attorney's Fees

PURPOSE AND EFFECT: The Commission previously submitted a Notice of Rule Development but erroneously referenced a rule that was not being changed – Rule 34-5.0006, F.A.C. The rules that are being amended, Rules 34-5.006 and 34-5.0291, F.A.C., are correctly identified in this notice.

SUBJECT AREA TO BE ADDRESSED: The subject of this rulemaking includes the Commission's procedural rule for probable cause determinations in complaint proceedings, and the rule that implements Section 112.317(7), Florida Statutes, that allows for respondents to recover their costs and attorney's fees against complainants.

RULEMAKING AUTHORITY: 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8(f) and (h), Fla. Const., 112.322, 112.324 FS.

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

DATE AND TIME: Friday, June 15, 2012, 8:30 a.m.

PLACE: Senate Office Building, Room 37S, 404 S. Monroe Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Millie Fulford, (850)488-7864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics, (850)488-7864 or costas.julie@leg.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-5.006 Probable Cause Determination.

(1) through (2) No change.

(3) Advocate's Recommendation. The Advocate shall review the investigator's report and shall make a written recommendation to the Commission for the disposition of the complaint, including a statement of what charges shall be at issue at the probable cause hearing. If the Advocate recommends that a public hearing be held, the recommendation shall include a statement of what charges shall be at issue at the hearing. A copy of the recommendation shall be furnished to the respondent. The respondent shall be given not less than 7 days from the date of mailing of the Advocate's recommendation, within which time to file with the Commission a written response to the recommendation. This time period may be shortened with the consent of the respondent, or without the consent of the respondent when the passage of time could reasonably be expected to render moot

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, IF AVAILABLE, IS: Christopher Campbell, Director, Division of Telecommunications, Designee of Secretary for the Department of Management Services, E911 Board, 4030 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-1.002	Licensing and Inspection Requirements
61C-1.008	License Fees

PURPOSE AND EFFECT: The proposed rule development will update the rule to reflect the deregulation of roominghouses by Chapter 2012-165, Laws of Florida, and correct subsection citations within Rule 61C-1.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses roominghouse deregulation and references to rule subsections.

RULEMAKING AUTHORITY: 509.032, 509.241, 509.251 FS.

LAW IMPLEMENTED: 213.0535, 509.013, 509.032, 509.221, 509.241, 509.251, 509.302, 559.79 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Telephone: (850)488-1133

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-302.532	Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion

PURPOSE AND EFFECT: The Department of Environmental Protection proposes to develop estuary-specific numeric nutrient standards for the following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrews Bay, St. Joseph’s Bay, and Apalachicola Bay. The Perdido Bay, Pensacola Bay (including Escambia Bay), and Choctawhatchee Bay estuaries will be addressed at the first public workshop on June 26, 2012. The St. Andrews Bay, St. Joseph’s Bay, and Apalachicola Bay estuaries will be addressed on June 27, 2012.

SUBJECT AREA TO BE ADDRESSED: Rule development will address estuary-specific numeric nutrient standards for total nitrogen and total phosphorus for the following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrews Bay, St. Joseph’s Bay, and Apalachicola Bay.

RULEMAKING AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

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

DATE AND TIME: Tuesday, June 26, 2012, 9:00 a.m. CDT
 PLACE: Florida Department of Environmental Protection, Northwest District Office, 160 W. Governmental Street, Suite 308, Room 402, Pensacola, Florida

DATE AND TIME: Wednesday, June 27, 2012, 9:00 a.m. CDT
 PLACE: Gulf Coast State College, Gibson Lecture Hall, 5230 W. U.S. Highway 98, Panama City, Florida

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: Eric Shaw at (850)245-8429 or via email at Eric.Shaw@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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Standards and Assessments Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400, telephone (850)245-8429; email Eric.Shaw@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.0032 **RULE TITLE:** Use of Physician Anesthesiologist
PURPOSE AND EFFECT: To relocate the provision on dentist treating patients who have been administered anesthesia by a physician anesthesiologist in the dental outpatient facility.
SUBJECT AREA TO BE ADDRESSED: Treating dental patients who have been administered anesthesia by a physician anesthesiologist.
RULEMAKING AUTHORITY: 466.004(4), 466.017(3) FS.
LAW IMPLEMENTED: 466.017(3) 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, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-7.001 **RULE TITLE:** Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes the rule amendments to clarify language, to update existing penalties, and to set forth additional violations and appropriate penalties.
SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.
RULEMAKING AUTHORITY: 456.078, 468.1135(4) FS.
LAW IMPLEMENTED: 456.063, 456.072, 456.076, 456.078, 468.1295, 468.1296 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, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Speech Language Pathology and Audiology/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.: 65E-5.100, 65E-5.110, 65E-5.120, 65E-5.1302, 65E-5.1303, 65E-5.1304, 65E-5.1305, 65E-5.1703 **RULE TITLES:** Definitions, Delegation of Authority Forms, Admissions to State Treatment Facilities, Discharge from Receiving and Treatment Facilities, Discharge Policies of Receiving and Treatment Facilities, Discharge from a State Treatment Facility, Emergency Treatment Orders for the Administration of Psychotherapeutic Medications
PURPOSE AND EFFECT: Certain subsections of Rule 65E-5.100 defining terms are being repealed because they are redundant to statute. The repealed subsections (2), (4), (16), and (17) merely reference definitions found in Sections 394.455(1), 394.4573(1)(b), 394.455(28) and 394.455(29), F.S., respectively. Subsection (6), which defines emergency treatment orders (ETOs) is being revised to clarify that ETOs for seclusion and restraint are to be addressed in subsection 65E-5.180(7), F.A.C.; while ETOs for psychotherapeutic medications are to be addressed in Rule 65E-5.1703, F.A.C. The remaining definitions in Rule 65E-5.110, F.A.C., are being renumbered accordingly.
 Rule 65E-5.110, F.A.C., is being repealed because it is not mandated by statute and there are no adverse consequences to repeal. The rule requires that delegation of a facility administrator’s authority be done in writing, except routine delegations which must be incorporated in facility policies and procedures. This is a management issue that should be left to the discretion of facilities.
 Rule 65E-5.120, F.A.C., is being repealed because it is not mandated by statute and there are no adverse consequences to repeal. The rule merely provides information and does not create requirements. Subsection (3) of Rule 65E-5.1302, F.A.C., is being deleted because it merely restates a requirement found in Section 394.469, F.S.
 Rule 65E-5.1303, F.A.C., is being expanded to include the provisions currently found in Rules 65E-5.1304 and 65E-5.1305, F.A.C.; the latter two rules are being repealed. Thus the provisions of these three rules are effectively being consolidated into a single rule, reducing the total number of rules in effect. All of these Rules 65E-5.1303, 65E-5.1304, and 65E-5.1305, F.A.C., relate to the same topic (discharge planning). There are no substantive changes to these rules.

Rule 65E-5.1703, F.A.C., is being amended to clarify that the requirements for an emergency treatment order (ETO) are different from the requirements for seclusion and restraint. The ETO requirements are addressed in Rule 65E-5.1703, F.A.C. The seclusion and restraint requirements are contained in subsection (7) of Rule 65E-5.180, F.A.C., which is not being amended. This change clarifies and simplifies reporting requirements for service providers.

SUBJECT AREA TO BE ADDRESSED: Mental health services.

RULEMAKING AUTHORITY: 394.457(5), 394.46715 FS.

LAW IMPLEMENTED: 394.455, 394.457, 394.4573, 394.459(2), 394.459(3), 394.459(11), 394.4598, 394.460, 394.4625, 394.463(2)(f), 394.4655, 394.467, 394.468, 394.469 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: Joe Anson, MSW, Baker Act & Marchman Act Policy Director Policy & Planning, Section Substance Abuse & Mental Health Program Office Department of Children & Families, 1317 Winewood Blvd., Bldg 6, #209, Tallahassee, FL 32399, (850)717-4330, joe_anson@dcf.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-5.100 Definitions.

As used in this chapter the following words and phrases have the following definitions:

(1) No change.

~~(2) Administrator means a person as defined in Section 394.455(1), F.S.~~

~~(2)(3)~~ Assessment means the systematic collection and integrated review of individual-specific data. It is the process by which individual-specific information such as examinations and evaluations are gathered, analyzed, monitored and documented to develop the person's individualized plan of treatment and to monitor recovery. Assessment specifically includes efforts to identify the person's key medical and psychological needs, competency to consent to treatment, patterns of a co-occurring mental illness and substance abuse, as well as clinically significant neurological deficits, traumatic brain injury, organicity, physical disability, developmental disability, need for assistive devices, and physical or sexual abuse or trauma.

~~(4) Case manager means a person as defined in Section 394.4573(1)(b), F.S.~~

~~(3)(5)~~ Discharge plan means the plan developed with and by the person which sets forth how the person will meet his or her needs, including living arrangements, transportation, aftercare, physical health, and securing needed psychotherapeutic ~~psychotropic~~ medications for the post-discharge period of up to 21 days.

~~(4)(6)~~ Emergency treatment order (ETO) means ~~a the~~ written emergency order for psychotherapeutic ~~psychotropic~~ medications, ~~seclusion, and restraints ordered by a physician in response to a person presenting an imminent danger to self or others, and~~ as described in Rule 65E-5.1703, F.A.C.; or a written emergency order for seclusion or restraint, as described in subsection (7) of Rule 65E-5.180, F.A.C., of this rule chapter.

~~(5)(7)~~ Examination means the integration of the physical examination required under Section 394.459(2), F.S., with other diagnostic activities to determine if the person is medically stable and to rule out abnormalities of thought, mood, or behavior that mimic psychiatric symptoms but are due to non-psychiatric medical causes such as disease, infection, injury, toxicity, or metabolic disturbances. Examination includes the identification of person-specific risk factors for treatment such as elevated blood pressure, organ dysfunction, substance abuse, or trauma.

~~(6)(8)~~ Health care proxy means a competent adult who has not been expressly designated by an advance directive to make health care decisions for a particular incapacitated individual, but is authorized pursuant to Section 765.401, F.S., to make health care decisions for such individual.

~~(7)(9)~~ Health care surrogate means any competent adult expressly designated by a principal's advance directive to make health care decisions on behalf of the principal upon the principal's incapacity.

~~(8)(10)~~ Person means an individual of any age, unless statutorily restricted, with a mental illness served in or by a mental health facility or service provider.

~~(9)(11)~~ Personal Safety Plan is a form used to document information regarding calming strategies that the person identifies as being helpful in avoiding a crisis. The plan also lists triggers that are identified that may signal or lead to agitation or distress.

~~(10)(12)~~ Pro re nata (PRN) means an individualized order for the care of an individual person which is written after the person has been seen by the practitioner, which order sets parameters for attending staff to implement according to the circumstances set out in the order. A PRN order shall not be used as an emergency treatment order.

~~(11)(13)~~ Protective medical devices mean a specific category of medical restraint that includes devices, or combinations of devices, to restrict movement for purposes of protection from falls or complications of physical care, such as geri-chairs, posey vests, mittens, belted wheelchairs, sheeting,

and bed rails. The requirements for the use and documentation of use of these devices are for specific medical purposes rather than for behavioral control.

~~(12)~~(14) Recovery Plan may also be referred to as a “service plan” or “treatment plan.” A recovery plan is a written plan developed by the person and his or her recovery team to facilitate achievement of the person’s recovery goals. This plan is based on assessment data, identifying the person’s clinical, rehabilitative and activity service needs, the strategy for meeting those needs, documented treatment goals and objectives, and documented progress in meeting specified goals and objectives.

~~(13)~~(15) Recovery Team may also be referred to as “service team” or “treatment team.” A recovery team is an assigned group of individuals with specific responsibilities identified on the recovery plan who support and facilitate a person’s recovery process. Team members may include the person, psychiatrist, guardian/guardian advocate, community case manager, family member, peer specialist and others as determined by the person’s needs and preferences.

~~(16) Restraint for behavior management purposes is defined in Section 394.455(28)(a), F.S. A drug used as a restraint is defined in Section 394.455(28)(b), F.S. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint.~~

~~(17) Seclusion for behavior management purposes is defined in Section 394.455(29), F.S.~~

~~(14)~~(18) Seclusion and Restraint Oversight Committee is a group of people at an agency or facility that monitors the use of seclusion and restraint at the facility. This committee is intended to assist in the reduction of seclusion and restraint use at the agency or facility. Membership includes, but is not limited to, the facility administrator/designee, medical staff, quality assurance staff, and a peer specialist or advocate, if employed by the facility or otherwise available. If no such person is employed by the facility, an external peer specialist or advocate may be appointed.

~~(15)~~(19) Standing order means a broad protocol or delegation of medical authority that is generally applicable to a group of persons, hence not individualized. As limited by this chapter, it prohibits improper delegations of authority to staff that are not authorized by the facility, or not permitted by practice licensing laws, to independently make such medical decisions; such as decisions involving determination of need, medication, routes, dosages for psychotherapeutic ~~psychotropic~~ medication, or use of restraints or seclusion upon a person.

Rulemaking Specific 394.457(5), 394.46715 FS. Law Implemented 394.455, 394.455(1), 394.457, 394.4573(1)(b), 394.459(2), 394.4625, 394.4655, 394.467, 765.101, 765.401 FS. History–New 11-29-98, Amended 4-4-05, 1-8-07, 5-7-08, _____.

65E-5.110 Delegation of Authority.

Rulemaking Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394, 394.457(5)(a), 394.4655 FS. History–New 11-29-98, Amended 4-4-05, Repealed _____.

65E-5.120 Forms.

Rulemaking Specific Authority 394.457(5) FS. Law Implemented 394.457(5) FS. History–New 11-29-98, Amended 4-4-05, Repealed _____.

65E-5.1302 Admissions to State Treatment Facilities.

(1) through (2) No change.

~~(3) If a person awaiting transfer to a state treatment facility improves to the degree that he or she no longer meets the criteria for involuntary placement or that such transfer is unnecessary, the receiving facility shall discharge the person as specified in Section 394.469, F.S.~~

Rulemaking Specific Authority 394.457(5) FS. Law Implemented 394.4573(2), 394.469 FS. History–New 11-29-98, Amended 4-4-05, _____.

65E-5.1303 Discharge from Receiving and Treatment Facilities.

(1) Before discharging a person who has been admitted to a facility, the person shall be encouraged to actively participate in treatment and discharge planning activities and shall be notified in writing of his or her right to seek treatment from the professional or agency of the person’s choice and the person shall be assisted in making appropriate discharge plans. The person shall be advised that, pursuant to Section 394.460, F.S., no professional is required to accept persons for psychiatric treatment.

(2) Discharge planning shall include and document consideration of the following:

- (a) The person’s transportation resources;
- (b) The person’s access to stable living arrangements;
- (c) How assistance in securing needed living arrangements or shelter will be provided to individuals who are at risk of re-admission within the next 3 weeks due to homelessness or transient status and prior to discharge shall request a commitment from a shelter provider that assistance will be rendered;

(d) Assistance in obtaining a timely aftercare appointment for needed services, including continuation of prescribed psychotherapeutic ~~psychotropic~~ medications. Aftercare appointments for psychotherapeutic ~~psychotropic~~ medication and case management shall be requested to occur not later than 7 days after the expected date of discharge; if the discharge is delayed, the facility will notify the aftercare provider. The facility shall coordinate with the aftercare service provider and shall document the aftercare planning;

(e) To ensure a person's safety and provide continuity of essential psychotherapeutic psychotropic medications, such as prescribed psychotherapeutic psychotropic medications, prescriptions, or multiple partial prescriptions for psychotherapeutic psychotropic medications, or a combination thereof, shall be provided to a person when discharged to cover the intervening days until the first scheduled psychotherapeutic psychotropic medication aftercare appointment, or for a period of up to 21 calendar days, whichever occurs first. Discharge planning shall address the availability of and access to prescribed psychotherapeutic psychotropic medications in the community;

(f) The person shall be provided education and written information about his or her illness and psychotherapeutic psychotropic medications including other prescribed and over-the-counter medications, the common side-effects of any medications prescribed and any adverse clinically significant drug-to-drug interactions common between that medication and other commonly available prescribed and over-the-counter medications;

(g) The person shall be provided contact and program information about and referral to any community-based peer support services in the community;

(h) The person shall be provided contact and program information about and referral to any needed community resources;

(i) Referral to substance abuse treatment programs, trauma or abuse recovery focused programs, or other self-help groups, if indicated by assessments; and

(j) The person shall be provided information about advance directives, including how to prepare and use the advance directives.

(3) Should a person in a receiving or treatment facility meet the criteria for involuntary outpatient placement rather than involuntary inpatient placement, the facility administrator may initiate such involuntary outpatient placement, pursuant to Section 394.4655, F.S., and Rule 65E-5.285, F.A.C., of this rule chapter.

(4) Receiving and treatment facilities shall have written discharge policies and procedures which shall contain:

(a) Agreements or protocols for transfer and transportation arrangements between facilities;

(b) Protocols for assuring that current medical and legal information, including day of discharge medication administered, is transferred before or with the person to another facility; and

(c) Policy and procedures which address continuity of services and access to necessary psychotherapeutic medications.

(5) When a state mental health treatment facility has established an anticipated discharge date for discharge to the community which is more than seven days in advance of the person's actual discharge, at least 7 days notice must be given

to the community agency which has been assigned case management responsibility for the implementation of the person's discharge plan. When an impending discharge is known 7 days or less prior to the discharge, the staff of the state mental health treatment facility shall give verbal and written notice of the impending discharge to the community case management agency within 1 working day after the decision to discharge is made. Recommended form CF-MH 7001, Jan. 98, "State Mental Health Facility Discharge Form," which is incorporated by reference, may be used for this purpose.

(6) On the day of discharge from a state mental health treatment facility, the referring physician, or his or her designee, within state law and approved facility protocols and practice guidelines shall immediately notify the community aftercare provider or entity responsible for dispensing or administering medications. Recommended form CF-MH 7002, "Physician to Physician Transfer," as referenced in subsection 65E-5.1302(2), F.A.C., may be used for this purpose.

Rulemaking Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.4573(2), 394.459(11), 394.460, 394.4655, 394.468 FS. History—New 11-29-98, Amended 4-4-05, _____.

65E-5.1304 Discharge Policies of Receiving and Treatment Facilities.

Rulemaking Specific Authority 394.457(5) FS. Law Implemented 394.459(11) FS. History—New 11-29-98, Amended 4-4-05, Repealed _____.

65E-5.1305 Discharge from a State Treatment Facility.

Rulemaking Specific Authority 394.457(5) FS. Law Implemented 394.4573, 394.459(11), 394.468 FS. History—New 11-29-98, Amended 4-4-05, Repealed _____.

65E-5.1703 Emergency Treatment Orders for the Administration of Psychotherapeutic Medications.

(1) An emergency treatment order shall be consistent with the least restrictive treatment interventions, including the emergency administration of psychotherapeutic psychotropic medications or the emergency use of restraints or seclusion. Use of seclusion or restraint in an emergency situation is addressed in subsection 65E-5.180(7), Florida Administrative Code and is not addressed in this rule. This rule pertains only to the use of psychotherapeutic medication in an emergency situation.

(a) The issuance of an emergency treatment order requires a physician's review of the person's condition for causal medical factors, such as insufficiency of psychotherapeutic psychotropic medication blood levels, as determined by drawing a blood sample; medication interactions with psychotherapeutic psychotropic or other medications; side effects or adverse reactions to medications; organic, disease or medication based metabolic imbalances or toxicity; or other biologically based or influenced symptoms.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Rita Smith @ (850)413-5769 or Rita.Smith@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rita Smith, Financial Administrator, Bureau of Financial Reporting, Division of Accounting & Auditing, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0354, (850)413-5769 or Rita.Smith@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: RULE TITLE:

69I-23.005 Reimbursement of Revolving Funds

PURPOSE AND EFFECT: The rule amendment is required to remove obsolete information. Further, the amendment revises the Department’s mailing address.

SUBJECT AREA TO BE ADDRESSED: The revolving funds.

RULEMAKING AUTHORITY: 17.14, 17.29 FS.

LAW IMPLEMENTED: 215.42, 216.271 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, June 26, 2012 (immediately following the workshop for Rule 69I-23.003, F.A.C., scheduled for 9:00 a.m.)

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Rita Smith @ (850)413-5769 or Rita.Smith@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rita Smith, Financial Administrator, Bureau of Financial

Reporting, Division of Accounting & Auditing, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0354, (850)413-5769 or Rita.Smith@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-15.002 Associate of Arts Degree in Mortuary Science

PURPOSE AND EFFECT: This rule implements the educational requirements for licensure as a funeral director under Sections 497.373 and 497.374, F.S. The provisions amending this rule were approved by the Board of Funeral, Cemetery, and Consumer Services on 12-2-2010.

SUBJECT AREA TO BE ADDRESSED: Educational requirements for licensure as a funeral director.

RULEMAKING AUTHORITY: 497.103, 497.161(1)(a), 497.373(1)(d) FS.

LAW IMPLEMENTED: 497.373, 497.374 FS.

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

DATE AND TIME: June 27, 2010, 10:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison Street, Tallahassee, Florida

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: LaTonya Bryant-Parker, at (850)413-4957 or LaTonya.Bryant-Parker@myfloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984, shropshired@MyFloridaCFO.com. Direct any request for rule development workshop to Mr. Shropshire

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-17.001
RULE TITLE: Examination Fees for Embalmers and Funeral Directors; Manner of Application

PURPOSE AND EFFECT: This proposed rule specifies procedures and summarizes the requirements for application and licensure as a funeral director or as an embalmer. The provisions amending this rule were approved by the Board of Funeral, Cemetery, and Consumer Services on 12-2-2010.

SUBJECT AREA TO BE ADDRESSED: Licensure of funeral directors and embalmers.

RULEMAKING AUTHORITY: 497.103(2)(c), (5), 497.141(2), 497.144, 497.368, 497.373 FS.

LAW IMPLEMENTED: 497.140, 497.144, 497.368, 497.369, 497.373; 497.374 FS.

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

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

PLACE: Room 332, Pepper Building, 111 W. Madison Street, Tallahassee, Florida

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: LaTonya Bryant-Parker, at (850)413-4957 or LaTonya.Bryant-Parker@myfloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984, shropshired@MyFloridaCFO.com. Direct any request for rule development workshop to Mr. Shropshire
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
Proposed Rules**

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-8.005
RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The proposed rule amendments are intended to reflect changes to benefits with regard to the recent changes in the Consumer Price Index.

SUMMARY: The proposed rule amendments reflect revised benefit payments in response to adjustments to the Consumer Price Index.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 112.19 FS.

LAW IMPLEMENTED: 112.19 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: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-8.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.19(2)(j), F.S., requires the Bureau to adjust the statutory amount on July 1 of each year based on the Consumer Price Index for all urban consumers published by the United States Department of Labor, using the most recent figures available. The Bureau will utilize the previous March Consumer Price Index published by the United States Department of Labor and the benefits shall be adjusted from the benefit amount of the year before.

(2) The Consumer Price Index amount in March 2012 ~~2010~~ increased 2.7 percent. Therefore, the statutory amount for the period July 1, 2012 ~~2011~~ through June 30, 2013 ~~2012~~, is:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2); ~~\$63,843.86~~ \$62,465.39.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2); ~~\$63,843.86~~ \$62,465.39.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2); ~~\$192,455.70~~ \$187,396.

Rulemaking Authority 112.19 FS. Law Implemented 112.19 FS. History—New 12-10-03, Amended 8-17-04, 7-26-05, 7-26-06, 7-15-07, 7-20-08, 7-20-09, 7-4-10, 7-18-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rick Nuss, Chief, Bureau of Criminal Justice Programs
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Attorney General Pam Bondi
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 22, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.210 Use of Force

PURPOSE AND EFFECT: The purpose and effect of the rule is to establish guidelines governing the use of force and/or restraints to protect persons or property, prevent escape, restore order, maintain custody and control, and to enforce Department rules. The amendments provide new definitions; broaden the type of information that should be stated on camera after a use of force; clarify the circumstances under which electronic immobilization devices and specialty munitions may be used; clarify the circumstances under which chemical agents may be used; refine the documentation and procedures, including medical procedures, that should be followed after the use of chemical agents; and provide safety provisions concerning the storage and issuance of chemical agents. The amendments are made for the purpose of promoting operational efficiency, updating and responding to changes in law and policy.

SUMMARY: The changes are primarily organizational in nature, and certain technical terminology is updated. Correctional staff continues to be directed to use the least amount of force necessary to control a disturbance and to cease the escalation of use of force upon gaining offender compliance. Use of force must be supervised (whenever possible), fully documented, and only administered by properly trained staff. Additionally, officers at work camps are permitted to carry an MK-9 sized OC dispenser. A process is established whereby the Office of Inspector General can refer an investigation to the warden. The amount of time a warden has to forward use of force reports and relevant tapes to the Inspector General is lengthened from 5 to 11 days.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

General and the Bureau of Security Operations within the Office of Institutions indicates that the changes largely are stylistic and organizational in nature. The proposed changes only affect internal security operations and 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: 776.07, 944.09, 944.35 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:

(Substantial rewording of Rule 33-602.210 follows. See Florida Administrative Code for present text.)

33-602.210 Use of Force.

(1) Prior to any organized use of force, the shift supervisor shall review Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, to determine whether the inmate has a medical condition that may be exacerbated by the intended force. Form DC4-650B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 3-22-11. Medical staff shall be consulted about physical conditions of an inmate that may be aggravated by the application of force or chemical agents unless safety concerns prevent prior consultation.

(2) Definitions.

(a) Direct Firing – The practice of firing specialty munitions directly into a group of rioters from a distance of greater than 20 feet and with a target area of the waist or below.

(b) Emergency Action Center – the unit located in the Central Office charged with receiving reports regarding serious incidents, such as riots and escapes, from all Department of Corrections' (Department) facilities and reporting the information to the proper authorities. This unit also receives requests for criminal histories, warrant confirmations, and offender location requests from law enforcement agencies throughout the United States.

(c) Incident Commander – The employee responsible for the management of emergency incidents, such as riots and natural disasters.

(d) Nondeadly Force – Any force that is neither intended nor likely to cause death or serious bodily harm.

(e) Organized Use of Force – Any force that may be administered to control, escort, or geographically relocate any inmate when the immediate application is not immediately necessary to prevent a hazard to any person.

(f) Reactionary Use of Force – Any force that must be administered quickly or immediately to compel the cessation of an inmate’s violence or resistance to orders.

(g) Reasonable Force – Any force that is not excessive for protecting oneself or another or for gaining an inmate’s compliance with a lawful order.

(h) Rubber Ball Rounds – Multiple pellets fired from cartridges at the lower extremities of rioters and designed to inflict pain compliance.

(i) S-2 – The mental health classification denoting mild impairment in the ability to meet the ordinary demands of living within general inmate housing, including segregation, which impairment is associated with an Axis I disorder as defined in the Diagnostic and Statistical Manual of the American Psychiatric Association (DSM IV), excluding substance abuse disorders, or symptoms thereof, schizotypal personality disorder, borderline personality disorder, or mental retardation. The impairment in functioning is not so severe as to prevent satisfactory adjustment in general inmate housing with provision of mental health services.

(j) S-3 – The mental health classification denoting moderate impairment in the ability to meet the ordinary demands of living within general inmate housing due to the presence of an Axis I disorder as defined in the Diagnostic and Statistical Manual of the American Psychiatric Association (DSM IV), excluding substance abuse disorders, such as borderline personality disorder or schizotypal personality disorder. The impairment in functioning is not so severe as to prevent satisfactory adjustment in general inmate housing with provision of mental health services. Clinical management of the disorder may require at least periodic administration of psychotropic medication, which the inmate may exercise his or her right to refuse.

(k) Shift Supervisor – The highest ranking correctional officer of the on-duty shift.

(l) Skip Firing – The practice of firing specialty impact munitions 5-7 feet in front of rioters, thereby deflecting the munitions into the legs of the rioters.

(m) Serious Bodily Injury – A physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(n) Specialty Impact Munitions – Munitions designed to incapacitate, distract, and control a subject with a relatively low likelihood of life-threatening injury.

(o) Wooden Baton Rounds – Multiple wooden projectiles fired from a 37-mm weapon, designed to be skip fired into the lower extremities of rioters to inflict pain compliance.

(3) A video camera operator shall commence recording all reactionary use of force incidents upon arrival at the scene as soon as possible. All organized use of force incidents shall be recorded by videotape, unless exigent or emergency circumstances prevent such action. Videotape recordings shall continue uninterrupted from commencement until the situation is stable and under control and the inmate is placed in a secure cell or transport vehicle for transfer.

(a) The shift supervisor during any organized use of force shall include in each video recorded markers of the following:

1. Date and time of the recording;
2. Location of the recording;
3. Name and rank of supervisor(s) present;
4. Name and rank of person authorizing use of chemical agent (if applicable);
5. Name and DC number of the inmate involved in the use of force;
6. Name of the camera operator;
7. Brief description of efforts taken to stabilize or control the inmate prior to the application of force;
8. Final warning order administered by a supervisor or incident commander;
9. Clear, concise, and audible verbal warning to the inmate of pending application of force or entry into cell for extraction;
10. Application of chemical agents;
11. Verbal offer for a decontamination shower;
12. Decontamination of the inmate;
13. Any medical examination performed after the use of force;
14. Physical escort and placement in a decontaminated cell after incident;
15. Verbal refusals by inmates to participate in decontamination or medical examination (if applicable);
16. The name and rank of each Department staff member present.

(b) Whenever an inmate fails to comply with a lawful order and exhibits a threatening demeanor or disruptive or hazardous behavior, the on-scene supervisor of an organized use of force shall announce a clear, concise, and audible warning to the inmate that force will be administered if there is no immediate compliance and cessation of the behavior. After the initial warning is recorded, subsequent video recording of any organized use of force warnings is not required. Video recording shall resume prior to the application of any chemical agents should an inmate become non-compliant or disruptive after the final order has been given.

(c) Video recordings of post use of force medical exams shall be conducted through a window or at a distance in such a manner so as to provide the maximum amount of privacy needed for the exams and so as to limit the disclosure of inmate protected health information to the minimum amount

necessary. Inmates involved in an organized use of force shall be video recorded continually until they have been placed in a vehicle for transportation or in a secure cell.

(d) Anytime there is a change in the on-scene supervisor or other staff during an application of an organized use of force, a new video recording will be initiated and the requirements in paragraphs (3)(a) and (b) above shall be repeated.

(4) Department staff shall use force, organized or reactionary, only as a last resort when it reasonably appears that other alternatives are not feasible to obtain compliance with law or administrative rules or to defend themselves or others against any physical threat of injury or death.

(5) Any use of force shall cease being applied whenever an inmate complies with orders or ceases the behavior for which the use of force was necessary.

(6) Use of force shall not be applied for punishment. Physical restraints such as handcuffs, leg irons, flex cuffs, and other such devices shall only be used for restraint purposes and not for punishment.

(7) Inmates shall not be carried, dragged, or lifted by restraint devices.

(8) Use of Chemical Agents. All chemical agents shall be used with caution and in accordance with the manufacturer's instructions.

(a) The following chemical agents are authorized for use by the Department:

1. OC – Oleoresin Capsicum (pepper spray) – An inflammatory agent that causes tearing and involuntary closing of the eyes, nasal discharge, sneezing, disorientation, and the sensation of respiratory distress. OC is the primary chemical agent to be utilized for cell extractions and other in-cell uses unless circumstances exist as outlined below, and they shall only be used in the manner prescribed herein.

2. CS – Orthochlorobenzal Malononitrile or Orthochlorobenzylidene Malononitrile – An irritant agent that causes burning sensation and tearing of the eyes, nasal discharge, and skin and upper respiratory irritation.

a. CS may be used during cell extractions and other in-cell incidents if OC applications previously administered were ineffective in obtaining compliance or ceasing disruptive actions or physically threatening behavior.

b. The warden or designee may authorize the use of CS as an initial primary chemical agent whenever past applications of OC to an inmate were documented on Form DC6-230, Institutions Report of Force Used, as having been applied and ineffective. Form DC6-230 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-25600. The effective date of the form is _____.

c. The warden or designee may authorize the use of CS as an initial or primary chemical agent during in-cell applications whenever an inmate attempts to deploy a shield, barrier, or

obstruction in an obvious attempt to avoid contact with an application of chemical agents. Justification for the use of CS whenever an inmate barricades or presents physical obstructions to counter chemical agent applications shall be noted on Form DC6-230, Institutions Report of Force Used, by the reporting officer.

3. CN – Chloroacetophene – An agent that causes tearing of the eyes, nasal discharge, and skin and upper respiratory irritation. CN projectiles, grenades, and thermal foggers shall only be used within institutions, upon Department of Corrections property, in response to unauthorized mass gatherings, disturbances involving multiple inmates, or for crowd control. CN shall not be authorized for use after the expiration date noted on the canister.

(b) Chemical agents shall be used only after other reasonable efforts to control a disorderly inmate or group of inmates have been exhausted.

(c) Chemical agents shall only be used when the use of force is authorized and the level of force is necessary to prevent injuries to staff or inmates.

(d) Any accidental or incidental discharge of a chemical agent by a staff member within any institution shall be reported on Form DC6-230, Institutions Report of Force Used.

(e) Authorization for an organized use of force application of chemical agents within an institution may only be authorized by the warden or designee.

(f) Only staff members who have received training in the use of chemical agents may discharge, carry, possess, or use chemical agents within an institution, except during emergencies such as riots or disasters or at the direction of the warden or designee.

(g) A confinement or close management lieutenant or shift supervisor shall be responsible for the issuance of a final order to an inmate ordering compliance or cessation of disruptive behavior prior to the application of chemical agents. Additionally, a confinement or close management lieutenant, shift supervisor, or staff member of greater rank shall be present and observe the application of chemical agents to inmates in such housing settings.

(h) Any application of chemical agents within an institution shall be noted on Form DC6-230, Institutions Report of Force Used. Any officer who uses chemical agents shall record the following on Form DC6-230:

1. Type of agent discharged;
2. Amount of agent discharged;
3. Method of administration;
4. Name of the person who authorized issuance or possession of the chemical agent;
5. Name of person who administered the chemical agent;
6. Amount of the chemical agent used;
7. Method by which the chemical agent was administered;
8. Reason the chemical agent was used.

(i) Chemical agents shall be stored in the designated main arsenal in a secure manner. The warden shall authorize and designate secure locations where chemical agents shall be stored that are accessible only to officers.

(j) Chemical agents assigned to institutions may not be removed from the facility at anytime without authorization from the warden or designee.

(k) All chemical agent dispensers shall be numbered and recorded on Form DC6-216, Chemical Agent Accountability Log. Form DC6-216 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 7-25-02. Form DC6-216 shall be maintained in any location where chemical agents are stored. Chemical agent dispensers shall be weighed prior to issuance and upon return to storage. The shift supervisor shall verify the weight of chemical agent dispensers upon return to storage. Additionally, the shift supervisor shall ensure all issued chemical agent dispensers are accounted for and recorded on Form DC6-216. The chief of security shall monitor the canister weights following each use of chemical agents to ensure the contents are consistent after a reported use of force and recorded on Form DC6-216.

(l) Issuance and use of chemical agents:

1. Only correctional officers and staff trained in the use of chemical agents, in possession of a current and valid certification, and assigned to institutions and work camps shall be issued an approved OC dispenser to carry while on duty. Officers who have been issued chemical agent dispensers are authorized to administer or dispense chemical agents during the performance of their duties under reactionary circumstances (including but not limited to self-defense, the defense of others, or in opposition to force or influence) without additional authorization for intervention for self-defense or the defense of others. The warden is authorized to exempt an officer from carrying, possessing, or using chemical agents. Officers assigned to armed perimeter posts may be exempted from the requirement to carry OC by the warden or designee.

2. An MK-9 sized canister or equivalent OC dispenser may be issued to correctional officers who have received appropriate training, are in possession of a valid certification, and who are assigned to internal security posts, recreation fields, shift supervisor posts, or designated as special response team members within an institution, including work camps. These officers are authorized to administer chemical agents during reactionary disturbance incidents that involve multiple inmates housed in locations where multiple inmates are generally present, such as open bay dorms, dining halls, recreation fields, canteens, and meal lines. This option shall only be exercised in response to mass disturbance critical incidents and as necessary to restore control, stability, or disciplinary order and shall normally not be used indoors.

3. For those security positions assigned to housing units with a secure officer's station, an MK-4 sized canister or equivalent OC dispenser will be passed on from shift to shift and accounted for on the DC6-209 Housing Unit Log at the beginning of each shift with an entry for each canister indicating by canister number and officer initials who is assigned that canister. Canisters that are not being worn by staff on shifts that have fewer assigned staff will remain in the officer station, stored in a secure, locked cabinet or drawer designated for this purpose. The number of chemical agent canisters assigned to a housing unit shall not exceed the maximum number of staff (officer and sergeant) assigned for the highest staffed shift per the institutional post chart. Any evidence of tampering, broken or missing seal, or signs that the canister is not functional will be immediately reported to the shift officer in charge, a Form DC6-210 Incident Report completed and a replacement made. The canisters will be inventoried and inspected once per week by the arsenal sergeant with appropriate entry placed on the Housing Unit Log.

4. For those staff assigned to internal security and designated A-Team members, exchange of approved canisters shall occur on the compound, with the canister number and confirmation of seal status and condition of canister called into the control room and notation made on the DC6-281 Control Room Security Equipment/Weapons Check Out/In Log. The canisters will be inventoried and inspected once per week by the arsenal sergeant with appropriate entry placed on the Control Room Log.

5. For those staff assigned to food service, wellness, gate areas, program areas, and other compound posts that are not manned on a 24-hour basis, the staff assigned to the daylight shift shall pick up their canisters at the control room immediately prior to proceeding to their assigned post. The exchange of canisters for their reliefs shall occur on the compound, with the canister number and confirmation of seal status and condition of canister called into the Control Room and notation made on the DC6-281 Control Room Security Equipment/Weapons Check Out/In Log. The canisters will be inventoried and inspected once per week by the arsenal sergeant with appropriate entry placed on the Control Room Log.

6. Chemical agent dispensers shall be securely encased and attached to the officer's belt. Each chemical agent dispenser shall be secured within a pouch or to a holstering device by a numbered, breakable seal. Officers shall examine the condition of the canister and the safety seal at the time of receiving or being issued any chemical dispenser to ensure that the canister is not damaged and that the seal is intact and report any alteration or broken seal to the shift supervisor. Shift supervisors shall examine the seal of any chemical dispenser reported to be altered, broken, or manipulated and upon confirmation of alteration, breakage, or manipulation shall

report the observation on Form DC6-210, Incident Report, prior to the end of the shift. Form DC6-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____. The sergeant in charge of the arsenal shall maintain a master inventory of all individual chemical agent dispensers in storage. The master inventory shall indicate the weight of each dispenser at the time the original seal is attached and shall annotate the weight of the dispenser any time a dispenser is returned with a broken seal on Form DC6-216, Chemical Agent Accountability Log, and replace the seal or attach a new one. The arsenal sergeant shall report any discrepancies in the weight of the dispenser to the chief of security and complete Form DC6-210.

(m) Use of chemical agents on inmates outside of controlled conditions. Officers may utilize chemical agents whenever an inmate becomes disorderly or disruptive or does not comply with clear and audible orders that have been communicated to cease such behavior. During emergency situations with multiple inmates in an outside area, chemical agents may be applied to quell the disturbance. An inmate shall at no time be removed from his or her assigned cell or placed at an alternate location, have clothing removed, or be restrained for the purpose of chemical agent application. If an officer administers chemical agents while an inmate is handcuffed or wearing restraints, and removal of such restraints was not possible prior to the application, the officer shall record an explanation of the circumstances on Form DC6-230, Institutions Report of Force Used.

(n) Use of chemical agents on inmates under controlled conditions:

1. When an inmate in a secure housing unit occupied by other inmates becomes disorderly or disruptive or the officer's ability to provide unit security is adversely impacted by an inmate's behavior, and the inmate refuses to comply with clear and audible orders to cease his or her behavior, the confinement or close management lieutenant, shift supervisor, or person of higher rank shall be contacted and consulted for instructions prior to any application of chemical agents.

2. Whenever the confinement, close management lieutenant, or shift supervisor's efforts to control a disorderly inmate have failed, and the use of chemical agents is necessary to gain control of the inmate while minimizing the risk of injuries to others, the shift supervisor shall ensure the following:

a. Uninvolved inmates in the cell or immediate area are given the opportunity to exit or depart the potentially affected area, if such relocation does not create or cause a hazard to the safety of others.

b. The warden or designee is contacted and gives authorization to use chemical agents in the area.

c. A clear and audible order is given for the inmate to cease the disruptive or dangerous behavior.

d. If the inmate fails to comply with the order of the shift supervisor and continues to disobey lawful orders or continues disruptive behavior, the shift supervisor shall issue a clear and audible final order. During the final order, the shift supervisor shall put the inmate on notice that chemical agents are to be administered imminently if his or her disruptive behavior does not immediately cease.

e. A video recording is not required if, during the same shift, the inmate ceases the conduct creating the disturbance while the shift supervisor and camera operator are present with a camera but resumes such conduct after the shift supervisor and camera operator have departed the area prior to an application of chemical agents. The shift supervisor has the authority at anytime to recommence video tape recording of subsequent incidents, but in all cases where the administration of chemical agents is subsequently required video recording will resume following the final exposure to chemical agents, include a statement referring to the originating incident, and continue from this point until the decontaminating shower and medical examination are offered and the inmate is returned to secure, decontaminated housing.

f. The application of chemical agents in the amount of no greater than three (3) one-second bursts may be administered upon an inmate after at least three (3) minutes have elapsed from the time a clear and audible warning is communicated to the inmate to cease his or her disruptive or dangerous behavior and the inmate does not comply with the orders.

g. If the inmate's disruptive behavior continues after the initial application, a subsequent application of chemical agents in the amount of no greater than three (3) one-second bursts may be administered upon an inmate after at least five (5) minutes have elapsed since the initial chemical agent application.

h. If the inmate does not comply with orders after a minimum of five (5) minutes have elapsed from the conclusion of the second application of chemical agents, the warden or designee shall be consulted to evaluate what further response is necessary to regain compliance or control of the inmate.

(o) Additional applications of chemical agents and forced cell extractions:

1. The warden or designee shall be consulted to evaluate further responses after a third application of chemical agents has been administered, the inmate fails to cease his or her disruptive or dangerous behavior, and such inmate does not comply with orders. Additional copies of Form DC6-230, Institutions Report of Force Used, shall be used to document the incident. The shift supervisor shall ensure all use of force applications are properly documented on Form DC6-230.

2. The warden or designee may authorize subsequent applications of chemical agents as necessary to obtain safety or compliance; however, such applications shall not be

administered or discharged upon an inmate after the initial three applications until at least sixty (60) minutes have elapsed from the time of the last application.

(p) Medical requirements:

1. Inmates who have been administered any chemical agent shall be monitored by a staff member or officer for no less than one (1) hour after application. The affected inmate shall remain in a standing or sitting position. The monitoring staff members or officers shall immediately seek medical attention by the appropriate medical staff or competent medical authority any time signs of respiratory distress, labored breathing, excessive or persistent coughing, or chest or arm pain are evident or if unconsciousness occurs or other signs of medical distress are observed. The absence of medical staff on scene does not preclude taking action as an emergency responder.

2. Compliant and non-disruptive inmates shall be ordered to shower in cool water and change inner and outer garments within 20 minutes of the inmates' compliant time from the last application of chemical agents, whenever possible. The shift supervisor or confinement lieutenant shall record the decontamination activities on the following forms:

a. Form DC6-210, Incident Report; or

b. Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. The effective date of the form is 4-6-11.

3. The shift supervisor shall summon a medical staff member to the physical location of an inmate who has been exposed to a chemical application. The medical staff member shall conduct an examination of the inmate after the decontamination process is completed. The health services staff or ranking officer present shall ensure that any inmate who has a history of experiencing or who exhibits symptoms of physical distress as a result of chemical agent exposure is immediately provided all necessary medical attention. Medical staff members shall record any observations and medical actions taken on the following forms, including the presence or non-presence of injury:

a. Form DC4-701C, Emergency Room Record. Form DC4-701C is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Chilean Street, Tallahassee, Florida 32399-2500. The effective date of the form is 3-22-11.

b. Form DC4-708, Diagram of Injury. Form DC4-708 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 10-04-07.

4. In addition to completing a medical examination of any inmate who is exposed to chemical agents, the attending medical staff member shall make a mental health referral for any inmate classified as "S-2" or "S-3" on Form DC4-529, Staff Request/Referral, and forward it immediately for a

mental health evaluation to be conducted on the inmate. Form DC4-529 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____ . Mental health staff shall evaluate the inmate no later than the next business day. The mental health staff member who conducts the evaluation shall consult with the shift supervisor and recommend appropriate measures that may be necessary for the safety of the inmate, including placement in isolation management, a transitional care unit, or crisis stabilization as those placements are defined in Rule 33-404.103, F.A.C.

5. Any time an inmate refuses to take a shower after an application of chemical agents, medical staff shall conduct a cell-front examination and explain in a clear and audible tone the purpose of decontamination and potential physical implications of not completing decontamination. Medical staff members shall record notes of any decontamination consultation on Form DC4-701C, Emergency Room Record.

6. Upon completion of the decontamination consultation with the inmate by a medical services staff member, the shift supervisor shall order the inmate to submit to a decontamination shower. If the affected inmate refuses to participate in a decontamination shower, a second order shall be given by the shift supervisor with a member of the medical services staff or a supervisor physically present when possible. The shift supervisor shall annotate on Form DC6-210, Incident Report, that a second order was administered and the inmate refused compliance.

7. The shift supervisor shall consult with the attending medical services staff member and determine if an inmate requires medical attention or treatment any time decontamination is not completed. Whenever the medical services staff member has observed the inmate who has refused decontamination post application of chemical agents and determined that reasonable medical attention is not necessary, the shift supervisor shall ensure that the affected inmate is monitored for a minimum of two (2) hours and offered a shower at least every thirty (30) minutes during the two (2) hour observation period. All inmate welfare checks or required physical observations post refusal to submit to decontamination orders shall be recorded on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 4-6-11. The officer assigned to conduct welfare checks or physical observations of an inmate shall without unnecessary delay summon medical attention if he or she at any time observes or suspects that an inmate may be experiencing medical distress.

8. The shift supervisor shall comply with provisions stated in subsection (13) if, upon consultation with medical services staff, he or she is advised a decontamination shower is necessary for the safety of the inmate or the failure to complete a decontamination shower is a hazard to the inmate. The inmate shall be relocated to a decontamination cell.

a. Upon introduction into a decontamination cell, the inmate who refused or obstructed efforts to participate in a decontamination shower shall be placed in a sitting or standing position for a minimum of forty-five (45) to sixty (60) minutes after the use of chemical agents, including any inmate who must be physically held or is incapacitated, to permit officers to place approved restraining devices on the inmate, e.g., handcuffs.

b. Officers shall use all reasonable and due care to avoid physically placing the inmate in any position that may contribute to positional asphyxia, restricted blood circulation, or interference with physical functions that permit life processes to occur or in any position that causes any physical injury. Restraints shall not be applied in any manner for the purpose of administration of punishment. The inmate shall not be directed, ordered, or required to stand or sit uninterrupted if such action is intended for reasons of punishment or likely to cause injury. Any portion of the inmate's body exposed to or that came into contact with chemical agents, including the eyes, shall be flushed with water as soon as possible after application for at least approximately five (5) to ten (10) minutes or until the affected inmate experiences relief. The inmate should be advised by the officer in charge to avoid rubbing any irritated area with a cloth or towel. No oils, creams, or topical medications shall be applied to the inmate without approval of a member of the medical services staff.

9. The warden or designee may authorize placing an inmate in four point or multipoint restraints after consultation with a member of health services staff. Approval from the warden or designee shall be obtained prior to any inmate being placed in four-point or multipoint restraints. Health services staff shall review the medical record of the inmate prior to advising the warden or designee of known medical conditions that would affect the health of the inmate should chemical agents be administered or the inmate be placed in four-point or multipoint restraints. A member of the health services staff shall monitor without interruption an inmate post application of chemical agents and when the inmate is subsequently placed in four or multipoint restraints. Medical attention shall be provided, upon detection of physical distress, without unnecessary delay. No inmate shall be restrained in a manner which restricts breathing.

10. Medical services staff members shall record all observations and recommendations on the following forms:

- a. Form DC4-701C, Emergency Room Exam.
- b. Form DC4-708, Diagram of Injury.

c. Form DC4-701, Chronological Record of Health Care. Form DC4-701 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 4-8-10.

(9) Non-deadly Force. In accordance with s. 944.35, F.S., officers are authorized to apply lawful and reasonably necessary physical force to:

(a) Defend themselves or others from actions that are like to cause injury or death;

(b) Prevent the escape of a convicted felon from the custody of a correctional institution, any facility where an inmate is not permitted to depart without authorization, or as necessary to gain custody of an escaped inmate;

(c) Prevent the escape of an inmate during transport or while outside a correctional institution or facility;

(d) Prevent damage to property;

(e) Quell a disturbance;

(f) Overcome an inmate's physical resistance to a lawful command;

(g) Prevent an inmate from inflicting any self-injury or from attempts to commit suicide; or

(h) Reasonably restrain an inmate to permit the administration of necessary medical treatment.

(10) Only reasonable, lawful, and the minimal amount of force necessary shall be employed to control the situation. Force shall not be used solely as a response to verbal abuse. Utilization of the custodial touch, with the hand firmly grasped around the inmate's triceps or elbow, during internal transport of restrained inmates when resistance is not encountered shall not be considered a use of force when the transport hold is for the safety of the inmate or officer. The warden or designee shall be consulted and must authorize any organized use of force prior to application. The warden or designee shall be notified without unnecessary delay any time a reactionary use of force incident occurs and circumstances did not permit obtaining authorization prior to the use of force. The authority who approved an organized use of force shall prepare, date, and sign Form DC6-232, Authorization for Use of Force, prior to the end of the shift when force was used. Form DC6-232 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 9-99. If the authorization for an organized use of force is granted after normal working hours, the authority granting the action shall complete and sign Form DC6-232 within one day following the incident, excluding weekends and holidays.

(11) Any time force is used, the officer initially using force shall complete Form DC6-230, Institutions Report of Force Used. The completed form shall include the events that led to the use of force, the actual events that occurred, and the post-event actions. If more than one officer was involved in the

initial use of force, the initial officer using force shall complete the report. Any participant who objects to information recorded by the reporting officer or who has additional observations to add to the narrative or description of the incident written by the reporting officer shall complete and attach Section I of Form DC6-230, Institutions Report of Force Used. No officer or employee shall receive discipline for providing updated information to a use of force report, provided the updated information is presented without unnecessary delay after discovery of the discrepancy. Updates or addendums recorded on any Form DC6-230, Institutions Report of Force Used, Section I, should be completed and forwarded to the warden not later than one (1) business day (excluding weekends and holidays) following the date that the original Form DC6-232, Authorization for Use of Force, is signed and dated.

(a) Form DC6-230, Institutions Report of Force Used, shall be completed by those staff involved in any application of force, reactionary or organized, that occurred during their shift. Form DC6-230 shall be completed no later than the end of the shift during which the use of force occurred. The warden or designee is authorized to permit a delay of completing required use of force reports for up to 72 hours when circumstances prohibit completion of the reports by the end of the shift. All reports must be typed. No use of force report may be altered, changed, or destroyed by any employee. Officers may submit amendments to a report at any time with authorization from the warden or designee. The warden or designee shall then appoint a staff member of equal or higher rank than those involved in the use of force incident to collect all pertinent information and required documentation. This information shall include the reports of all involved staff who do not agree with the account as reported in the DC6-230 or the statements of staff witnesses, inmate witnesses, or the inmate subject. All inmate statements (subject and witnesses) shall be made in writing using Form DC6-112C, Witness Statement. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. The effective date of the form is 8-28-06. Any employee who witnesses but does not participate in a use of force and suspects inappropriate action shall complete Form DC6-210, Incident Report. The Office of Inspector General field offices within each region shall provide the institutions, via electronic mail, with a use of force number once one is assigned and entered into the Office of Inspector General electronic logging system.

(b) The warden or designee shall conduct a preliminary review of facts recorded in reports to determine if the application or demonstration of force was lawful and a procedurally appropriate application. The warden or designee shall review all use of force reports. Any time improperly applied or unlawful use of force is indicated in a report, the warden or designee shall review any available video recording of the incident.

(c) Any time a warden or designee assigned to review and evaluate use of force reports suspects the application was contrary to this rule or was unlawful, he or she shall notify the Office of Inspector General without unnecessary delay.

(d) The warden or designee shall review the information and note any inappropriate actions in memorandum and attach the information to Form DC6-230, Institutions Report of Force Used. All use of force reports shall be reviewed and forwarded to the Office of Inspector General within eleven (11) business days from the date of occurrence. All videotape recordings of force applications and the original and one copy of Form DC6-230 shall be forwarded to the Office of Inspector General within eleven (11) business days. Requests for extensions for DC6-230s to be forwarded after eleven (11) days shall require authorization from the Assistant Secretary of Institutions and the Inspector General or designee.

(e) The warden shall keep all original completed forms and a copy of Form DC6-230, Institutions Report of Force Used, until notified that the final review by the Office of Inspector General is complete. All original reports pertaining to a use of force shall be retained by the warden or designee.

(f) The Office of Inspector General shall report a disposition to the warden of any use of force within fourteen (14) business days of receipt. The warden shall be noticed of any extension to the review granted by the Inspector General or designee prior to the expiration of the fourteen (14) business days. The Inspector General shall notify the warden that a case has been reviewed and action was appropriate or a further review has commenced.

(g) Any time a witness of a reported use of force chooses to make a written statement, or is a use of force participating staff member and chooses to provide additional information not annotated in the reporting officer's initial Form DC6-230, Institutions Report of Force Used, submission, such person shall complete Form DC6-230. No employee may interfere with or obstruct such reporting or order any participant or witness involved in the use of force to alter, change, or not produce a written report of an incident in which the employee was involved or which he or she observed.

(h) Upon review of the submitted documents, the Office of Inspector General shall notify the warden in writing or by electronic mail of the findings. All video recordings submitted with use of force reports shall be retained and maintained by the Office of Inspector General in accordance with records retention statutes. The Office of Inspector General shall notify the regional director and warden any time a reasonable suspicion or probable cause is found that the force administered by a staff member was not in compliance with law, rule, or procedure. The Office of Inspector General or the warden, upon referral by the Office of Inspector General, shall conduct an investigation of the incident. Any staff member who is a subject of an investigation based on suspicion or allegation that force administered with their participation was

not in compliance with this rule shall be notified by written letter when the matter is being investigated by the Office of Inspector General. Staff members shall not disclose or discuss any information concerning a use of force administrative investigation until receiving notice that a determination has been issued by the Office of Inspector General or warden. Wardens shall complete Form DC6-296, Disapproved Use of Force/Warden Disposition Report, should their review of referred cases lead to a determination that force was not appropriately used. All disciplinary actions shall be forwarded to the Human Resources Section upon completion. Form DC6-296, Disapproved Use of Force/Warden Disposition Report is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 7-25-02.

(i) The Assistant Secretary of Institutions, regional director, or warden shall be responsible for issuing any corrective action pursuant to a finding of non-compliance with this rule. Copies of the employee's report, the warden's summary, and the Office of Inspector General review and determination shall be kept in the inmate's file pursuant to public records retention law. Form DC2-802, Use of Force Log, shall be placed in every employee's personnel file. Form DC2-802 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 2-7-00. This form shall be maintained by the servicing personnel office and shall contain a record of every use of force report completed by the employee.

(j) The warden or designee shall be responsible for submitting accurate information to the personnel office in order to maintain Form DC2-802. Any use of force reports completed prior to April 15, 1998, shall remain in the file and retained for the applicable retention period.

(k) The Office of Inspector General shall notify the warden of any officer involved in eight or more use of force incidents in an eighteen month period.

(l) Any incident that necessitates the drafting of Form DC6-230, Institutions Report of Force Used, shall be reported to the Emergency Action Center (EAC).

(m) Any employee or officer who witnesses, has reasonable cause to suspect, or has knowledge that any inmate has been a victim or subject of an unlawful battery or has been abused in violation of law or the Department's administrative rules shall without unnecessary delay report the incident to the warden or designee and complete Form DC6-210, Incident Report, describing his or her observations, knowledge, or suspicion. No employee shall commit a battery on or engage in cruel or inhuman treatment of any inmate. The warden or

designee shall forward a copy of all reports involving allegations of inmate abuse, neglect, or battery to the Office of Inspector General without unnecessary delay.

(n) Officers may use reasonable physical force to restrain an inmate, upon supervision and direction of a physician or medical practitioner, for the purpose of providing necessary treatment or for the safety of an employee. The attending Qualified Health Care Provider who directs or observes medically necessary use of force shall prepare Form DC6-232, Authorization for Use of Force. Officers who use force pursuant to a physician or medical practitioner's request shall complete Form DC6-230, Institutions Report of Force Used, when actual force is used, or Form DC6-210, Incident Report, when restraints are applied with no physical resistance by the inmate, and the form shall be forwarded to the warden.

(o) The attending physician or medical practitioner shall complete Form DC4-701C, Emergency Room Record, and Form DC4-708, Diagram of Injury, with applicable data or the letters "N/A" used to indicate inapplicability. The attending physician or medical practitioner shall document the presence or absence of any injury in his or her records whenever force has been applied. Every physical examination of an inmate patient who has been the subject of an application of force shall be documented with specificity by the attending physician or medical practitioner to include extent of injury, type of injury, and a description of any injury. Any time a physician or attending medical practitioner reports reasonable suspicion of abuse of an inmate to the warden or the Office of Inspector General, it shall be reported on Form DC6-210, Incident Report.

(p) Any employee or officer who participates in the application of reactionary or organized use of force and receives or experiences any injury shall report such injury to the officer in charge. Injured staff shall be offered an opportunity to receive a medical examination. Should the employee or officer decline a post-use of force medical examination, he or she shall sign Form DC4-711A, Refusal of Health Care Services, indicating an examination was offered but declined. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Form DC4-711A is hereby incorporated by reference in Rule 33-401.105, F.A.C. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 11-28-10.

(q) When the use of four-point or five-point psychiatric restraints is authorized, and the inmate does not offer resistance to the application of the restraints, the completion of Form DC6-210, Incident Report, shall be required. In these situations where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped.

The videotape, completed Incident Report, Form DC6-232, Authorization for Use of Force Report, Form DC4-701C, Emergency Room Record, and Form DC4-708, Diagram of Injury, shall also be completed in their entirety with applicable data or the letters "N/A" used to indicate inapplicability. In each case, the examination shall be completed and result in a statement by the medical provider with appropriate description and detail of observations indicating that there is or is not an injury. The record shall provide sufficient documentation to support a conclusion and shall be forwarded to the warden or acting warden for review within one working day. Each institution shall retain the reports for the applicable retention period. If at any time prior to or during the application of the psychiatric restraints, the inmate offers resistance to the application, the steps outlined in subsection (5) shall be followed.

(12) Use of Deadly Force. For the purposes of this rule, deadly force refers to force that is likely to cause death or great bodily harm. An officer is authorized to use deadly force only when the officer believes that such force is necessary to prevent imminent death or great bodily harm to him or herself or another.

(a) Use of Firearms. In order for all concerned to be aware of their responsibilities, the procedures set forth in this rule shall be readily available at all institutions and facilities for staff review.

(b) Firearms or weapons shall be issued to an officer only upon instructions of the warden, duty warden, chief of security, or shift supervisor by the arsenal officer or the officer designated to issue weapons. Officers shall not intentionally discharge a firearm at or in the direction of another person except under the following circumstances and after all reasonable non-lethal alternatives have been exhausted, and there is no reasonable danger to innocent bystanders:

1. To prevent an escape of an inmate who is actively attempting to flee custody;

2. To prevent any conveyance to gain unauthorized entry into or exit from a correctional institution;

3. To prevent serious or life threatening injury to themselves or another person; or

4. To quell a riot.

(c) Shot guns are approved for use by the rapid response teams during riots and mass disturbances. Only #6 shot is authorized to be discharged from shotguns during attempts to cease riots or mass disturbances unless otherwise specifically authorized by the warden or designee.

(d) Weapons to be used shall be designated by the person in charge.

(e) Firearms shall not be discharged:

1. In any case where there is a reasonable belief that the life of a bystander may be endangered by discharge of the firearm;

2. From any moving vehicle unless such action is reasonably believed necessary to protect oneself or another from imminent death or great bodily harm;

3. As a warning, except during escapes;

4. Until the employee is sure that an escape is occurring or has occurred and he or she reasonably believes that the person to be fired upon is an escapee that is serving a sentence for a violation of a felony;

5. Unless the officer has positively identified an escape is occurring and the target is a Department inmate;

6. Except after all reasonable non-lethal alternatives have been exhausted; or

7. On the mere suspicion that a crime, no matter how serious, has been committed.

(f) No officer shall discharge any firearm except as authorized by Florida law.

(g) Because helicopters or other aircraft may be used during an escape or assault, the following policy shall apply:

1. When it can be done safely, actions other than firing weapons, such as waving arms in a manner to indicate disapproval to enter an area, shall be made in an attempt to cause the aircraft to leave.

2. If these attempts fail, the aircraft shall be allowed to land.

3. All inmates shall be kept away from the aircraft.

4. The aircraft shall be secured using armed security staff and shall be prevented from being flown away by securing the flight equipment with locks and chains without causing damage to the aircraft.

5. If the landing occurs due to an in-flight emergency, e.g., engine failure, staff shall maintain security of the aircraft and all occupants until their removal from the site.

6. Once the aircraft lands, efforts shall be directed to stop any inmate from boarding the aircraft. Staff are authorized to shoot any inmate attempting to escape in accordance with this rule. When circumstances permit, a verbal warning to halt and a warning shot shall be fired prior to the inmate reaching the aircraft to board.

7. If weapons are fired from an aircraft, Department personnel are authorized to return fire and use deadly force to protect the themselves and others upon property of the institution.

8. Firearms shall not be used on departing aircraft after leaving contact with the ground. Immediate notification, without delay, shall be made to the law enforcement agency of local jurisdiction and the Office of Inspector General upon an aircraft landing on Department property. The Office of Inspector General shall notify the Florida Department of Law Enforcement, Federal Bureau of Investigation, and the Federal Aviation Administration.

9. All inmates shall receive orientation in regard to this subsection of the rule. This orientation shall contain instructions indicating that should any aircraft attempt to land on or near the property of any Department facility, inmates are required to move away from the aircraft. Movement toward the aircraft by an inmate shall be viewed as an escape attempt and shall subject the inmate to the use of deadly force to prevent him or her from escaping.

10. This subsection of the rule shall be made a part of the Department's orientation program at all reception centers.

(h) Use of a conveyance to gain unauthorized entry into or exit from a correctional institution or facility. The institution or facility shall take the following steps to prevent any conveyance or vehicle from being used to gain unauthorized forced entry into or forced exit from its perimeter area:

1. Time permitting, a verbal order to halt shall be issued followed by a warning shot if the vehicle fails to stop.

2. If the vehicle does not stop and continues to be driven or operated in a manner that indicates the driver intends to or is in the process of forcibly entering or exiting the perimeter, officers may use deadly force to prevent serious injury or death to any person or to prevent the escape of an inmate.

(i) Any officer who discharges a firearm shall report the incident on Form DC6-210, Incident Report. Any officer who has fired a weapon during the performance of his or her duty, time permitting, shall secure the scene and immediately notify his or her supervisor and the Office of Inspector General. The senior officer in charge at the scene of the incident shall ensure all evidence is undisturbed, including locations of empty cartridges, until processed by a law enforcement agency or the Office of Inspector General.

(j) Any officer who accidentally or negligently discharges a Department firearm or any firearm upon institutional property shall report the incident to the warden or designee without unnecessary delay and shall complete Form DC6-210, Incident Report.

(13) Use of Deadly Force to Prevent Escape or to Recapture Escapee. Officers are authorized to use force, including deadly force, as necessary to prevent the escape of an inmate from a correctional institution.

(a) Escape attempts from inside an institutional perimeter where armed perimeter staff are assigned:

1. A loud verbal warning shall be made, if possible, instructing the inmate to stop or halt prior to the inmate's contact with any inner fence in institutions that have a double fence. A warning shot may be safely fired prior to any inmate's attempt to cross or pass over, through, or under the inner fence. The firearm shall not be fired at the inmate until he or she has begun to cross or pass over, through, or under the inner fence.

2. A loud verbal warning shall be reasonably made where possible instructing the inmate to stop or halt and a warning shot safely fired prior to the inmate's contact with the fence. A

firearm shall not be fired at the inmate until he or she has begun to cross, or to pass over, through, or under the fence in institutions that have a single fence.

3. Warning shots are authorized only as provided herein. In all other instances where deadly force is authorized during inmate escape attempts, a loud verbal warning shall be issued if time and circumstances permit.

(b) Apprehension of escaped inmates once they are outside an institutional perimeter.

1. Officers are considered to be in active pursuit of an escaped inmate who has fled from an institution or supervised work detail so long as the escape commander determines that the escape recovery efforts are active. An officer is authorized to use deadly force, after giving a loud verbal warning for the inmate to stop or halt the escape attempt, when the inmate is demonstrating a refusal to cease active flight or escape from an institution or supervised work detail. A firearm shall not be fired if it creates a hazard to persons other than the inmate.

2. The officer in charge of the incident shall be the incident commander until relieved by a higher authority or the incident is turned over to a law enforcement agency or the Office of Inspector General. The incident commander of the escape attempt shall determine when active recapture efforts are terminated. Upon order of incident termination, the incident commander of the escape attempt may provide assistance to any law enforcement agency that is conducting an investigation of the incident. Officers who are utilized to assist outside law enforcement agencies are authorized to use deadly force pursuant to Florida law.

3. Officers may provide assistance to any law enforcement agency that is seeking to capture or take into custody any inmate who has failed to return from a furlough or non-supervised outside assignment or who has escaped from any work release center. Correctional officers who are utilized to assist outside law enforcement agencies are authorized to use deadly force pursuant to Florida law.

(c) Escape attempts by inmates who are being transported or escorted outside institutional perimeters, e.g., court appearances, hearings, and medical visits, or while being supervised while in a hospital for treatment, are included within the purview of this subsection.

(14) Other authorized uses of force. The use of electronic immobilization devices (EIDs), batons, chemical agents, specialty impact munitions, or other less lethal weapons within institutions shall be authorized only by the warden or designee. Such weapons shall be utilized by officers who have completed training on their use and shall be used in accordance with manufacturer specifications. Hands-on physical force shall not be used if injury is less likely to occur by using chemical agents, specialty impact munitions, or EIDs. Batons, chemical agents, EIDs, specialty impact munitions, and other authorized less lethal weapons shall not be used on inmates who are assigned to inpatient mental health care in an infirmary.

transitional care unit, crisis stabilization unit, corrections mental health institution, or other mental health treatment facility, as such facilities are defined in Rule 33-404.103, F.A.C., except when attempts by available mental health staff to physically control dangerous or violent behavior are unsuccessful.

(a) Use of EIDs and less lethal weapons. EIDs shall not be used on anyone other than an inmate during an authorized use of force or upon any person to prevent serious injury or death. EIDs authorized by the Department include:

1. Handheld EIDs, which shall be the intermediate level of force alternative, issued primarily for the purpose of transportation and supervision of inmates outside the institution;

2. Electronic shields, which may be used by force cell extraction teams; and

3. Electronic restraint belts, which are authorized to be placed on an inmate for appearance in court, during transportation, or when the inmate is determined to be high risk or to have a history of violent behavior.

4. If possible, the shift supervisor shall counsel with the inmate, issue the final order, and be present prior to the use of an EID at an institution or during work detail or transport.

5. Handheld EIDs shall be issued to unarmed officers on any inmate transport or any outside hospital visit where firearms are issued. The chief of security or, in his or her absence, the shift supervisor shall determine the number of officers who will be issued firearms and EIDs during the transportation or movement of inmates.

6. An inmate shall be provided a medical examination and treatment as necessary any time he or she has been subject to an application of an EID or less lethal weapon. Medical staff shall, upon completing the medical examination, make a mental health referral for each inmate who is classified with a mental health grade of S-2 or S-3. A referral shall be made upon Form DC4-529, Staff Request/Referral, and forwarded to mental health staff as soon as possible. Mental health staff shall evaluate an inmate no later than the next working day to determine whether a higher level of mental health care (for example, isolation management, transitional care, or crisis stabilization) is indicated.

7. The application of force by an EID or less lethal weapon shall be reported by completion of Form DC6-230, Institutions Report of Force Used, by the officer who deployed the device.

8. EIDs and other less lethal weapons shall be stored and maintained in either the main arsenal or the control room mini-arsenal. The warden may authorize, in writing, the storage of one handheld unit and one shield in the confinement unit or close management unit. All EIDs or less lethal weapons shall be secured in a locked cabinet when not in use. The arsenal sergeant shall be responsible for the proper documentation of the maintenance, storage, and issue of EIDs and less lethal weapons.

9. All EIDs and other less lethal weapons shall be accounted for in the same manner as firearms.

10. There shall be no attempt to alter, tamper with, or repair any EID or less lethal weapon. Devices shall be sent to an authorized repair station if a malfunction occurs or repair is necessary. Any EID or less lethal weapon that is dropped or is subject to possible damage shall be immediately tested to determine if it is safe and properly functioning. EIDs shall not be used after the application of any chemical agents.

(b) Specialty impact munitions. Specialty impact munitions shall be used primarily by the Department's designated armed response teams, rapid response teams and correctional emergency response teams during riots and disturbances. They are intended as a less lethal alternative to the use of deadly force. Specialty impact munitions shall not be used on anyone other than an inmate during an authorized use of force.

1. The following specialty impact munitions have been approved for use by the Department:

a. 37/40-mm rubber ball pellet rounds (minimum engagement distance is 15 feet);

b. 12 gauge rubber ball pellet rounds – high velocity (minimum engagement distance is 15 feet);

c. 12 gauge rubber ball pellet rounds – low velocity (minimum engagement distance is 3 feet);

d. 12 gauge drag stabilized (bean bag) rounds (minimum engagement distance is 15 feet);

e. 37/40-mm wooden baton rounds (minimum engagement distance is – skip fired 6 feet in front of target, no direct fire);

f. stinger rubber ball grenades (no minimum engagement distance – stun grenade);

g. 40-mm exact/direct impact – OC marking rounds/short range (minimum engagement distance is 5 feet); and

h. 40-mm exact/direct impact – OC marking rounds/long range (minimum engagement distance is 25 feet).

2. Selection and deployment of specialty impact munitions during a riot or disturbance or other instance where less lethal force options are needed shall be authorized by the Secretary, regional director, or warden or designee. The use of all specialty impact munitions shall be supervised by the tactical field operations leaders, designated armed response team, rapid response team or correctional emergency response team leader.

3. Specialty impact munitions shall only be used after all other reasonable alternatives to regain control have been exhausted and their use is necessary. They are intended to be used as an interim force response between the use of chemical agents and lethal force.

4. Specialty impact munitions shall not be deployed in the direction of any individual in a manner contrary to the manufacturer's directions or at a distance of less than that recommended by the manufacturer, unless the threat of bodily harm or death justifies the escalation to deadly force.

5. Storage of Specialty Impact Munitions.

a. Specialty impact munitions shall be stored and maintained in the main arsenal.

b. Specialty impact munitions shall not be mixed with lethal munitions. Weapons designated to deploy specialty impact munitions shall be marked in a manner to alert staff of their intended use.

c. All specialty impact munitions shall be accounted for in the same manner as firearms and ammunition.

6. After each use of specialty impact munitions, exposed inmates shall be examined by medical personnel.

7. In any case where specialty impact munitions are deployed, the incident shall be recorded on Form DC6-230, Institutions Report of Force Used.

(c) Pepperball Launching System (PLS). The PLS shall be used primarily by restricted labor squad supervisors and exercise officers for confinement, close management, maximum management, and death row populations. The PLS is intended for the dispersal of chemical agents in situations where the use of aerosol-type agents would not be effective due to weather conditions or when their use could subject the officer or uninvolved inmates to injury. The PLS shall only be employed by officers trained in their use and effects.

1. The Secretary shall designate those institutions authorized to use the PLS.

2. In controlled situations when time constraints are not an issue, the PLS can only be used if authorized by the warden or designee. The warden or designee shall only authorize trained and certified officers to use the PLS.

3. The PLS is authorized for use to quell mass disturbances, violent events, assaults, and fights among inmates assigned to restricted labor squads. Authorized activation of the PLS by staff assigned to restricted labor squads does not constitute deadly force.

4. PLS is authorized for use in confinement, close management, maximum management, and death row recreation areas to quell mass disturbances, violent events, assaults, and fights among inmates.

5. PLS is classified as less-than-lethal at all distances, but, unless the incident necessitates otherwise, it should be primarily utilized at a distance of five (5) feet or greater to prevent the inmate from attempting to take control of the launcher.

6. Written authorization from the warden or designee shall be received prior to utilization of the PLS for situations other than those described in subparagraphs 3. and 4. above. This written authorization shall detail the reasons it was necessary to utilize the PLS in addition to or in place of aerosol-type chemical agents.

7. All subsequent reports, medical requirements, and reviews required for the use of chemical agents as outlined in this rule shall be completed after the use of the PLS.

8. Each assigned PLS system shall be numbered, maintained, and inventoried by the shift supervisor or designee on Form DC6-216, Chemical Agent Accountability Log.

(15) Medical Attention Following Use of Force. Appropriate medical treatment shall be provided immediately or, in the case of a riot or other man-made or natural disaster, as soon as possible following resolution of the riot or disaster. Any treatment or follow-up action shall be documented on Form DC6-230, Institutions Report of Force Used. A health care provider shall examine any person physically involved in a use of force to determine the extent of injury, if any, and shall prepare a report that shall include a statement of whether further examination by a physician is necessary. Any noticeable physical injury shall be examined by a physician, and the physician shall prepare a report documenting the extent of the injury and the treatment prescribed. Such report shall be completed within one (1) business day of the incident and shall be submitted to the warden for initial review. The qualified health provider and physician shall use Form DC4-701C, Emergency Room Record, to document an examination following use of force. Form DC4-708, Diagram of Injury, shall be used along with Form DC4-701C to document observed or known physical injuries. A copy of the report, including referenced forms, shall be attached to Form DC6-230. The original reports shall be filed in the inmate's medical record.

(16) No weapon shall be issued for any purpose other than the authorized use of force or to a certified training officer for the purpose of approved training without prior written authorization from the warden or designee.

Rulemaking Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, 8-4-08, 1-6-09, 5-26-09, 4-8-10, 9-13-10.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeffery T. Beasley, Inspector General

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-2.091
 RULE TITLE: Publications Incorporated by Reference

PURPOSE AND EFFECT: To amend Rule 40E-2.091, F.A.C., and Section 3.2.3.2.B.2 of the Basis of Review for Water Use Permit Applications within the South Florida Water Management District to require minor general water use permit applicants located within a mandatory reuse zone to perform an end user feasibility evaluation, and to delete that portion of Section 3.2.3 of the Basis of Review for Water Use Applications within the South Florida Water Management District which refers to Chapter 40E-23, F.A.C.

SUMMARY: To incorporate an updated version of the Basis of Review.

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.

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: 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 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 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, ext. 6941 or

(561)682-6941 or by email to pglebock@sfwmd.gov. For procedural questions, please contact Kathie Ruff, 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 RULE IS:

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~March 18, 2010,~~” is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.

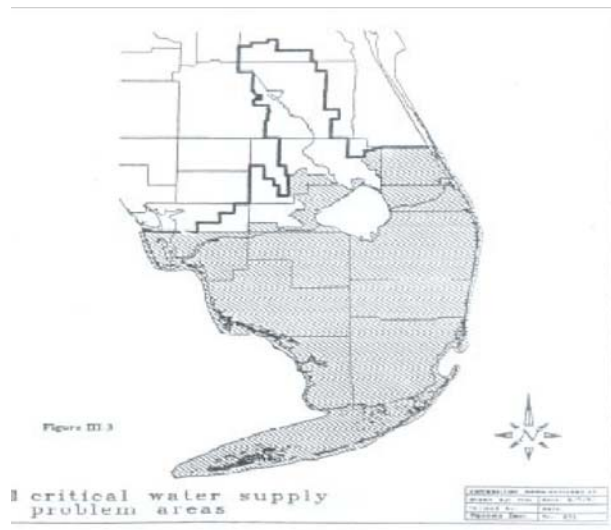
3.2.3 Reclaimed Water Reuse Criteria

The encouragement and promotion of water conservation and use of reclaimed water are state objectives and considered to be in the public interest. In Section 373.250, F.S., the Legislature finds that use of reclaimed water provided by domestic wastewater treatment plants permitted and operated under a reuse program approved by the Florida Department of Environmental Protection is environmentally acceptable and not a threat to public health and safety. Based upon the statutory guidance and the delineation of feasibility factors found in the State Water Policy, Chapter 17-40, F.A.C., the Governing Board determines that, in those areas of the District which are not designated a Critical Water Supply Problem Area pursuant to Chapter 40E-23, (see figure III-3), when reclaimed water is readily available it must be used in place of higher quality water sources, unless it is demonstrated by the Applicant that its use is either not environmentally, economically or technically feasible. In determining whether reclaimed water is readily available, the District will consider the following factors:

- A. Whether a suitable source of reclaimed water exists;
- B. Whether the source is offered to or controlled by the Applicant; and
- C. Whether the Applicant is capable of accessing the source through distribution lines.

~~In those areas of the District which are designated as Critical Water Supply Problem Areas pursuant to Chapter 40E-23, reclaimed water is required to be used, unless it is demonstrated by the Applicant that its use is either not environmentally, economically or technically feasible.~~

~~Figure III-3~~



3.2.3.2 Reuse Requirements

The encouragement and promotion of water conservation and use of reclaimed water are state objectives and considered to be in the public interest. In Section 373.250, F.S., the Legislature finds that use of reclaimed water provided by domestic wastewater treatment plants, permitted and operated under a reuse program approved by the Department, is environmentally acceptable and not a threat to public health and safety. Permit applicants must evaluate the feasibility of using reclaimed water to meet all or a portion of their needs, as follows:

- A. No change.
- B. End User Feasibility Evaluation: ~~In all areas of the District, excluding those covered by Section 3.2.3.2.A., reclaimed water must be used, unless the applicant demonstrates that such use is not environmentally, technically or economically feasible. When reclaimed water is readily available it must be used in place of higher quality water sources, unless it is demonstrated by the Applicant that its use is either not environmentally, economically or technically feasible.~~ The following criteria are used to demonstrate feasibility:
 1. Environmental Feasibility: Reclaimed water reuse is considered environmentally feasible if the Department has permitted the reuse facility that will provide the reclaimed water supply and has permitted the use or discharge of the reclaimed water to the receiving water body, if applicable.
 2. Technical Feasibility: In performing the technical feasibility portion of the evaluation, the applicant shall contact the applicable reuse utility and request a letter

stating that reclaimed water is not available or provide the following information and consider the response provided by the reuse utility in its evaluation:

- (a) Whether a reclaimed water distribution line is at the applicant's project boundary.
- (b) If a reclaimed water distribution line is not at the project boundary, then:
 - (i) Estimate the distance in feet from applicant's project to the nearest potential connection point to a reuse line.
 - (ii) The date the reuse utility anticipates bringing the connection to the applicant's project boundary.
- (c) If reclaimed water is available at the project boundary, then:
 - (i) The minimum quantity in gallons per day of reclaimed water supply available from the nearest potential connection point under a 1-in-10 year drought condition.
 - (ii) The reliability of the potential reclaimed water supply (i.e., on-demand 24/7, or bulk-interruptible diurnal or seasonal, length of supply agreement, or other basis).
 - (iii) The typical operating pressures at which the reuse utility will provide reclaimed water at the nearest connection point to the applicant's project, including any typical seasonal or other fluctuations in the operating pressure.
 - (iv) The water quality parameters of the reclaimed water for the constituents that the applicant has identified as pertinent to the intended use.

Reclaimed water reuse is considered technically feasible if ~~an uncommitted, adequate supply of~~ reclaimed water is available at the site of the proposed use to meet all or part of the applicant's water needs. ~~An uncommitted supply of reclaimed water means the average amount of reclaimed water produced during the three lowest flow months minus the amount of reclaimed water that the reclaimed water provider is contractually obligated to provide to another customer or user. An adequate supply of reclaimed water means a reasonable volume for the use as defined herein. In the event the uncommitted supply of reclaimed water available is not adequate to fully meet the project's 1-in-10 year drought demands, the applicant may request a partial allocation of water from a non-reclaimed water source. However, such partial allocation will not exceed that amount necessary to compensate for the shortfall in uncommitted reclaimed water supply, in light of total project demands calculated pursuant to the Basis of Review. Available at the project site means the utility has initially provided the distribution facilities at its cost to the project boundary. In the event distribution lines are not provided at the project boundary, the applicant must then provide an assessment of extending the lines to the project as a part of the economic feasibility analysis.~~

3. Economic Feasibility: If the applicant asserts that reuse is not economically feasible, then the applicant must provide the District with an assessment of the economic feasibility of use of reclaimed water use. In performing the assessment, the applicant shall contact the applicable reuse utility and request a letter stating that reclaimed water is not available or provide the following information and consider the response provided by the reuse utility in its analysis:
- (a) The reclaimed water rate(s) the reuse utility would charge the applicant (e.g., the cost per/1000 gallons) and any other periodic, fixed, or minimum charges for use of reclaimed water by the applicant.
 - (b) The reclaimed water availability charges the reuse utility would charge the applicant in lieu of connection to the reclaimed system.
 - (c) Other one-time charges for the connection to the reuse.
 - (d) Whether the reuse utility helps fund potential reclaimed customers' costs to connect to the reclaimed line or convert its operation to use reclaimed water.

The applicant's economic feasibility analysis must consider all of the following:

- (a) Costs associated with purchase of a reclaimed water supply source including: i. pump and distribution costs, ii. storage costs, iii. monthly rates charged for the reclaimed water supply, and iv. costs associated with risk of loss of reclaimed supply;
- (b) Costs associated with development of an otherwise permissible supply source including: i. well, pump, and distribution; and ii. operational costs including increased fertilizer costs, where applicable, power costs, pumping, and system operation and maintenance costs;
- (c) Alteration in the rates charged by the permit applicant's business to account for costs associated with using reclaimed water; and
- (d) Other factors affecting the economic feasibility of using reclaimed water as proposed by a permit applicant in light of their particular situation.

If the reuse utility fails to respond or does not provide the information within 30 days after receipt of the applicant's request, the applicant shall 1) provide the District a copy of the applicant's written request and a statement that the reuse utility failed to provide the requested information; and, 2) complete the end user feasibility evaluation with the best available information.

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-20.091	Publications Incorporated by Reference
40E-20.301	Conditions for Issuance of General Water Use Permits

PURPOSE AND EFFECT: To amend Rules 40E-20.091, F.A.C., and paragraph 40E-20.301(1)(h), F.A.C., and Section 3.2.3.2.B.2 of the Basis of Review for Water Use Permit Application within the South Florida Water Management District to require water use permit applicants to obtain written documentation from their local reclaimed water provider addressing the availability of reclaimed water, to require minor general water use permit applicants located within a mandatory reuse zone to perform an end user feasibility evaluation, and to delete that portion of Section 3.2.3 of the Basis of Review for Water Use Applications within the South Florida Water Management District which refers to Chapter 40E-23, F.A.C.

SUMMARY: To incorporate an updated version of the Basis of Review and to address the need for end user feasibility evaluations.

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.

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: 373.223, 373.229, 373.250 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, 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-20.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~March 18, 2010~~,” is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.171, 373.223, 373.229 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.

See Notice of Proposed Rule 40E-2.091, F.A.C. for amendments to “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”

40E-20.301 Conditions for Issuance of General Water Use Permits.

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

(h) For uses with a recommended maximum allocation which exceeds 3 million gallons per month or uses within a mandatory reuse zone, makes use of a reclaimed water source in accordance with the criteria contained in the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-20.091, F.A.C.

(i) through (k) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.1501, 373.1502, 373.223, 373.229, 373.2295, 373.470 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, 7-2-09, _____.

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-23.011	Policy and Purpose
40E-23.021	Definitions
40E-23.023	Boundaries
40E-23.031	Implementation
40E-23.043	Application
40E-23.053	Criteria for Designation

PURPOSE AND EFFECT: To repeal Chapter 40E-23, F.A.C., and that portion of Section 3.2.3 of the Basis of Review for Water Use Applications within the South Florida Water Management District which refers to Chapter 40E-23, F.A.C., because these rules are unnecessary given the requirement to perform an end user feasibility evaluation contained in Section 3.2.3.2 of the Basis of Review.

SUMMARY: To repeal unnecessary 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. 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:

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: 373.223, 373.229, 373.250 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, 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-23.011 Policy and Purpose.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.103(1), 373.216-.249, 403.064(1) FS. History–New 11-17-91, Repealed.

40E-23.021 Definitions.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.216-.249, 403.064(1) FS. History–New 11-17-91, Repealed.

40E-23.023 Boundaries.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.216-.249, 403.064(1) FS. History–New 11-17-91, Repealed.

40E-23.031 Implementation.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.216-.249, 403.064(1) FS. History–New 11-17-91, Repealed.

40E-23.043 Application.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.216-.249, 403.064(1) FS. History–New 11-17-91, Amended 7-11-96, 4-9-97, 12-10-97, Repealed.

40E-23.053 Criteria for Designation.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.023, 373.216-.249, 403.064(1) FS. History–New 11-17-91, Amended 7-11-96, 4-9-97, 12-10-97, Repealed.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0135 RULE TITLE: Dental Hygiene Examination

PURPOSE AND EFFECT: Comprehensive review and analysis to upgrade rule and to implement the 2012 legislative changes.

SUMMARY: Comprehensive review and analysis to upgrade rule and to implement the 2012 legislative 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: 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: 466.004(4) FS.

LAW IMPLEMENTED: 466.007 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-2.0135 follows. See Florida Administrative Code for present text)

64B5-2.0135 Dental Hygiene Examination.

(1) Practical or Clinical Examination:

(a) Currently, the Florida practical or clinical examination is the Dental Hygiene Examination developed by the American Board of Dental Examiners, Inc. (ADEX) and administered by the North Eastern Regional Board, Inc. (NERB). Any ADEX Dental Hygiene Examination administered after June 1, 2010, will meet the clinical or practical examination requirement, regardless of the jurisdiction in which the exam was administered.

(b) Any dental hygiene applicant, who fails to pass the Practical or Clinical Examination in three (3) attempts, shall not be eligible for reexamination until the successful completion of one academic semester of clinical course work at the senior clinical practice level at a dental hygiene school approved by the American Dental Association Commission on Accreditation. A failure to comply with the remedial course work in this paragraph will result in a denial of licensure or a denial to sit for reexamination.

(c) The Board of Dentistry hereby approves the practical or clinical Dental Hygiene Examination developed by ADEX. All ADEX clinical or practical examination procedures, standards, and criteria are approved and shall remain approved contingent on the Board of Dentistry maintaining representation on the ADEX House of Representatives and the ADEX Dental Hygiene Examination Development Committee.

(2) Laws and Rules Examination:

(a) The written examination shall be an examination covering the laws and rules applicable to the practice of a health care profession, the practice of dentistry and the practice of dental hygiene in the State of Florida.

(b) The examination shall, at a minimum, cover the following subject areas:

1. The provisions of Chapter 466, Florida Statutes;
2. The provisions of Chapter 456, Florida Statutes; and
3. The provisions of Title 64B5, Florida Administrative Code.

(c) No more than three percent (3%) of the examination shall cover the topic of Chapter 456, Florida Statutes.

(3) Grading, Passing Results, and Time Requirements:

(a) The practical or clinical examination administered in the State of Florida shall be graded by Florida licensed dentists and hygienists.

(b) The practical or clinical examination must be completed with a score of seventy-five (75) points or greater on both portions of the examinations, whether administered in Florida or another jurisdiction.

(c) The written examination shall be completed with a seventy-five percent (75%) or greater.

(d) In order to be eligible for licensure, the written examination must be completed within eighteen (18) months of successfully completing the practical or clinical examination. If the applicant takes a board approved laws and rules course governing the practice of health care professions and dental and dental hygiene, the eighteen months is extended to twenty-four (24) months. The course must be attended in person and consist of no fewer than five (5) clock hours.

(4) Historical Note Florida Dental Hygiene Exam:

(a) On March 23, 2011, legislation became effective, SB 1040, which amended Section 466.007, Florida Statutes. Beginning July 1, 2012, the amendment made the Florida Dental Hygiene Exam the hygiene examination developed by ADEX.

(b) Prior to the legislative change, the Board voted and implemented the Dental Hygiene Exam developed by ADEX and set June 1, 2010, as the controlling date for acceptance of this exam. Preceding June 1, 2010, the hygiene examination was an independent administered state exam.

(c) In accordance with the applicable rules and statutes, June 1, 2010, is the earliest date the Board shall accept for a valid Dental Hygiene Exam developed by ADEX, as this is the earliest date the Board and Council found the ADEX exam met the requirements of Section 466.007, Florida Statutes.

Rulemaking Authority ~~456.017, 466.004(4), 466.007~~ FS. Law Implemented ~~456.017, 466.007, 466.009(3)~~ FS. History—New 3-16-82, Amended 5-2-84, 5-19-85, 10-8-85, 12-8-85, Formerly 21G-2.135, Amended 12-31-86, 10-19-87, 2-21-88, 5-29-88, Formerly 21G-2.0135, 61F5-2.0135, Amended 11-15-95, Formerly 59Q-2.0135, Amended 10-31-01, 7-6-05, 12-31-09, 10-10-10, 12-28-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Dental Hygiene

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2012

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:
64B5-2.014

RULE TITLE:
Licensure Requirements for
Applicants from Accredited
Schools or Colleges

PURPOSE AND EFFECT: To make non-substantive revisions and to incorporate the changes made by Ch. 2012-14, Laws of Florida which impacts dental hygiene licensure requirements.

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: 466.004(4), 466.017(3), 466.017(6) FS.

LAW IMPLEMENTED: 466.002(3), 466.017(3), 466.017(5) 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-14.001 Definitions.

(1) through (12) No change.

(13) Qualified Anesthetist: means an Advanced Registered Nurse Practitioner who is licensed in this state to practice professional nursing and who is certified in the advanced or specialized nursing practice as a certified registered nurse anesthetist pursuant to Chapter 464, Part I, Florida Statutes.

(14) Certified Registered Dental Hygienist: means any Florida licensed dental hygienist who is certified by the Board and has received a certificate from the Department of Health that allows the administration of local anesthesia while the CRDH is appropriately supervised by a Florida licensed dentist.

Rulemaking Authority 466.004(4), 466.017(3), 466.17(6) FS. Law Implemented 466.002(3), 466.017(3), 466.017(5) FS. History—New 1-31-80, Amended 4-7-86, Formerly 21G-14.01, Amended 12-31-86, 6-1-87, 9-1-87, 2-1-93, Formerly 21G-14.001, Amended 12-20-93, Formerly 61F5-14.001, Amended 8-8-96, Formerly 59Q-14.001, Amended 3-9-03, 11-4-03, 7-3-06, 6-11-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Dental Hygiene

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2012

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.002 RULE TITLE: Prohibitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to update the rule to comply with recent legislation allowing the administration of local anesthesia by properly credentialed dental hygienists.

SUMMARY: The Board proposes this rule amendment to update the rule to comply with recent legislation allowing the administration of local anesthesia by properly credentialed dental hygienists.

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: 466.004(4), 466.017(3), 466.017(6) FS.

LAW IMPLEMENTED: 466.017(5) 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-14.002 Prohibitions.

(1) through (2) No change.

(3) Pediatric Conscious Sedation: No dentist licensed in this State shall administer Pediatric Conscious Sedation in the practice of dentistry until such dentist has obtained a permit as required by the provisions of this rule chapter.

(4) No change.

(5) Local anesthesia. Dentists licensed in this State may use local anesthetics to produce local anesthesia in the course of their practice of dentistry. Certified Registered Dental Hygienists are the only hygienists allowed to administer local anesthesia.

(6) through (8) No change.

Rulemaking Authority 466.004(4), 466.017(3), ~~466.017(6)~~ FS. Law Implemented 466.017(3), ~~466.017(5)~~ FS. History—New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.02, 21G-14.002, Amended 12-20-93, Formerly 61F5-14.002, Amended 8-8-96, Formerly 59Q-14.002, Amended 3-9-03, 11-4-03, 6-15-06, 12-25-06, 12-11-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Dental Hygiene (May 3, 2012); Anesthesia Committee. (May 7, 2012)

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2012

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.006
 RULE TITLE: Reporting Adverse Occurrences

PURPOSE AND EFFECT: The Board proposes this rule amendment to add reporting requirements for dental hygienists that are properly credentialed to administer local anesthesia and to review other necessary changes for reporting requirements.

SUMMARY: The Board proposes this rule amendment to add reporting requirements for dental hygienists that are properly credentialed to administer local anesthesia and to review other necessary changes for reporting requirements.

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: 466.004(4), 466.017(3), 466.017(6) FS.

LAW IMPLEMENTED: 466.017(3), 466.017(5) 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-14.006 follows. See Florida Administrative Code for present text)

64B5-14.006 Reporting Adverse Occurrences.

(1) Definitions:

(a) Adverse occurrence – means any mortality that occurs during or as the result of a dental procedure, or an incident that results in the temporary or permanent physical or mental injury that requires hospitalization or emergency room treatment of a dental patient that occurred during or as a direct result of the use of general anesthesia, deep sedation, conscious sedation, pediatric conscious sedation, oral sedation, minimal sedation (anxiolysis), nitrous oxide, or local anesthesia.

(b) Supervising Dentist – means the dentist that was directly responsible for supervising the Certified Registered Dental Hygienist (CRDH) who is authorized by proper credentials to administer local anesthesia.

(2) Dentists: Any dentist practicing in the State of Florida must notify the Board in writing by registered mail within forty-eight hours (48 hrs.) of any mortality or other adverse occurrence that occurs in the dentist’s outpatient facility. A complete written report shall be filed with the Board within thirty (30) days of the mortality or other adverse occurrence. The complete written report shall, at a minimum, include the following:

(a) The name, address, and telephone number of the patient;

(b) A detailed description of the dental procedure;

(c) A detailed description of the preoperative physical condition of the patient;

(d) A detailed list of the drugs administered and the dosage administered;

(e) A detailed description of the techniques utilized in administering the drugs;

(f) A detailed description of the adverse occurrence, to include 1) the onset and type of complications and the onset and type of symptoms experienced by the patient; 2) the onset and type of treatment rendered to the patient; and 3) the onset and type of response of the patient to the treatment rendered; and

(g) A list of all witnesses and their contact information to include their address.

(3) A failure by the dentist to timely and completely comply with all the reporting requirements mandated by this Rule is a basis for disciplinary action by the Board, pursuant to Section 468.028(1), Florida Statutes.

(4) Certified Registered Dental Hygienists: Any CRDH administering local anesthesia must notify the Board, in writing by registered mail within forty-eight hours (48 hrs.) of any adverse occurrence that was related to or the result of the administration of local anesthesia. A complete written report shall be filed with the Board within thirty (30) days of the mortality or other adverse occurrence. The complete written report shall, at a minimum, include the following:

(a) The name, address, and telephone number of the supervising dentist;

(b) The name, address, and telephone number of the patient;

(c) A detailed description of the dental procedure;

(d) A detailed description of the preoperative physical condition of the patient;

(e) A detailed list of the local anesthesia administered and the dosage of the local anesthesia administered;

(f) A detailed description of the techniques utilized in administering the drugs;

(g) A detailed description of any other drugs the patient had taken or was administered;

(h) A detailed description of the adverse occurrence, to include 1) the onset and type of complications and the onset and type of symptoms experienced by the patient; 2) the onset and type of treatment rendered to the patient; and 3) the onset and type of response of the patient to the treatment rendered; and

(i) A list of all witnesses and their contact information to include their address.

(5) A failure by the hygienist to timely and completely comply with all the reporting requirements mandated by this Rule is a basis for disciplinary action by the Board pursuant to Section 468.028(1), Florida Statutes.

(6) Supervising Dentist:

If a Certified Registered Dental Hygienist is required to file a report under the provisions of this rule, the supervising dentist shall also file a contemporaneous report in accordance with subsection (2).

(7) The initial and complete reports required by this rule shall be mailed to: The Florida Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Rulemaking Authority 466.004(4), 466.017(3), 466.017(6) FS. Law Implemented 466.017(3), 466.017(5) FS. History—New 2-12-86, Amended 3-27-90, Formerly 21G-14.006, Amended 12-20-93, Formerly 61F5-14.006, Amended 8-8-96, Formerly 59Q-14.006, Amended 11-4-03, 12-25-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Dental Hygiene & Anesthesia Committee
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.006
 RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: The Board proposes this rule amendment to implement the 2012 legislative changes.

SUMMARY: The Board proposes this rule amendment to implement the 2012 legislative changes by adding a delegable task to a dental hygienist.

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: 466.004(4), 466.017(6), 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.017(5), 466.023, 466.024 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) through (5) No change.

(6) Administration of Local Anesthesia:

(a) Notwithstanding Section 466.003(11), Florida Statutes, the administration of local anesthesia becomes a remediable and delegable task if a Florida licensed dental hygienist has been appropriately certified by the Board and has received a certificate from the Florida Department of Health authorizing the dental hygienist to administer local anesthesia in compliance with and pursuant to Section 466.017(5), Florida Statutes. Upon the issuance of the certificate, the hygienist will be referred to as a Certified Registered Dental Hygienist.

(b) Under direct supervision, a CRDH may administer local anesthesia in accordance with the following:

1. The patient must be eighteen years of age or older;

2. The patient must not be sedated; and

3. The CRDH may administer intraoral block and soft tissue infiltration anesthesia.

(c) A Registered Dental Hygienist may apply for certification as a Certified Registered Dental Hygienist after completion of the required education mandated by Section 466.017(5), Florida Statutes and in accordance with Rule 64B5-14.003, Florida Administrative Code.

Rulemaking Authority 466.004(4), 466.017(6), 466.023, 466.024 FS. Law Implemented 466.017(5), 466.023, 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08, 7-20-09, 10-17-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Dental Hygiene

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2012

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-14.0038 Recreational Snapper Seasons

PURPOSE, EFFECT AND SUMMARY: The purpose of this draft rule amendment is to achieve consistency between the Commission’s Reef Fish Rule on the recreational season for red snapper in the Gulf of Mexico and rules that NOAA Fisheries Service plans to implement on June 29, 2012. Reef fish (including red snapper) are managed in Gulf federal waters adjacent to Florida by the Gulf of Mexico Fisheries Management Council, of which Florida is a voting member. The effect of this rule amendment is to allow a 40-day open season for the recreational harvest of red snapper in Gulf state waters that would contribute to the federal rebuilding plan and reduce the likelihood of exceeding the federal recreational quota for red snapper. With this rule amendment, federal and state regulations will be consistently applied. This minimizes public confusion, aids enforceability, and contributes to the overall health and status of red snapper in the Gulf of Mexico. Rule 68B-14.0038 (Recreational Snapper Seasons) would be modified to allow the harvest of red snapper in state waters of the Gulf of Mexico from June 1 through July 10 each year.

SUMMARY: Rule 68B-14.0038, F.A.C., (Recreational Snapper Seasons) would be modified to allow a 40-day open season for the recreational harvest of red snapper in state waters of the Gulf of Mexico from June 1 through July 10 each year.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

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

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE

PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0038 Recreational Snapper Seasons.

(1) Recreational Red Snapper Season. In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from June 1 through July ~~10~~ ~~18~~, each year (consistent with the Federal Standard established in vol. ~~77~~ ~~76~~ of the Fed. Reg. page ~~31734~~ ~~23911~~). Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from July ~~11~~ ~~19~~ through May 31, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper.

(2) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-20-98, Formerly 46-14.0038, Amended 12-30-99, 3-12-09, 8-7-09, 10-16-09, 6-4-10, 10-8-10, 7-22-11, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-37.084	Definitions
69A-37.085	Eligibility Requirements for Supplemental Compensation
69A-37.086	Application for Eligibility Determination
69A-37.089	Employing Agency Request for Reimbursement
69A-37.090	Supplemental Compensation Forms

PURPOSE AND EFFECT: The proposed amendments address implementation issues that arose after the rules were last amended on March 11, 2011, to require regionally accredited bachelor’s degrees for supplemental compensation eligibility.

SUMMARY: The proposed amendments clarify which firefighters are eligible for supplemental compensation and eliminate the transfer exception in subsection 69A-37.084(1), F.A.C. The proposed amendments define the terms “coursework applicable for fire department duties,” “nationally accredited” and “regionally accredited”; provide that an employing agency will not be reimbursed for payment made to an ineligible firefighter; and incorporate several forms 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: The Department conducted an economic analysis of the potential impact of the proposed changes and determined that there will be no adverse economic impact or regulatory increases that would 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: 633.45(2)(a) FS.

LAW IMPLEMENTED: 633.382 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: July 6, 2012, 1:30 p.m.

PLACE: Fire College, Bureau of Fire Standards and Training, 11655 N.W. Gainesville Rd., Ocala, FL 34482

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: Bill Wentlandt at (352)369-2829 or Bill.Wentlandt@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Wentlandt, Assistant Superintendent, Bureau of Fire Standards and Training, Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, FL 34482-1486, Phone (352)369-2829 or Bill.Wentlandt@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-37.084 Definitions.

In addition to the terms defined in Section 633.382(1), F.S., the following terms will have the following meanings for purposes of Rules 69A-37.082 through ~~69A-37.090~~ ~~69A-37.089~~, F.A.C.:

(1) “Coursework applicable to fire department duties” means completed courses in the major field of study for an associate degree or a bachelor’s degree, which relate in a meaningful way to fire department duties included in the firefighter’s job description. The determination of whether the

~~completed courses constitute coursework applicable to fire department duties shall depend on the content of the individual courses and not solely on the title of the degree conferred. "Accredited" means recognized as having sufficient academic standards to qualify graduates by having been awarded accreditation from a regional accrediting agency that is recognized by the U.S. Department of Education. Documentation that a regional accredited Florida public or private university or college will accept a degree for transfer purposes will also be accepted for accreditation purposes.~~

(2) "Eligible Associate Degree" means an Associate ~~in~~ of Arts or Associate ~~in~~ of Science degree conferred by a ~~public or private~~ university or college in which required coursework ~~the firefighter successfully completed courses that are~~ applicable to fire department duties, ~~as defined in subsection (4).~~

(3) "Eligible Bachelor's Degree" means a bachelor's degree that required coursework applicable to fire department duties and that was conferred by a:

(a) Regionally ~~regional~~ accredited ~~public or private~~ university or college;

(b) University or college located outside of the United States if a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services determines in writing that the degree is the equivalent of a bachelor's degree conferred by a regionally accredited university or college;

(c) Nationally accredited university or college if the degree recipient was determined eligible by the division for supplemental compensation for that degree pursuant to an application for eligibility determination submitted to the division before March 14, 2011; or

(d) Nationally accredited university or college on or before [12 months after effective date of this rule], if the degree recipient submits a completed application for eligibility determination to the division on or before [14 months after the effective date of this rule], applicable to fire department duties, as defined in subsection (4).

(4) "Nationally accredited" means accredited by an accrediting agency recognized by the U.S. Department of Education, but which is not a regional accrediting agency listed in subsection (5). ~~"Applicable to fire department duties" means degree courses that add value to fire department employment.~~

(5) "Regionally accredited" means accredited by one of the following regional accrediting agencies recognized by the U.S. Department of Education:

(a) The Middle States Association of Colleges and Secondary Schools, Commission on Higher Education;

(b) The New England Association of Schools and Colleges, Commission on Institutions of Higher Education;

(c) The North Central Association of Colleges and Schools;

(d) The Northwest Commission on Colleges and Universities;

(e) The Southern Association of Colleges and Schools, Commission on Colleges; or

(f) Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities or Accrediting Commission for Community and Junior Colleges.

(6)~~(5)~~ "Supplemental Compensation" means funds that may be paid to eligible firefighters by employing agencies pursuant to Section 633.382, F.S., and this rule chapter, in addition to any regular compensation paid by the employing agencies.

Rulemaking Authority 633.45(2)(a) FS. Law Implemented 633.382(2) FS. History—New 1-3-90, Amended 3-20-95, 7-17-00, Formerly 4A-37.084, Amended 3-14-11, _____.

69A-37.085 Eligibility Requirements for Supplemental Compensation.

(1) ~~To be eligible to receive Supplemental Compensation, the employing agency must meet the definition in Section 633.382, F.S., and the firefighter must meet all of the following requirements:~~

(a)~~(1)~~ Be certified as a firefighter pursuant to Section 633.35, F.S.;

(b)~~(2)~~ Possess an eligible associate degree ~~Associate or eligible bachelor's degree.~~

(c)~~(3)~~ Be employed full time as a firefighter by an employing agency.

(2)~~(4)~~ ~~A~~ ~~No~~ firefighter shall ~~not~~ be eligible to receive supplemental compensation for more than one degree. If the firefighter holds two or more ~~than one~~ eligible degrees of which one or more is an eligible bachelor's degree, compensation will be paid for one eligible bachelor's ~~the~~ ~~bachelors~~ degree.

(3)~~(5)~~ ~~A firefighter~~ ~~An employing agency is ineligible~~ ~~not~~ eligible to receive supplemental compensation ~~be reimbursed for a firefighter's supplemental pay when the firefighter.~~

(a) ~~Is~~ ~~The firefighter is~~ no longer employed by the employing agency;

(b) ~~Is~~ ~~The firefighter is~~ transferred to a position for which the firefighter's degree no longer qualifies him or her;

(c) ~~Is~~ ~~The firefighter is~~ no longer employed in a full time capacity;

(d) ~~Takes~~ ~~The firefighter takes~~ a leave of absence without pay;

(e) ~~Is~~ ~~The firefighter is~~ suspended without pay; or

(f) ~~Is~~ ~~The firefighter is~~ no longer certified pursuant to Section 633.35+, F.S.

(4) If a firefighter becomes ineligible for supplemental compensation, the employing agency shall submit Form DFS-K4-1055, "Firefighters Supplemental Compensation Program Notice of Ineligibility," which is incorporated by reference in Rule 69A-37.090, F.A.C., to the division within 10 business days after the date upon which ineligibility occurred.

An employing agency shall not be reimbursed by the division for the payment of supplemental compensation to an ineligible firefighter on or after the date upon which ineligibility occurred.

~~(6) The effective date of ineligibility shall be that date on which the firefighter ceases to receive compensation from the employing agency for performing the duties of a full-time firefighter.~~

Rulemaking Authority 633.45(2)(a) FS. Law Implemented 633.382(1), (2), (4) FS. History—New 1-3-90, Amended 3-20-95, Formerly 4A-37.085, Amended 3-14-11, _____.

69A-37.086 Application Request for Eligibility Determination.

(1) To participate in the Firefighters Supplemental Compensation Program, a firefighter shall submit the:

~~(a) Form DFS-K4-1057, “Application Whenever a question arises as to the eligibility of an employing agency to be reimbursed for Initial Entry,” which is incorporated by reference in Rule 69A-37.090, F.A.C., supplemental compensation paid to a firefighter as provided in Section 633.382, F.S., the question shall be submitted on Form DFS K4 1057, Firefighters Supplemental Compensation Program Bureau of Fire Standards & Training Request for Determination of Eligibility, <https://www.flrules.org/gateway/reference.asp?No=Ref-00141>, amended March 14, 2011, adopted and incorporated herein by reference; to the division for a determination of eligibility if the firefighter has not been previously determined eligible by the division to participate in the program. The form can be obtained as indicated in subsection 69A-37.089(3), F.A.C. The form shall be completed in full, signed by an authorized representative of the employing agency, and accompanied by the attachments set forth in the form.~~

(b) Form DFS-K4-1442, “Application for Upgrade from Associate Level to Bachelor Level,” which is incorporated by reference in Rule 69A-37.090, F.A.C., to the division for a determination of eligibility if the firefighter was previously determined eligible by the division to participate in the program at the associate degree level.

(c) Form DFS-K4-1056, “Application for Re-Entry,” which is incorporated by reference in Rule 69A-37.090, F.A.C., to the division for a determination of eligibility if the firefighter became ineligible for supplemental compensation under subsection 69A-37.085(3), F.A.C., but is no longer subject to any condition specified in that subsection.

(2) Each application must be completed in full, signed by the applicant and fire chief for the employing agency or his or her authorized agent, and include each attachment required by the form. The employing agency’s certification shall be based upon the completed coursework identified in the transcript and

~~not solely upon the title of the degree conferred. The standard shall be whether the courses within the major field of study relate in a meaningful way to the firefighter’s job description.~~

~~(3) The division shall will advise the applicant and employing agency of its determination of eligibility in writing.~~

Rulemaking Authority 633.45(2) FS. Law Implemented 633.382(2) FS. History—New 1-3-90, Amended 3-20-95, Formerly 4A-37.086, Amended 3-14-11, _____.

69A-37.089 Employing Agency Request for Reimbursement.

(1) Each employing agency seeking reimbursement for supplemental compensation paid to firefighters pursuant to Section 633.382, F.S., and this rule shall submit quarterly reports to the division on March 31, June 30, September 30, and December 31 of each year on Form DFS-K4-1065, “Firefighters Supplemental Compensation Program Quarterly,” which is incorporated by reference in Rule 69A-47.090, F.A.C. Report Bureau of Fire Standards & Training, <https://www.flrules.org/gateway/reference.asp?No=Ref-00142>, amended March 14, 2011, adopted and incorporated herein by reference.

(2) Every employing agency must maintain written records relating to the eligibility of every firefighter whose name is submitted to the division pursuant to subsection (1) above in separate files for a period of five years for audit purposes.

~~(3) Copies of all forms listed in this rule chapter can be obtained through the Florida State Fire College, 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486; website: www.floridastatefirecollege.org.~~

Rulemaking Authority 633.45(2)(a) FS. Law Implemented 633.382(4) (2), (3), (5) FS. History—New 1-3-90, Formerly 4A-37.089, Amended 3-14-11, _____.

69A-37.090 List of Supplemental Compensation Forms: Incorporation by Reference.

The following forms are hereby incorporated by reference and can be obtained by writing to the Florida State Fire College, 11655 NW Gainesville Road, Ocala, Florida 34482-1486 or by accessing the College’s website at <http://www.myfloridacfo.com/sfm/bfst/standard/stdsupcp.htm>:

(1) Form DFS-K4-1442, “Application for Upgrade from Associate Level to Bachelor Level,” Eff. 4/12.

(2) Form DFS-K4-1055, “Firefighters Supplemental Compensation Program Notice of Ineligibility,” Eff. 4/12.

(3) Form DFS-K4-1056, “Application for Re-Entry,” Eff. 4/12.

(4) Form DFS-K4-1057, “Application for Initial Entry,” Eff. 4/12.

(5) Form DFS-K4-1065, “Firefighters Supplemental Compensation Program Quarterly Report,” Rev. 4/12.

Rulemaking Authority 663.45(2) FS. Law Implemented 633.382 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Wentlandt, Assistant Superintendent, Division of State Fire Marshal

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer and State Fire Marshal

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-20.001 Applicability

PURPOSE AND EFFECT: The purpose of this rule amendment is to simplify the rule and remove the reference to unemployment compensation

SUMMARY: The rule addresses the applicability of rule Chapter 73B-20, F.A.C. and the amendments remove a reference to unemployment compensation which is no longer applicable and simplifys the language 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 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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4) 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: Dorothy Johnson, Deputy General Counsel, Unemployment Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-20.001 Applicability.

These rules shall govern all ~~unemployment compensation proceedings conducted by appeals referees. These rules in whole or part shall also govern all other~~ proceedings conducted by appeals referees unless specifically provided otherwise by state or federal law or regulation.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.01, 38E-5.001, 60BB-5.001. Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-20.003 Form of Appeal

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to incorporate form DEO-A100 in three languages by reference; to direct the public to the Department’s website to obtain the form; to remove language that conflicts with other proposed amendments to Department rules; and to add the employer tax account number to requested information to be included in the notice of appeal.

SUMMARY: The proposed changes provide notice to the public regarding what information must be provided to file an appeal, directs the public to where the form may be found on the agency website in English, Spanish and Creole.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-20.003 Form of Appeal.

(1) No change.

(2) Any person entitled to file an appeal may obtain ~~an a printed~~ appeal form (~~DEO-A100(E) AWI-A100 (English), Notice of Appeal), (Rev. 05/12 4/04); DEO-A100(S) (Spanish), Aviso de Apelación – español (Rev. 05/12); DEO-A100(C) (Creole), Objeksyon pou Dedomajman Travay – kreyòl (Rev. 05/12)), incorporated herein by reference, available at the Department's website, <http://www.floridajobs.org/RAforms> at any of the locations listed in subsections 73B-20.004(1), (2), and (3), F.A.C., and at any location providing unemployment claim information. Use of the form is not mandatory; however, whatever instrument is used, it ~~should shall~~ include the following information:~~

(a) No change.

(b) The name and tax account number of each employer, if any, involved;

(c) No change.

(d) A concise brief statement of the reasons for disagreement with the determination.

(3) Failure to include all of the information listed in subsection (2) will not constitute cause for rejection of the appeal, but may result in ~~unnecessary~~ delay in processing the appeal and scheduling it for hearing.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History–New 5-22-80, Formerly 38E-5.03, Amended 8-20-86, 8-7-01, Formerly 38E-5.003, 60BB-5.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-20.004
RULE TITLE: Filing an Appeal

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to specify the information requested by the Department's Internet Appeals website and to clarify where and by what method an appeal may be filed.

SUMMARY: The amended rule will set out the specific information requested from claimants and employers using the Department internet appeals application and will clarify that an appeal may be filed by fax, courier service, in person, or by mail at the Office of Appeals or the Unemployment Appeals Commission in addition to online.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-20.004 ~~Place for~~ Filing an Appeal.

(1) Appeals may be filed on-line at the Department of Economic Opportunity website at <https://www.floridajobs.org/IAP>, Internet Appeals Program (English)(2012) or by clicking on the Bienvenidos al Proceso

de Apelaciones por Internet (Spanish) (2012), or by clicking on the Klike la a to view sit entenet sa a an kreyol (Creole) (2012) or at one of the following locations:

~~(a)(1) Any of the unemployment claim adjudication offices operated by the Department of Economic Opportunity;~~

~~(2) By facsimile number, courier service, in person, or mail to tThe central Office of Appeals (Caldwell Building MSC 347, 107 East Madison Street, Tallahassee, FL 32399-4143, facsimile number (850)921-3524), or~~

~~(b) By facsimile number, courier service, in person, or mail to the Reemployment Assistance Appeals Commission district appeals referee offices maintained by the Office of Appeals;~~

~~(3) The Unemployment Appeals Commission; and~~

~~(4) Any unemployment compensation office located outside the State of Florida.~~

(2) The Internet Appeals Program provides claimants, employers and their representatives the opportunity to file appeals of department determinations related to reemployment assistance, to request reopening of an appeal when the party failed to appear, to change addresses and telephone numbers for the appeal process, and to provide additional telephone numbers for the hearing. Parties may also provide information on representatives for the appeal process and witnesses to be contacted for the appeal hearing.

(a) To access the Internet Appeals Program the claimant will be asked to provide the following information:

1. Name of the person entering the appeal;
2. Organization or company name for the person entering the appeal;
3. Title of the person entering the appeal;
4. Telephone number for the person entering the appeal;
5. E-mail address for the person entering the appeal;
6. Location of the person entering the appeal;
7. Claimant name;
8. Claimant social security number; and,
9. Claimant reemployment assistance pin number.

(b) To access the Internet Appeals Program the employer will be asked to provide the following information:

1. Name of the person entering the appeal;
2. Organization or company name for the person entering the appeal;
3. Title of the person entering the appeal;
4. Telephone number of the person entering the appeal;
5. E-mail address for the person entering the appeal;
6. Location of the person entering the appeal;
7. Employer name;
8. Employer address;
9. Employer telephone number;
10. Employer e-mail address;

11. Name of the person representing the employer for the appeal;

12. Telephone number of the employer representative and, if different, the telephone number to contact the employer representative for the hearing;

13. Employer reemployment assistance tax number; and,

14. Employer reemployment assistance tax pin number used to file taxes if the employer wants information about a filed appeal or wants to provide witnesses for an appeal through the on-line system. The pin number is not needed to file an appeal.

(c) Once the Internet Appeals Program has been accessed the party will be asked to provide specific information to file an appeal.

1. To appeal a determination included in the determination list:

a. Select the determination to be appealed or enter the date of the determination to be appealed;

b. List the reason for the appeal;

c. Provide the job site where the claimant worked if different from the employer address on the determination;

d. Provide the job site address; and,

e. Job site telephone number.

2. To appeal a wage credit determination the claimant must provide:

a. Determination date;

b. Employer name and address if it is not shown on the wage transcript;

c. Dates of employment not shown on the wage transcript, if any;

d. Pay rate; and,

e. Statement as to whether the claimant has proof of earnings.

(d) To add a representative for either the claimant or employer the party will be asked to provide:

1. Name of representative;

2. Title of representative;

3. Company or firm, if any;

4. Street address;

5. Telephone number;

6. Fax number; and

7. Whether representing claimant or employer.

(e) To request a rehearing when a party failed to attend a hearing the party will be asked to provide:

1. Name of the party requesting reopening;

2. Company name if the requestor is a representative or employer;

3. Title, if applicable;

4. Telephone number;

5. E-mail address;

6. Location from which filing the appeal;

- 7. Name of the claimant:
- 8. Social security number:
- 9. Employer name:
- 10. Employer number:
- 11. Docket number:
- 12. Job site address, if any; and:
- 13. Reason for not attending hearing.

(f) To provide contact information for witnesses a party plans to call during a hearing the party will be asked to provide:

- 1. Name of the party requesting the witness:
- 2. Docket number of the appeal:
- 3. Witness name; and:
- 4. Witness telephone number.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(b)1., (d) FS. History–New 5-22-80, Formerly 38E-5.04, Amended 8-20-86, 8-7-01, Formerly 38E-5.004, 60BB-5.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:
73B-20.005 Time for Filing Appeal

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to remove language that duplicates Rule 73B-20.004, F.A.C.; to include the future Connect System for delivery of determinations; and to clarify the effective dates of filing.

SUMMARY: This rule is amended to clarify when the 20-day period for filing an appeal begins to run and to specify what is timely filing of an appeal when it is filed by fax, by hand delivery, by courier service, or by electronic means.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(3)(a), (4)(b)1., (4)(d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-20.005 Time for Filing Appeal.

(1) The appeal shall be filed within 20 calendar days of the date the determination or redetermination was mailed to the appellant's last known address 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.

~~(2) The appeal shall be filed by mailing the appeal document to any of the locations designated in Rule 73B-20.004, F.A.C.; by facsimile transmission of the appeal document to any location designated in subsections 73B-20.004(1), (2), and (3), F.A.C.; or by hand delivery of the appeal document to any location designated in subsections 73B-20.004(2), (3), and (4), 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 an the authorized location. Appeals filed electronically are filed on the date the confirmation number is issued by the system.

~~(3)(4) Upon receipt of A~~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) FS. Law Implemented 443.151(3)(a), (4)(b)1., (d) FS. History–New 5-22-80, Formerly 38E-5.05, Amended 8-20-86, 3-1-98, 8-7-01, Formerly 38E-5.005, 60BB-5.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-20.006
RULE TITLE: Computation of Time
PURPOSE AND EFFECT: The Department is proposing to amend the rule to clarify the definition of "holiday" for appeal purposes.

SUMMARY: The definition of holiday is amended to provide that the closing of the United States Postal Service will on constitute a holiday for purposes of the filing date of an appeal when the appeal was sent by mail.

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: 443.012(11) FS.
LAW IMPLEMENTED: 443.151(4)(b)1., (4)(d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

- 73B-20.006 Computation of Time.
(1) No change.

- (2) For the purpose of this section, "holiday" means:
 - (a) No change.
 - (b) Any ~~other~~ day on which the offices of the Department of Economic Opportunity are closed; and
 - (c) For appeals filed by mail, aAny ~~other~~ day on which the United States Postal Service is closed.

Rulemaking Specific Authority, 443.012(11) FS. Law Implemented 443.151(4)(b)1., (d) FS. History--New 5-22-80, Formerly 38E-5.06, Amended 8-20-86, Formerly 38E-5.006, 60BB-5.006, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-20.007
RULE TITLE: Late Filing of Appeals
PURPOSE AND EFFECT: The Commission is proposing to amend the rule to reference the order to show cause provision in Section 443.151(4)(b)3., F.S.

SUMMARY: The rule is amended to recognize that Section 443.151(4)(b)3., F.S., authorizes the Department at its discretion to utilize an Order to Show Cause to address timeliness of an appeal.

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: 443.012(11) FS.
LAW IMPLEMENTED: 443.151(3)(a), (4)(b)1., (4)(d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-20.007 Late Filing of Appeals.

(1) If it appears that the appeal initiating the proceedings was not filed within the time allowed by law, the appeals referee shall notify the parties that timeliness of the appeal shall be one of the issues to be considered at the hearing, except as provided in Section 443.151(4)(b)3., F.S.

(2) through (3) No change.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(3)(a), (4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-5.07, Amended 8-20-86, Formerly 38E-5.007, 60BB-5.007, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-20.015
 RULE TITLE: Notice of Hearing

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to incorporate form DEO-6 in three languages and to clarify the procedure for delivering the notice of hearing to the Department.

SUMMARY: The Office of Appeals includes a DEO-6, Appeals Information, with every Notice of Hearing mailed to parties. This document provides directions for the hearing process to assist parties in preparing for the hearing and is thus being adopted as a rule. The rule is also amended to ensure the Department is properly noticed by the Office of Appeals where the Department is a party to the hearings.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(a), (b), (d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-20.015 Notice of Hearing.

(1) The appeals referee shall mail notice of the hearing to all parties at least 10 days prior to the date of the hearing. In proceedings to which the Department of Economic Opportunity is a party, the notice shall be directed to the Director of the Division of Workforce Services in Executive Director of the Department of Economic Opportunity or one or more of his or her designees. Whenever practicable, notices to employers shall be mailed to both the employer’s official address of record and to the job site where the claimant was employed. Notices shall also be provided to attorneys and representatives of record.

(2) The notice shall include or be accompanied by:

(a) through (d) No change.

(e) A statement of the rules regarding requests for continuances and subpoenas; ~~and~~

(f) The address of the office to which all motions, requests of other correspondence concerning the hearing should be directed; ~~and-~~

(g) A DEO-6E (English) (Rev. 04/12) Appeals Information, DEO-6S (Spanish) (Rev. 04/12) Informacion Sobre Apelaciones, or DEO-6C (Creole) (Rev. 04/12) Dedomajman pou Chomaj Enfomasyon Apel, incorporated herein by reference, and available at the Department’s website, www.floridajobs.org/appeals.

(3) No change.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Amended 11-30-81, 5-22-83, Formerly 38E-5.15, Amended 8-20-86, Formerly 38E-5.015, 60BB-5.015, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-21.002 RULE TITLE: Form of Appeal

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to incorporate by reference the on-line appeal form and the appeal form; to remove duplicative provisions; to include all methods of delivery of appeals; to clarify where an appeal can be filed; and to include language requesting the reasons for the appeal.

SUMMARY: The rule is amended to include the forms for filing appeals with the Unemployment Appeals Commission. This includes DEO-A100RAAC in three languages and the form in the Commission’s on-line internet appeal filing application. The rule is also amended to specify that in addition to the on-line appeals process an appeal may be filed at the Commission or the Department’s Office of Appeals by fax, courier service, in-person or by mail. The rule is also amended to specify what information is requested when an appeal is filed.

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: 443.012(11) FS.
 LAW IMPLEMENTED: 443.151(4)(d) 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: Dorothy Johnson, Deputy General Counsel, Office of the Unemployment Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (950)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-21.002 Form of Appeal.

(1) An appeal of an appeals referee’s decision may be filed on-line at the Department of Economic Opportunity website at <https://www.floridajobs.org/RAACIAP>. Florida Reemployment Assistance Appeals Commission, Review Request (2012), incorporated herein by reference, or at any of the following locations:

(a) By facsimile number, courier service, in-person or mail to ~~The Reemployment Assistance Unemployment Appeals Commission~~ (Suite 101, Rhyne Building, 2740 Centerview Drive, Tallahassee, FL 32399-4151); facsimile number (850)488-2123; or,

(b) By facsimile number, courier service, in-person or mail to ~~The central or district appeals referee offices~~ maintained by the Department of Economic Opportunity Office of Appeals (Caldwell Building MSC 347, 107 East Madison Street, Tallahassee, FL 32399-4143, facsimile number (850)921-3524;

~~(c) Any of the unemployment claim adjudication offices operated by the Department of Economic Opportunity; and~~

~~(d) Any unemployment compensation claims office located outside the State of Florida.~~

(2) An appeal shall be in writing and should contain the following:

(a) No change.

(b) The name, tax account number, and mailing address of the employer or employers involved;

(c) The referee decision docket number of the case being appealed.

(3) The following shall constitute acceptable methods of appeal;

(a) No change.

(b) Any person entitled to file an appeal may obtain an ~~printed~~ appeal form (DEO-A100RAAC(E) (English) AWI-A100, Request for Reemployment Assistance Appeals Commission Review Notice of Appeal), (Rev. 04/12 4/04); DEO-A100RAAC(S) (Spanish), Solicitud Revision De La Comision De Apelaciones Por Pesempleo (Rev. 04/12); DEO-A100RAAC(C) (Creole), Demann Pou Komisyon Dapel Pou Alokasyon Chomaj Fe Yon Revizyon (Rev 04/12)).

incorporated herein by reference, at the Department's website at <http://www.floridajobs.org/RAforms> ~~any of the locations listed in subsections 73B-21.004(1), (2) and (3), F.A.C., and at any location providing unemployment claim information.~~ Use of the form is not mandatory; however, whatever if a letter or other instrument is used, it should include the following information required in subsection (2) and:

1. ~~The name and social security account number of each claimant, if any, involved;~~
2. ~~The name of each employer, if any, involved;~~
3. ~~The date, subject matter, and docket number of the decision; and~~
4. a concise brief statement of any and all allegations of error with respect to the referee's decision, and factual and legal support for these challenges. Allegations of error not specifically set forth in the request for review may be considered waived ~~the reasons for disagreement with the decision.~~

(c) Failure to include all of the information listed in ~~paragraphs~~ paragraph (2)(b) and (3)(b) will not constitute cause for rejection of the appeal, but may result in a delay in processing the appeal.

(4) No change.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 60BB-6.02, Amended 8-20-86, 8-7-01, Formerly 38E-2.002, 60BB-6.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-21.004 RULE TITLE: Computation of Time

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to clarify the definition of "holiday" for appeal purposes.

SUMMARY: The definition of holiday is amended to provide that the closing of the United States Postal Service will only constitute a holiday for purposes of filing an appeal when the appeal has been filed by mail.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(b), (d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-21.004 Computation of Time.

(1) No change.

(2) As used in this rule, holiday means:

(a) No change.

(b) Any ~~other~~ day on which the Office of the Clerk of the Commission is closed; and

(c) When a document is mailed, aAny ~~other~~ day on which the United States Postal Service is closed.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(b), (d) FS. History—New 5-22-80, Formerly 38E-2.04, Amended 8-20-86, Formerly 38E-2.004, 60BB-6.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-21.006 Representation

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to include the procedure for requesting representative fee approval.

SUMMARY: For a claimant representative to accept a fee from a claimant for assisting a claimant with an appeal before the Unemployment Appeals Commission the representative must submit a fee request to the Commission and receive approval for any fee. This rule amendment provides direction to claimant representatives for presenting a fee request to the Commission.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.041(2), 443.151(4)(d) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-21.006 Representation.

(1) through (3) No change.

(4) A request for approval of a fee to be paid by the claimant, if any fee is charged by a claimant's representative for services performed before the Commission, shall be in writing and received by the Commission no later than 15 days after the Commission's order ruling on the case. The request

should include a description of the time spent and services rendered in connection with the Commission appeal, and the amount of the proposed fee.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.041(2), 443.151(4)(d) FS. History--New 5-22-80, Formerly 38E-2.06, Formerly 38E-2.006, 60BB-6.006, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-22.003 Record on Appeal to the Commission

PURPOSE AND EFFECT: To clarify application of the rule to appeals to the Unemployment Appeals Commission. Also, to conform the rule to name changes to the Department of Economic Opportunity and the Reemployment Assistance Appeals Commission

SUMMARY: The Legislature moved the Unemployment Program from the Agency for Workforce Innovation to the Department of Economic Opportunity and changed the name of the Unemployment Appeals Commission to the Reemployment Assistance Appeals Commission. This rule amendment conforms to those 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: 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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(d) 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: Dorothy S. Johnson, Deputy General Counsel, Office of the Unemployment Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-22.003 Record on Appeal to the Commission.

(1) The contents of the record on appeal to the Commission shall consist only of:

(a) No change.

(b) All ~~department agency~~ memoranda or data submitted to the appeals referee or other hearing officer, provided that such memoranda or data were submitted prior to disposition of the appeal, after notice of the submission to all parties;

(c) through (e) No change.

(f) The notice of docketing of the appeal of the referee's decision by the Reemployment Assistance Unemployment Appeals Commission, or the order of the Commission removing the proceedings to itself or initiating review upon its own motion;

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

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History--New 5-22-80, Formerly 38E-3.03, Amended 8-20-86, 1-5-93, Formerly 38E-3.003, 60BB-7.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dorothy Johnson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-22.009 RULE TITLE: Record on Appeal to the Court

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to clarify the record on appeal to the Court and to clarify that the rule references the Clerk of the Commission.

SUMMARY: The rule changes conform the rule to the change in name of the Commission passed in the 2012 Legislative Session and clarifies that the clerk named in the rule is the clerk of the Commission.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(c)-(e) 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: 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 FULL TEXT OF THE PROPOSED RULE IS:

73B-22.009 Record on Appeal to the Court.

(1) The contents of the record shall consist only of:

(a) No change.

(b) All additional evidence made a part of the record ~~in pursuant to further proceedings held pursuant to the direction of directed by the~~ Reemployment Assistance Unemployment Appeals Commission;

(c) No change.

(d) The order of the Reemployment Assistance Unemployment Appeals Commission on appeal.

(2) Within 10 days of filing the notice, the appellant may direct the Clerk of the Commission (hereinafter Clerk) to exclude any of the documents or exhibits listed in subsection (1). If the appellant directs the Clerk to transmit less than the entire record, the appellant shall file with such directions a designation of the agency actions to be reviewed. Within 20 days of filing the notice, an appellee may direct the Clerk to include any additional documents or exhibits listed in subsection (1).

(3) Within 10 days of filing of the notice, the appellant shall designate those portions of the proceedings for transcription and inclusion in the record. Within 20 days of

filing of the notice, the appellee may designate additional portions of the proceedings. Copies of designations shall be served on the Clerk of the Commission along with a request that the Clerk provide a duplicate of the audio recording of the proceedings for transcription by a court reporter. Within 30 days of a designation, the designating party shall insure that the court reporter shall transcribe and deliver to the Clerk of the Commission the designated proceedings. In the alternative, the designating party may request that the Clerk of the Commission arrange transcription of the designated proceedings by the clerk's staff or other qualified person. The Clerk shall charge parties, other than claimants, no more than the actual costs for duplication of the audio recording of the proceedings or transcription of the proceedings. Costs shall be borne initially by the designating party, subject to taxation of costs as prescribed by Florida Rule of Appellate Procedure 9.400.

(4) No change.

Rulemaking Specific Authority 443.012(11) FS. Law Implemented 443.151(4)(c)-(e) FS. History—New 5-22-80, Formerly 38E-3.09, Amended 10-5-86, 1-5-93, Formerly 38E-3.009, 60BB-7.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Unemployment Appeals Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.038
RULE TITLE: Individual Artist Fellowship Program

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 18, May 4, 2012 issue of the Florida Administrative Weekly. The proposed rule referenced above was originated by: Morgan Lewis, Division of Cultural Affairs, (850)245-6470 or Morgan.Lewis@dos.myflorida.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:: Ken Detzner, Secretary of State
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2012

STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the following, the Agency has determined that the proposed rule will not require legislative ratification pursuant to Section 120.541(3), F.S., or other applicable statutes: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) based on past experiences with cultural-related activities and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-16.002
RULE TITLE: Index to Forms
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. 38, No. 14, April 6, 2012 issue of the Florida Administrative Weekly.

These changes are based on comments received by the Department from the Joint Administrative Procedures Committee of the Florida Legislature.

The changed rule text will be available at <http://dor.myflorida.com/dor/property/legislation/rules/10ruledrafts.html> and the changed forms will be available at <http://dor.myflorida.com/dor/property/forms/forms4review.html>. This version shows each addition and deletion to the original version of the rule text and forms which were originally published in the Notice of Proposed Rule on April 6, 2012.

When adopted, existing subsections (33), (34)(c), (37) and new subsection (39)(e) of Rule 12D-16.002, will read as follows:

(33)	DR-498AR	<u>Removal of Total or Partial Exemption [front side of form]; Automatic Renewal of Receipt for Total or Partial Tax Exemption [back side of form]; (r. xx/12 1/93)</u>	1/93
------	----------	---	------

(34)(c)	DR-499AR	Removal of Agricultural or High-Water Recharge Classification of Lands [front side of form]; Automatic Renewal of Agricultural or High-Water Recharge Classification [back side of form]; (r. xx/12 4/06)	4/07
(37)	DR-500AR	Removal of Homestead Exemption(s) [front side of form]; Automatic Renewal of Homestead Exemption [back side of form] Automatic Renewal for Homestead and Related Tax Exemption (r. xx/12 4/93)	4/93
(39)(e)	DR-501M	Deployed Military Exemption Application (r. 5/12)	(6/11)

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-16.002
 RULE TITLE: Index to Forms

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. 38, No. 14, April 6, 2012 issue of the Florida Administrative Weekly.

The proposed revisions to this rule were subsequently amended by publication of a notice of change in the Vol. 38, No. 20, May 18, 2012 issue of the Florida Administrative Weekly. The Department is removing new paragraph (j) of existing subsection (39) of Rule 12D-16.002, as added to this subsection on May 18, 2012. This removal will give interested parties an opportunity to comment on the proposed additional provisions at a public hearing to be scheduled in the near future.

A revised version of this proposed rule will be available at: <http://dor.myflorida.com/dor/property/forms/forms4review.html>.

When adopted, subsection (39) of Rule 12D-16.002, will read as follows:

(39)(a)	DR-501	Original Application for Homestead and Related Ad Valorem Tax Exemptions (r. xx/12 4/06)	4/07
(b)	DR-501A	Statement of Gross Income (r. xx/12 6/94)	12/95
(c)	DR-501CC	Ad Valorem Tax Exemption Application Proprietary Continuing Care Facility (r. xx/12 n. 9/98)	12/98
(d)	DR-501DV	Application for Homestead Tax Discount, Veterans Age 65 and Older with a Combat-Related Disability (n. xx/12)	
(e)	DR-501M	Deployed Military Exemption Application (r. 5/12)	(6/11)
	DR-501SC	Sworn Statement of Adjusted Gross Income of Household and Return (12/04)	12/04

(f)(e)	DR-501PGP	Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents (r. xx/12 n. 12/03)	4/04
(g)	DR-501RVSH	Certificate for Transfer of Homestead Assessment Difference (r. 12/08)	
(h)	DR-501ISC	Adjusted Gross Household Income Sworn Statement and Return (r. xx/12)	
(i)	DR-501I	Transfer of Homestead Assessment Difference, Attachment to Original Application for Homestead Tax Exemption (r. 12/08)	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-9.230
 RULE TITLE: Firearms and Similar Equipment
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 17, April 27, 2012 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. The rule amendments are proprietary in nature and were previously submitted to and approved by the Legislature pursuant to subsection 373.1391(6), F.S., negating the need for further ratification. Additionally, the proposed amendments remove burdens on the regulated public and will not result in any adverse economic impacts or regulatory cost increases that would require legislative ratification.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.600
 RULE TITLE: Tampa Bay Basin TMDLs
 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. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly.

Please note, a previous Notice of Change was published for this rule in the Vol. 36, No. 7, February 19, 2010 issue and the Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.600 Tampa Bay Basin TMDLs.

(2) ~~Allen Creek (Tidal). The TMDL to address the low dissolved oxygen and nutrient impairments in Allen Creek (Tidal) is an annual average 0.97 mg/L of total nitrogen (TN), and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable;~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 24.8 percent reduction of TN at sources contributing to exceedances of the criteria.~~

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 24.8 percent reduction of TN at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(4) Alligator Creek. The TMDL to address the low dissolved oxygen and nutrient impairments in Alligator Creek is an annual average for TN of 0.87 mg/L and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable;~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 28.0 percent reduction of TN at sources contributing to exceedances of the criteria.~~

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 28.0 percent reduction of TN at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN has been expressed as the percent reduction needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(5) Alligator Lake. The TMDLs to address the low dissolved oxygen and nutrient impairments in Alligator Lake are an annual average of 0.72 mg/L for TN and an annual average 5-day biochemical oxygen demand (BOD₅), and are allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable;~~

~~(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 32.7 percent reduction and 75.0 percent reduction of TN and BOD₅, respectively, at sources contributing to exceedances of the criteria.~~

~~(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 32.7 percent reduction and 75.0 percent reduction for TN and BOD₅, respectively, of sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN and BOD₅ have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and BOD₅ concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(7) Bellows Lake Outlet (also known as East Lake Outfall). The TMDLs to address the low dissolved oxygen and nutrient impairments in Bellows Lake Outlet are an annual average TN of 1.16 mg/L and BOD₅ of 2.00 mg/L, and are allocated as follows:~~

~~(a) The WLA for wastewater point sources is not applicable;~~

~~(b) The WLAs for discharges subject to the Department's Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 42.4 percent reduction of TN and a 63.3 percent reduction of BOD₅ at sources that are contributing to exceedances of the criteria.~~

~~(c) The LAs for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 42.4 percent reduction of TN and a 63.3 percent reduction of BOD₅ of sources that are contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(18)(8) Bellows Lake (also known as East Lake). The TMDLs to address the low dissolved oxygen (addresses downstream impairment) and nutrient impairments are an annual average TN of 1.40 mg/L, an annual average TP of 0.055 mg/L, and an annual average BOD₅ of 2.00 mg/L and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 30.5 percent reduction of TN, a 33.3 percent reduction in TP, and a 63.3 percent reduction of BOD₅ at sources that are contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 30.5 percent reduction of TN, a 33.3 percent reduction in TP, and a 63.3 percent reduction in BOD₅ of sources that are contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Bishop Creek (Tidal). The TMDL to address the low dissolved oxygen impairments in Bishop Creek (Tidal) is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 12.6 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based

on the measured concentrations from the 2000 to 2007 period, will require a 12.6 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(13) Brushy Creek. The TMDL to address the low dissolved oxygen impairment in Brushy Creek is an annual average 0.87 mg/L of TN and is allocated as follows:

(a) The WLA for the Hillsborough County Dale Mabry Advanced Wastewater Treatment Plant (FL0036820) is a five-year rolling annual average of 16,000 lbs/year of TN.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 16.3 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 16.3 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(16) Bullfrog Creek (tidal). The TMDL to address the low dissolved oxygen and nutrients in Bullfrog Creek (tidal) is an annual average TN concentration of 0.80 mg/L and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 45.6 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations

from the 2000 to 2007 period, will require a 45.6 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions:

(17) Cockroach Bay. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average of 1.04 mg/L for TN and an annual average 2.0 mg/L for for BOD₅, respectively, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable;

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from year 2000 to 2007, will require a 34.1 percent reduction in current anthropogenic loadings of TN and a 50.6 percent reduction in current anthropogenic loadings of BOD₅ of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from year 2000 to 2007, will require a 34.1 percent reduction of TN and a 50.6 percent reduction of BOD₅ of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions:

(18) Coffee Pot Bayou. The TMDL to address the low dissolved oxygen and nutrient impairments are an annual average of 0.97 mg/L and 2.00 mg/L for TN and BOD₅, respectively, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable;

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from the 2000 to

2007 period, will require a 16.4 percent reduction of TN and a 42.9 percent reduction of BOD₅ of sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from the 2000 to 2007 period, will require a 16.4 percent reduction of TN and a 42.9 percent reduction of BOD₅ of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions:

(20) Cross Canal (North). The TMDL to address the low dissolved oxygen impairment in Cross Canal (North) is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable;

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41.6 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41.6 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions:

(22) Double branch. The TMDL to address the low dissolved oxygen and nutrient impairments in Double Branch is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable;

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based

on the measured concentrations from the 2000 to 2007 period, will require a 26.0 percent reduction of TN at sources contributing to exceedances of the criteria:

(e) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 26.0 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(23) Lake Tarpon Canal (Freshwater). The TMDL to address the low dissolved oxygen and nutrient impairments in Lake Tarpon Canal (Freshwater) is an annual average 0.87 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrients criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 25.6 percent reduction of TN at sources contributing to exceedances of the criteria:

(e) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrients criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 25.6 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(24) Lake Tarpon Canal (Marine). The TMDLs to address the low dissolved oxygen and nutrient impairments in Lake Tarpon Canal (Marine) is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 12.6 percent reduction of TN of sources contributing to exceedances of the criteria:

(d) The Margin of Safety is implicit.(e) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 12.6 percent reduction of TN of sources contributing to exceedances of the criteria, and

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(27) Lower Rocky Creek. The TMDL to address the low dissolved oxygen and nutrient impairments in Lower Rocky Creek is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41.2 percent reduction of TN at sources contributing to exceedances of the criteria:

(e) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41.2 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(29) Moccasin Creek. The TMDL to address the low dissolved oxygen and nutrient impairments in Moccasin Creek is an annual average 0.97 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 39.4 percent reduction of TN of sources contributing to exceedances of the criteria;

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 39.4 percent reduction of TN of sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(32) Mullet Creek (Tidal). The TMDL to address the low dissolved oxygen impairment in Mullet Creek Tidal is an annual average 0.97 mg/L of TN and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable,~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 18.5 percent reduction of TN at sources contributing to exceedances of the criteria.~~

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 18.5 percent reduction of TN at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(34) Smaaks Bayou. The fecal coliform TMDL for Smaaks Bayou is 43 counts/100mL, and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable,~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1995 to 1996 period, will require a 94 percent reduction at sources contributing to exceedances of the criteria,~~

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on~~

~~the measured concentrations from the 1995 to 1996 period, will require a 94 percent reduction of sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(35) Smaaks Bayou. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average of 0.97 mg/L and an annual average of 2.00 mg/L for TN and BOD₅, respectively. These TMDLs are applicable to sources in the 45th Avenue Northeast Canal subbasin and the 54th Avenue East Canal subbasin within the Smaaks Bayou watershed and are allocated as follows:~~

~~(a) The WLA for wastewater point sources is not applicable,~~

~~(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations in the canals from the 2000 to 2007 period, will require a 32.2 percent reduction of TN and a 33.3 percent reduction of BOD₅ at sources contributing to exceedances of the criteria.~~

~~(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations in the canals from the 2000 to 2007 period, will require a 32.2 percent reduction of TN and a 33.3 percent reduction of BOD₅ at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(37) Sweetwater Creek. The TMDL to address the low dissolved oxygen impairment in Sweetwater Creek is an annual average 0.87 mg/L of TN and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable,~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based~~

on the measured concentrations from the 2000 to 2007 period, will require a 19.4 percent reduction of TN at sources contributing to exceedances of the criteria:

(e) ~~The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 19.4 percent reduction of TN at sources contributing to exceedances of the criteria, and~~

(d) ~~The Margin of Safety is implicit.~~

(e) ~~While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(38) Tampa Bypass Canal Tributary. The TMDL to address the low dissolved oxygen and nutrient impairments in the Tampa Bypass Canal Tributary is an annual average TN concentration of 1.16 mg/L and is allocated as follows:~~

~~(a) The WLA for wastewater sources is not applicable;~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 51.9 percent reduction of TN at sources contributing to exceedances of the criteria.~~

~~(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the year 2005, will require a 51.9 percent reduction of TN at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 11-11-10, Amended _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:
62-304.610

RULE TITLE:
Hillsborough River Basin TMDLs
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. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly.

Please note, a previous Notice of Change was published for this rule in the Vol. 36, No. 7, February 19, 2010 issue and the Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.610 Hillsborough River Basin TMDLs.

(1) through (9) No change.

~~(10) Baker Creek. The Total Maximum Daily Loads (TMDLs) to address the low dissolved oxygen and nutrient impairments are an annual average 1.16 mg/L of Total Nitrogen (TN) and an annual average 0.473 mg/L of Total Phosphorus (TP) and are allocated as follows:~~

~~(a) The Wasteload Allocation (WLA) for wastewater point sources is not applicable.~~

~~(b) The WLAs for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program are a 26.1 percent reduction in anthropogenic loadings of TN and a 14.7 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period at sources contributing to exceedances of the criteria;~~

~~(c) The Load Allocations (LAs) for nonpoint sources are an 26.1 percent reduction in anthropogenic loadings of TN and an 14.7 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA for have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(11) Big Ditch. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average 1.16 mg/L of TN and an annual average 0.473 mg/L of TP and are allocated as follows:~~

~~(a) The WLAs for the CF Industries, Inc. Plant City Chemical Complex (FL0000078) are a five year rolling annual average of 1,800 pounds per year of TN and a five-year rolling annual average of 5,438 pounds per year of TP,~~

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 39.7 percent reduction in anthropogenic loadings of TN and a 76.3 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period at sources contributing to exceedances of the criteria;

(c) The LAs for nonpoint sources are a 39.7 percent reduction in anthropogenic loadings of TN and a 76.3 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period at sources contributing to exceedances of the criteria; and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(12) Channelized Stream. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average 1.16 mg/L of TN and an annual average of 0.473 mg/L of TP and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 52.1 percent reduction in anthropogenic loadings of TN and a 60.5 percent reduction in anthropogenic loadings of TP for the 2000-2007 period at sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are a 52.1 percent reduction in anthropogenic loadings of TN and a 60.5 percent reduction in anthropogenic loadings of TP for the 2000-2007 period at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(14) Mill Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average 1.16 mg/L of TN and an annual average 0.473 mg/L of TP and are allocated as follows:

(a) The WLAs for the Kerry I & F Contracting Company (FL0037389) are a five-year rolling annual average 3,600 pounds per year of TN and a five-year rolling annual average 431 pounds per year of TP;

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 41.1 percent reduction in anthropogenic loadings of TN and a 6.2 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period for sources contributing to exceedances of the criteria; and

(c) The LAs for nonpoint sources are a 41.1 percent reduction in anthropogenic loadings of TN and a 6.2 percent reduction in anthropogenic loadings of TP for the 2000 to 2007 period for sources contributing to exceedances of the criteria; and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(15) Spartman Branch. The TMDL to address the low dissolved oxygen impairment is an annual average 1.16 mg/L of TN and allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is a 19.9 percent reduction in anthropogenic loadings of TN for the 2000-2007 period at sources contributing to exceedances of the criteria; and

(c) The LA for nonpoint sources is a 19.9 percent reduction in anthropogenic loadings of TN for the 2000-2007 period at sources contributing to exceedances of the criteria; and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(17) Trout Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average 0.87 mg/L of TN and an annual average 0.181 mg/L of TP and are allocated as follows:

(a) The WLAs for the Pebble Creek Village Wastewater Treatment Facility (FL0039896) are a five-year rolling annual average 800 pounds per year of TN and a five-year rolling annual average 411 pounds per year of TP;

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 33.3 percent reduction in anthropogenic loadings of TN and a 1.4

~~percent reduction in anthropogenic loadings of TP for the 2000-2007 period at sources contributing to exceedances of the criteria, and~~

~~(e) The LAs for nonpoint sources are a 33.3 percent reduction in anthropogenic loadings of TN and a 1.4 percent reduction in anthropogenic loadings of TP for the 2000-2007 period at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

~~(18) Two Hole Branch. The TMDL to address the low dissolved oxygen and nutrient impairments is an annual average 1.16 mg/L of TN and is allocated as follows:~~

~~(a) The WLA for wastewater point sources is not applicable.~~

~~(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is a 4.4 percent reduction in anthropogenic loadings of TN for the 2000-2007 period at sources contributing to exceedances of the criteria, and~~

~~(e) The LA for nonpoint sources is a 4.4 percent reduction in anthropogenic loadings of TN for the 2000-2007 period at sources contributing to exceedances of the criteria, and~~

~~(d) The Margin of Safety is implicit.~~

~~(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.~~

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 12-22-04, Amended 7-7-10,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-344.600	Procedures for Identifying and Reconciling Duplicative Permitting and Incorporation of Stricter Local Standards

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. 38, No. 1, January 6, 2012 issue of the Florida Administrative Weekly.

62-344.600 Procedures for Identifying and Reconciling Duplicative Permitting and Incorporating Stricter Local Standards.

If the Department determines to delegate all or a portion of the environmental resource permit program to a local government, the following procedures shall be followed to identify and reconcile duplicative permitting and incorporate stricter local standards.

(1) through (3) No change.

(4) A local government that receives delegation of all or a portion of the environmental resource permit program shall not require an applicant to obtain a corresponding separate local permit for those activities during the period the delegation is in effect, unless when any of the following exist:

(a) through (c) No change.

This change will add the word “unless” in place of text that was inadvertently stricken in the Notice of Change published in Vol. 38, No. 17, April 27, 2012 issue of the Florida Administrative Weekly.

CONTACT: Alice Heathcock, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, telephone (850)245-8483, facsimile (850)245-8499 or e-mail alice.heathcock@dep.state.fl.us. (OGC No. 10-2686)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-701.200	Definitions
62-701.210	Documents Incorporated by Reference
62-701.315	Permit Fees for Solid Waste Management Facilities
62-701.320	Solid Waste Management Facility Permit Requirements, General
62-701.330	Landfill Permit Requirements
62-701.500	Landfill Operation Requirements
62-701.510	Water Quality and Leachate Monitoring Requirements
62-701.600	Landfill Final Closure
62-701.620	Long-term Care
62-701.630	Financial Assurance
62-701.710	Waste Processing Facilities
62-701.730	Construction and Demolition Debris Disposal and Recycling
62-701.900	Forms

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. 38, No. 3, January 20, 2012 issue of the Florida Administrative Weekly.

62-701.200 Definitions.

(50) "Indoor" means within a structure that has been constructed with a roof over an impervious surface and has outside walls on a minimum of all but one of the sides of the facility. The roof and outside walls must be constructed with materials having structural strength like wood, block, fiberglass, plastic or metal rather than materials like canvas or tarpaulin, and may include windows and doors. An impervious surface means a surface like a poured concrete pad or asphaltic concrete asphalt concrete paving.

62-701.210 Documents Incorporated by Reference.

(19) GRI Test Method GM19 revision 6 3 dated October 3, 2011 June 4, 2010.

62-701.315 Permit Fees for Solid Waste Management Facilities.

~~(7) through (11) No change.~~

(7) Construction permit and/or an operation permit for a facility which has multiple solid waste management components that normally would require individual solid waste permits. A single application may be submitted and the permit fee will be the sum of all individual permits; ~~however, the total permit fees for the facility shall not exceed \$25,000, exclusive of modifications and renewals.~~

~~(8) through (11) No change.~~

(12) Fees for permits to construct, operate, or close that are issued for periods longer than five years shall be calculated as follows: the fee listed in this section, plus 20% of the fee listed in this section for each year over five years for which a permit is sought. For example, an applicant for a 20-year permit for landfill operation would pay a fee of \$40,000 (\$10,000 for the first 5 years, plus 20% of \$10,000 for each of the additional 15 years).

(13) Applicants for permits of more than five years may elect to pay the entire permit fee at the time of application. Applicants may also elect to pay the fee listed above at the time of application, and make payments of 100% of the fee listed above every five years thereafter for the duration of the permit. For example, an applicant for a 20-year permit for landfill operation could pay \$40,000 at the time of application, or could pay \$10,000 at the time of application, plus \$10,000 every five years thereafter until the time for permit renewal. Any future amendments to this section that result in increases in permit fees will not increase the fees for applicants until a renewal permit or permit modification is applied for. Failure to make such subsequent payments in a timely manner will be considered a violation of this rule and may subject the applicant to enforcement action by the Department.

62-701.320 Solid Waste Management Facility Permit Requirements, General.

(1) through ~~(4)(8)~~ No change.

(5) Permit application.

(a) through (b) No change.

(c) Combination facilities. An application for a permit to construct or operate a solid waste management facility having multiple solid waste management components which, if standing alone, would require solid waste management facility permits, shall include all information required to be submitted had each component been proposed as a separate facility, independent of the other components. Such information may be combined or otherwise presented so as to avoid duplicative or repetitive submittals. Additionally, such applications shall be accompanied by such fees as would be required for each facility component; ~~however, the total permit fees for a facility shall not exceed \$25,000, exclusive of modifications and renewals.~~

~~(6) through (8) No change.~~

(9) Permits for construction, modification, operation, and closure. Complete permit applications for construction or operation of a solid waste management facility, renewal of an operation permit for an existing facility, modification of an existing facility, or closure of a facility shall be evaluated by the respective Department district office in accordance with Chapters 62-4 and 62-701, F.A.C. ~~Except as provided in Rule 62-701.620, F.A.C., the time period for permits shall be no longer than five years from the date of issuance by the Department. However, a construction/operation permit shall be issued for a longer period, not to exceed ten years, so that the permit will allow up to five years of operation after initial construction has been completed.~~

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

(d) Permit durations shall be as follows:

1. For any facility with a leachate control system that applies for an operation or construction permit or renews an existing operation or construction permit on or after October 1, 2012, up to 20 years;

2. For any facility without a leachate control system that meets the requirements of Section 403.707(3)(c), F.S., up to 10 years;

3. For closure permits authorizing only long-term care for landfills, up to 10 years; and

4. For all other permits, up to 5 years.

(10) Permit renewals.

(b) Applicants for permit renewal shall demonstrate how they will comply with any applicable new or revised laws or rules relating to construction, operation, or closure of solid waste management facilities. Closure plans shall be updated at least once every five years the time of permit renewal to reflect changes in closure design, long-term care requirements, and financial assurance requirements.

62-701.330 Landfill Permit Requirements.

(2) Permitted footprint. Applicants seeking permits for lined landfills are not limited to the amount of area they may need for disposal during the life of the ~~in a 5-year permit period~~. Rather, applicants may seek a permit with as large a disposal area as they desire subject to the following conditions.

(a) All of the information normally needed in the permit application shall be supplied for the entire area of the proposed footprint, even if only a smaller portion of the entire footprint will be constructed during the ~~5-year~~ permit period.

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

(c) During the life of the ~~5-year~~ permit, the applicant must notify the Department in writing before beginning construction of another permitted phase of the landfill. Construction may proceed, without further action being required by the Department, if it is in accordance with the conditions of the permit. However, if rule changes occur after the ~~5-year~~ permit is issued which affect the design of the construction, then permit modifications may be required. Upon completion of the construction of a permitted phase of the landfill, a Certification of Construction Completion document must be prepared for the phase and submitted to the Department for approval. Department approval in accordance with paragraph 62-701.320(9)(b), F.A.C., is required before the applicant may begin use of the newly constructed phase. No permit fees will be required for authorizing use of these phases.

(d) At the end of the ~~5-year~~ permit period, the applicant may apply for renewal of the permit. The information for the construction of the entire footprint will not have to be resubmitted if no substantial change is proposed in the planning or design of future phases. However, the applicant will be required to update the operation plan for the landfill, evaluate water quality data, ensure the financial assurance cost estimates and mechanism are current and provide reasonable assurance for compliance with any new rules or statutes that may be required of the facility which were not in effect at the time the previous permit was issued. Should there be new liner requirements at the time of permit renewal, the Department will not impose them on phases that are already constructed.

~~(d) through~~ (e) No change.

62-701.500 Landfill Operation Requirements.

(8) Leachate management.

(a) through (g) No change.

(h) New leachate collection systems shall be water pressure cleaned or inspected by video recording after construction but prior to initial placement of wastes. Existing leachate collection systems shall be water pressure cleaned or inspected by video recording at least once every five years ~~the time of permit renewal~~. Results of the collection system cleanings or inspections shall be available to the Department upon request.

~~(9)(8)~~ through (12) No change.

62-701.510 Water Quality and Leachate Monitoring Requirements.

(8) Water quality monitoring reporting.

(a) The landfill owner or operator shall report all representative water quality monitoring results to the Department within 60 days from completion of laboratory analyses, unless a different due date is specified in the permit. In accordance with subsections 62-160.240(3) and 62-160.340(4), F.A.C., water quality data shall be provided to the Department in an electronic format consistent with requirements for importing into Department databases, unless an alternate form of submittal is specified in the permit. The permittee shall include Form 62-701.900(31), Water Quality Monitoring Certification, effective date January 6, 2010, hereby adopted and incorporated by reference, with each report certifying that the laboratory results have been reviewed and approved by the permittee. Copies of this form are available from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The operator of the landfill shall notify the Department at least 14 days before the sampling is scheduled to occur so that the Department may collect split samples. ~~If water quality data is not provided in an electronic format, the permittee shall submit a separate report that includes~~ The report shall include at least the following:

62-701.600 Landfill Final Closure.

(2) Closure permit requirements. Prior to initiating closure of a solid waste disposal unit, or part of a solid waste disposal unit, the owner or operator must receive authorization from the Department in one of the following manners. The owner or operator may submit an application to the Department for a closure permit on Form 62-701.900(1), which application shall include a closure plan. If the landfill is operating under a Department permit, the owner or operator may request a modification of the permit to address substantive changes in the closure plan, or the owner or operator may demonstrate that the closure plan in the existing operation permit includes sufficient detail to provide reasonable assurance of compliance with the provisions of this section. The application or request for modification shall include an updated closure plan which is made up of ~~In all cases, the closure plan shall include~~ the following:

(8) Cost adjustments for corrective action.

(b) At the time of permit renewal, or every fifth year when a permit is issued with a duration greater than 5 years, or if the corrective action plan is modified during the corrective action period, the owner or operator shall revise the corrective action cost estimate. Revisions shall be made and submitted as specified in subparagraph (8)(a)1. of this section. The use of cost estimates that are submitted in accordance with this

subsection and used as the basis for comparison against the balance of the funding mechanisms specified in subsection (9) of this section does not constitute estimate approval.

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

62-701.620 Long-Term Care.

(4) Modified ground water monitoring plan.

(a) The owner or operator of a landfill may apply for a modification to its ground water monitoring plan to remove a parameter from the list specified in subsection 62-701.510(7)(8), F.A.C. The Department will grant such modification upon a demonstration that leachate and ground water have consistently been sampled and analyzed for the parameter, and that the parameter has never been detected in the leachate or in any ground water well or surface water point during the active life of the landfill.

62-701.630 Financial Assurance.

(8) Cost adjustments for corrective action.

(b) At the time of permit renewal, or every fifth year when a permit is issued with a duration greater than five years, or if the corrective action plan is modified during the corrective action period, the owner or operator shall revise the corrective action cost estimate. Revisions shall be made and submitted as specified in subparagraph (8)(a)1. of this section. The use of cost estimates that are submitted in accordance with this subsection and used as the basis for comparison against the balance of the funding mechanisms specified in subsection (9) of this section does not constitute estimate approval.

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

62-701.710 Waste Processing Facilities.

(1) Applicability

(d) The following facility types are subject to special requirements or are exempt from some requirements of this section.

3. Waste-to-energy facilities are exempt from the requirement to have a trained operator and a trained spotter set forth in paragraph 62-701.710(4)(c), F.A.C. This does not exempt such facilities from operator training requirements set forth in other Department rules.

(6) Closure requirements.

(c) Closure must be completed within 180 days after receiving the final solid waste shipment. Closure will include removal of all recovered materials from the site, as well as performing any contamination evaluation required by paragraph 62-701.710(1)(2)(d)2., F.A.C. The owner or operator shall certify in writing to the Department when closure is complete.

(11) Transfer stations that consolidate waste directly from one mobile container or vehicle into another mobile container or vehicle are exempt from the ~~permitting~~ requirements of this section provided:

a. The owner or operator notifies the Department, and renews any existing notification by July 1 of each year, on Form 62-701.900(35), Notification of Container-to-Container Waste ~~Transfer Processing~~ Facility, effective [eff. date], hereby adopted and incorporated by reference. Copies of this form are available from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. A site plan showing the property and area where waste transfer operations will be conducted shall be included in accordance with the directions on Form 62-701.900(35);

b. The facility is operated to minimize the discharge of leachate to the environment and to control objectionable odors, litter, dust, and other fugitive particulates;

c. Only construction and demolition debris and Class III solid waste is accepted at the facility;

d. Waste is stored only in mobile containers or vehicles, and is not stored, placed, or located on the ground, or in an a permanent immobile container or structure, or on a tipping floor, ~~except for the occasional storage of bulky items that do not generate leachate;~~

e. No solid waste, including waste in mobile containers or vehicles, is stored at the facility, or on any adjacent property, for more than 7 days;

f. The largest mobile container or vehicle on-site that is used for consolidation and transfer does not hold more than 40 cubic yards;

g. No more than ten mobile containers or vehicles containing waste or recovered materials, and no more than 200 cubic yards of waste and recovered materials, are stored at the facility on the site at any one time; ~~and;~~

h. No more than 1,500 cubic yards of waste may be received at the facility during any calendar month;

i. The waste received at the facility has been collected by the owner or operator and shall not be received from any third party hauler of the waste;

j. Each mobile container or vehicle received or stored at the facility is owned or leased by the operator of the facility and;

k. Operational records shall be maintained on-site documenting the quantity in cubic yards of waste received, stored, and removed from the site, and where it was sent for recycling or disposal. Such records shall be retained at the facility for three years.

62-701.730 Construction and Demolition Debris Disposal and Recycling.

(4) Other requirements. Except as specified in this section, the requirements of Rules 62-701.330 through 62-701.630, F.A.C., do not apply to construction and demolition debris disposal facilities.

(b) A water quality monitoring plan that meets the criteria set forth in Rule 62-701.510 and Chapter 62-520, F.A.C., shall be included with the permit application, and shall be implemented and maintained by the owner or operator, with the following exceptions:

5. Background water quality shall be established in accordance with the provisions of paragraph 62-701.510(6)(b), F.A.C., except that the analysis shall also include sulfate and aluminum. In addition, all background and detection wells shall be sampled and analyzed at least once every five years ~~prior to permit renewal~~ for those parameters listed in paragraph 62-701.510(7)(a), F.A.C., as well as sulfate and aluminum.

(6) ~~through (8)~~ No change.

(7) Operation requirements. Owners and operators of construction and demolition debris disposal facilities shall comply with the following requirements:

(a) An operation plan describing the facility operations and maintenance, emergency and contingency plans, and types of equipment that will be used shall be kept at the facility at all times and made available for inspection. The operation plan shall describe the method and sequence of filling waste and shall state the maximum allowed lift depth. Lift depth shall not exceed 10 feet unless authorized in the operation plan. Lift depths greater than 10 feet may be allowed depending on specific operations, daily volume of waste, width of working face, and good safety practices. All activities at the facility shall be performed in accordance with this plan and the permit conditions. The plan shall be updated as operations change but no less frequently than every five years ~~upon renewal of the permit~~. The operation permit shall be modified to reflect any substantive changes to the plan, other than those required for routine maintenance.

(b) through (j) No change.

(8) No change.

(11) Financial Assurance.

(a) As a condition for issuance of an off-site construction and demolition debris disposal facility permit, ~~permit transfer~~, or permit modification authorizing expansion, the owner or operator shall provide the Department with closure cost estimates for the permitted portions of the facility as part of the application ~~proof of financial assurance issued in favor of the State of Florida in the amount of the closing and long-term care cost estimates for the facility~~. Proof of financial assurance issued in favor of the Florida Department of Environmental Protection in the amount of the closing and long-term care cost estimates for each permitted disposal unit shall be provided at least 60 days prior to the initial receipt of waste at such unit. ~~This proof shall be submitted to the Department as part of the permit application process.~~ No solid waste shall be stored or disposed of at a solid waste disposal unit until the permittee has received written approval of the financial assurance mechanism from the Department. The financial mechanism shall either be:

62-701.900 Forms.

(1) Form 62-701.900(1), Application to Construct, Operate, Modify, or Close a Solid Waste Management Facility, effective ~~[eff. date] January 6, 2010~~.

(5) Form 62-701.900(5), Financial Mechanisms for Solid Waste Management Facilities Requiring Closure and/or Long-term Care, effective ~~[eff. date] January 6, 2010~~.

(a) Solid Waste Facility Irrevocable Letter of Credit.

(b) Solid Waste Facility Financial Guarantee Bond.

(c) Solid Waste Facility Performance Bond.

(d) Solid Waste Facility Closure/Long-Term Care Insurance Certificate.

(e) Solid Waste Facility Financial Test.

(f) Solid Waste Facility Corporate Guarantee.

(g) Solid Waste Facility Trust Fund Agreement.

(h) Solid Waste Facility Standby Trust Fund Agreement.

(6) Form 62-701.900(6), Application to Construct, Operate, or Modify a Construction and Demolition Debris Disposal or Disposal with Recycling Facility, effective ~~[eff. date] May 27, 2001~~.

(25) Form 62-701.900(35), Notification of Container-to-Container Waste Transfer ~~Processing~~ Facility, effective [eff. date].

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12DER12-3	RULE TITLE: Exemption for Deployed Servicemembers
------------------------	---

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2011-93 (House Bill 1141), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules. This act further provides that all conditions imposed by Sections 120.536(1) and 120.54, Florida Statutes, (Section 4 of Chapter 2011-93) were deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2011-93 (House Bill 1141), Laws of Florida, which created Section 196.173, Florida Statutes. Section 196.173, Florida Statute, has been further amended by chapter 2012-193 (House Bill 7097), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 6 months and that they may be renewed during the pendency of procedures to

adopt permanent rules addressing the subject of the emergency rules. The form included here is based on the requirements of Chapter 2011-93 (House Bill 1141), Laws of Florida, as passed by the Legislature, and will provide a new application form. The Department of Revenue has taken action to inform interested parties about the form that is being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and interested parties who have told the Department that they want to receive all information associated with property tax rulemaking.

SUMMARY: Chapter 2011-93 (House Bill 1141), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed. The purpose of these emergency rules is to provide a procedure and form for property appraisers to implement the new exemption from provisions of Chapter 2011-93, Laws of Florida, (House Bill 1141) and additional provisions from Chapter 2012-193, Laws of Florida, (House Bill 7097). The application, Form DR-501M, Deployed Military Exemption Application, is for service members who have been deployed in designated operations as outlined in Section 196.173, Florida Statutes, Exemption for Deployed Servicemembers.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0100, telephone (850)617-8886, Fax (850)617-6112, email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER12-3 Exemption for Deployed Servicemembers.

(1) This rule applies to the exemption provided in Section 196.172, F.S., for servicemembers who receive a homestead exemption and who were deployed during the previous tax year. For the purposes of this rule the following definitions shall apply:

(a) "Servicemember" means a member or former member of

1. Any branch of the United States military or military reserves.

2. The United States Coast Guard or its reserves, or

3. The Florida National Guard.

(b) "Deployed" means:

1. On active duty.

2. Outside of the continental United States, Alaska or Hawaii, and

3. In support of a designated operation.

(c) "Designated Operation" means an operation designated by the Florida Legislature. The Department shall annually provide all Property Appraisers with a list of operations which have been designated.

(2)(a) Application for this exemption must be made by March 1 of the year following the qualifying deployment. If the servicemember fails to make a timely application for this exemption the property appraiser may grant the exemption on a late application if they believe circumstances warrant that it be granted. The servicemember may also petition the value adjustment board to accept the late application no later than 25 days after the mailing of the notice provided under Section 194.011(1), F.S.

(b) Application for this exemption shall be made on Form DR-501M, Deployed Military Exemption Application (R. 05/12), which the Department of Revenue adopts and incorporates in this rule by reference. Copies of this form are available, without cost, by downloading the selected form from the Department's Internet site at <http://dor.myflorida.com/dor/property/forms/#3>. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(c) In addition to the application, the servicemember must submit to the property appraiser deployment orders or other proof of the qualifying deployments which includes the dates of that deployment and other information necessary to verify eligibility for this exemption. If the servicemember fails to include this documentation with the application, the property appraiser may request the needed documentation from the servicemember before denying the exemption.

(d) Application for this exemption may be made by:

1. The servicemember.

2. The servicemember's spouse, if the homestead is held by the entireties or jointly with right of survivorship.

3. A person holding a power of attorney or other authorization under Chapter 709, F.S., or

4. The personal representative of the servicemember's estate.

(3) After receiving an application for this exemption the property appraiser shall consider the application within 30 days of its receipt or within 30 days of the notice of qualifying deployments, whichever is later. If the application is denied in whole or in part, the property appraiser shall send a notice of disapproval to the taxpayer no later than July 1, citing the reason for the disapproval. The notice of disapproval shall also advise the taxpayer of the right to appeal the decision to the value adjustment board.

(4) This exemption shall apply only to the portion of the property which is the homestead of the deployed servicemember or servicemembers.

(5) The percentage exempt under this exemption shall be calculated as the number of days the servicemember was deployed during the previous calendar year divided by the number of days in that year multiplied by 100.

(6) If the homestead property is owned by joint tenants with a right of survivorship or tenants by the entirety, the property may be granted multiple exemptions for deployed servicemembers. The following provisions shall apply in the event that multiple servicemembers are applying for the exemption on the same homestead property.

(a) Each servicemember shall make a separate application to the property appraiser listing the dates of their deployment.

(b) The property appraiser shall separately calculate the exemption percentage for each servicemember.

(c) The property appraiser shall then add the percentages exempt which were determined for each of the servicemembers who are joint tenants with rights of survivorship or tenants by the entirety before applying that percentage to the taxable value. In no event shall the percentage exempt exceed 100%.

(7) When calculating exemptions and taxes due, the property appraiser shall first apply the exemptions listed in Section 196.031(7), F.S., in the order specified, to produce school and county taxable values. The percentage exempt calculated under this exemption shall then be applied to both taxable values producing final taxable values. The taxes due shall then be calculated and the percentage discount for disabled veterans under Section 196.082, F.S., should then be applied.

(8) If the property is owned by either tenants in common or joint tenants without right of survivorship, the percentage discount allowed under this rule shall only apply to the taxable value of the qualifying servicemember's interest in the property.

(9) The following special provisions shall apply to the 2012 tax year.

(a) The application deadline for 2012 is June 1, 2012. If the servicemember fails to make a timely application for this exemption the property appraiser may grant the exemption on a late application if they believe circumstances warrant that it be granted. The servicemember may also petition the value adjustment board to accept the late application no later than 25 days after the mailing of the notice provided under Section 194.011(1), F.S.

(b) The "Designated Operations" are:

1. Operation Noble Eagle, which began on September 15, 2001.
2. Operation Enduring Freedom, which began on October 7, 2001.
3. Operation Iraqi Freedom, which began on March 19, 2003, and ended on August 31, 2010.
4. Operation New Dawn, which began on September 1, 2010, and ended on December 15, 2011, or

5. Operation Odyssey Dawn, which began on March 19, 2011, and ended October 31, 2011.

(10) This rule renews and replaces emergency rule 12DER11-18, which was effective November 29, 2011 and this rule will remain in effect during the pendency of procedures to adopt rules addressing the subject matter of this emergency rule.

Rulemaking Authority Section 4 of Chapter 2011-93 (House Bill 1141), L.O.F. Law Implemented Sections 1, 2, 3, 5 and 6 of Ch. 2011-93 (House Bill 1141), Sections 24 and 32 of Ch. 2012-193 (House Bill 7097), L.O.F., 196.011, 196.031 FS. History—New 5-25-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 25, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on May 25, 2012, the Department of State, received a petition for Waiver of subsection 1B-2.011(2)(c), F.A.C., prohibiting carryover of unexpended Library Cooperative Grant funds beyond September 30 of the current fiscal year by the Southwest Florida Library Network. The SWFLN has been operating under substantial financial hardship which has caused reserve funds to be used. The veto of 2012/2013, Library Cooperative Grant funds has placed the continuation of certain services in jeopardy for the coming year. The ability to carryover unexpended funds beyond September 30, 2012 would help to lessen the likelihood of services being eliminated.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Betty Money, Agency Clerk, Office of the General Counsel, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6536.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on May 14, 2012, the Agency for Health Care Administration, received a petition for Variance from or Waiver of Rule 59G-4.250, F.A.C. ("Petition") from Walgreen Co. Rule 59G-4.250, F.A.C., entitled Prescribed Drug Services, requires that all participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Prescribed Drug Services Coverage, Limitations, and Reimbursement Handbook ("Handbook"), updated May, 2008. Walgreen Co. seeks to preserve the enrollment of certain newly acquired specialty pharmacies in

the Florida Medicaid program that have not yet received their Drug Enforcement Administration (“DEA”) registrations and allow certain other community pharmacies to enroll pending their receipt of their DEA registrations. Walgreen Co. seeks a variance or waiver from the portion of the Handbook which lists DEA registration as one of the items needed for enrollment as a prescribed drug services provider.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, MS #3, Tallahassee, Florida 32308. Written comments on the Petition may be submitted to the Agency Clerk at the address above within fourteen (14) days after publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Ella at Encore, filed February 27, 2012, and advertised in Vol. 38, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4, and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for material and factor of safety, minimum number and diameter of suspension ropes, material and grooving because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-069).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Ironwood Building G, filed April 26, 2012, and advertised in Vol. 38, No.19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(t), and 3.9.1 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for in-car stop switch and normal terminal stopping devices until April 25, 2014, because the Petitioner has demonstrated that the purpose of the statute

underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-129).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from The Greens at Pinebrook, filed March 16, 2012, and advertised in Vol. 38, No. 14, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters’ emergency operations until March 16, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-092).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from First Baptist Church of Charlotte, filed April 30, 2012, and advertised in Vol. 38, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.5 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the design and construction of pits because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-135).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for a

Variance from Sheraton Suites Tampa Airport, filed March 8, 2012, and advertised in Vol. 38, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 106.1(e) and 110.10(b) ASME A17.1, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the illumination of pits and illumination at landing sills required until January 31, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-078).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Summit Place Condo, filed April 30, 2012, and advertised in Vol. 38, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, and Rule 303.3d ASME 171.1b, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations and supply line shutoff valve, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-133).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On May 24, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Ironwood Bldg. H, filed April 26, 2012, and advertised in Vol. 38, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.9.1 and 3.10.4(t) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by Rule 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the normal terminal stopping devices and in-car stop

switch operations until April 25, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-130).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Stevens Landing, filed April 30, 2012, and advertised in Vol. 38, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1982 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the supply line shutoff valve because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-134).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Hilton Orlando/Altamonte Springs, filed April 10, 2012, and advertised in Vol. 38, No. 16, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until August 31, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-112).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for a

Variance from Valencia Building Four, filed April 20, 2012, and advertised in Vol. 38, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4, and 8.11.2.1.3(cc) 1&3 ASME A17.1, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the governor ropes material and factor of safety, minimum number and diameter of suspension ropes, and wire suspension and compensating ropes because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-121).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Hotel Jacaranda, filed May 8, 2012, and advertised in Vol. 38, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-141).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from 601 Professional Building, filed May 8, 2012, and advertised in Vol. 38, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2(a) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading Platform guards because the Petitioner has

demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-142).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 24, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Ligonier Ministries Academy Bldg., filed March 15, 2012, and advertised in Vol. 38, No. 14 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.1.1.2, 2.1.1.3, 2.1.1.6, and 2.1.1.7 ASME A18.1, 2003 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the runway entrances because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-087).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN that on May 23, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Citadel Limited. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-158).

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

NOTICE IS HEREBY GIVEN that on May 22, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palm Beach Plaza Assoc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards which poses a significant economic/financial hardship. Any interested person may file

comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-157).

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

NOTICE IS HEREBY GIVEN that on May 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Good Samaritan Center. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 3.10.4(t), 3.3.2, 2.7.4, 3.11.1(a)(1)(2), 3.4.5(d)(1), 2.7.3, 3.4.4(a), 3.4.3(c), 3.9.2, and 3.4.1(a), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations, in-car stop switch, platform guards, restricted opening of hoistway doors and/or car doors on passenger elevators, car emergency signaling devices (audible, two way), car illumination, access to hoistway, top emergency exits, space guards, final terminal stopping devices and car enclosures, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-159).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 30, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Baptist Medical Center, Wolfson Tower, filed April 20, 2012, and advertised in Vol. 38, No. 18 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.2, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the equipment in machine rooms because the elevator already meets code as installed (VW 2012-120).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN that on May 24, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an

Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Crepe Maker located in Miami, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

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

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on May 25, 2012, the Board of Medicine, received a petition for waiver filed by Zumilvette Ortiz Detres, M.D., from Rules 64B8-1.007 and 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the applicant's Area of Critical Need application. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on May 3, 2012, the Board of Opticianry, received a petition for waiver or variance filed by Christine Price, DO, from Rule 64B12-15.001, F.A.C., with regards to the requirement that each licensee must complete a minimum of 20 hours of continuing professional education prior to biennial license renewal.

Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, at the above address or telephone: (850)245-4474.

NOTICE IS HEREBY GIVEN that on May 22, 2012, the Board of Psychology, received a petition for waiver filed on behalf of Miladys N. Rivera, Ph.D., from Rule 64B19-11.005, F.A.C., with regard to the requirement that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports

with the rule. Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address or telephone: (850)245-4373.

NOTICE IS HEREBY GIVEN that on May 18, 2012, the Department of Health, received a petition for Variance from paragraph 64E-28.006(3)(b), Florida Administrative Code, from Alpesh Patel, on behalf of Biologix Solutions LLC. Paragraph 64E-28.006(3)(b), Florida Administrative Code, requires internet-based tattoo education courses to incorporate a means of identity verification and validation using technology that seeks verification through internet databases using information that is specific to the student's identity. The Petitioner requests a variance from the rule to allow the Petitioner to use a verification and validation technology, which has been developed based on a series of personal questions instead of internet database information. Comments on this Petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Penny Barwick, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

The Department of Health, Bureau of Radiation Control hereby gives notice that on May 18, 2012, pursuant to Section 120.542, F.S., the Bureau of Radiation Control has issued an order. The Order grants a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., for Republic Metals Corporation. The petition for a variance was received by the Department on March 5, 2012. Notice of receipt of the petition was published in the Florida Administrative Weekly on March 23, 2012. Subparagraph 64E-5.502(1)(a)6., F.A.C., prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided. The Republic Metals Corporation has been granted a variance to subparagraph 64E-5.502(1)(a)6., F.A.C., allowing the intentional exposure of individuals to ionizing radiation for the specific purpose of screening employees under the condition the machine or any future machines and their use meet the standards found in ANSI/HPS 42.17-2009. The variance is in effect until such time as the Department promulgates rules specific to ionizing radiation machines for personnel security purposes.

A copy of the Order or additional information may be obtained by contacting: Philip Thoma, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, FL 32073 or (904)278-5730.

The Department of Health, Bureau of Radiation Control hereby gives notice that on May 25, 2012, pursuant to Section 120.542, F.S., the Bureau of Radiation Control has issued an order.

The Order grants a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., for the St. Lucie County Sheriff's Office. The petition for a variance was received by the Department on April 9, 2012. Notice of receipt of the petition was published in the Florida Administrative Weekly on May 4, 2012. Subparagraph 64E-5.502(1)(a)6., F.A.C., prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided. The St. Lucie County Sheriff's Office has been granted a variance to subparagraph 64E-5.502(1)(a)6., F.A.C., allowing the intentional exposure of individuals to ionizing radiation for the specific purpose of screening inmates at St. Lucie County Sheriff's Office jails and under the condition that the machine or any future machines and their use meet the standards found in ANSI/HPS 42.17-2009. The variance is in effect until such time as the Department promulgates rules specific to ionizing radiation machines for personnel security purposes.

A copy of the Order or additional information may be obtained by contacting: Philip Thoma, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, FL 32073 or (904)278-5730.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Bureau of Historic Preservation**, the Friends of Florida Main Street announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 22, 2012, 11:00 a.m. – Conclusion

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the organization.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

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: Joan Jefferson, 1(800)847-7278 or via email: Joan.Jefferson@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Joan Jefferson, 1(800)847-7278 or email: Joan.Jefferson@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: July 5, 2012, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, (850)617-7940 or from the PREC Web Site: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

DEPARTMENT OF EDUCATION

The **Blind Services Foundation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 21, 2012, 3:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Code: 4978021360 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Craig Kiser, 256 Cocoa Lane, Venice, FL 34293, (850)345-9122.

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: Craig Kiser, 256 Cocoa Lane, Venice, FL 34293, (850)345-9122. 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 **Florida Rehabilitation Council (FRC)** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Evaluation Committee, July 5, 2012, 9:30 a.m. – 11:30 a.m.; Executive Committee, July 4, 2012, 9:00 a.m. – 11:00 a.m.; Legislative Committee, July 10, 2012, 9:30 a.m. – 11:30 a.m.; Planning Committee, July 11, 2012, 9:30 a.m. – 11:30 a.m.; Public Awareness Committee, July 3, 2012, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any interested parties that need further information may contact: The FRC, (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to: Paige Sharpton at the Council's address, 2001-A Old St. Augustine Rd., Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: The FRC, (850)245-3397.

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 3-5 days before the workshop/meeting by contacting: The FRC, (850)245-3397. 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 **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, June 15, 2012, 8:30 a.m. or as soon thereafter as can be heard

PLACE: Embassy Suites International Drive, 8250 Jamaican Court, Orlando, Florida 32819, (407)345-8250

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Kathleen M. Richards, (850)245-0455.

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: Kathleen M. Richards, (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lisa Forbess or Kathleen M. Richards, (850)245-0455.

The **Indian River State College** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 20, 2012, 10:00 a.m.

PLACE: Treasure Coast Public Safety Training Complex, 4600 Kirby Loop Road, Fort Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting for the Region XI Council will provide updates on training classes and any other issues involving the Region.

The **State Advisory Council on Early Education and Care** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 19, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Access Code: 6831077

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Advisory Council business.

A copy of the agenda may be obtained by contacting: whitney.davis@oel.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: whitney.davis@oel.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: whitney.davis@oel.myflorida.com.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 22, 2012, 9:00 a.m. – 2:00 p.m.

PLACE: Florida Department of Law Enforcement Headquarters Leadership Classrooms, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly Missing Endangered Persons Information Clearinghouse Advisory Board (MEPICAB) Formal Meeting. A copy of the agenda may be obtained by contacting: Debbie Payne, 1(888)356-4774.

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: Debbie Payne, 1(888)356-4774. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mrs. Debbie Payne or Ms. Gwen Johnson, 1(888)356-4774.

The **Criminal Justice Standards and Training Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2012, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Headquarters, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: Lori Morea, (850)410-8625 or e-mail: lorimorea@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Morea, (850)410-8625 or e-mail: lorimorea@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lori Morea, (850)410-8625 or e-mail: lorimorea@fdle.state.fl.us.

STATE BOARD OF ADMINISTRATION

The **Participant Local Government Advisory Council (PLGAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 25, 2012, 9:30 a.m. – until completion of agenda

PLACE: Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Investment Pool Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under Section 218.409(10)(a), Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or email: diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or email: james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Investment Advisory Council (IAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 25, 2012, 10:30 a.m. – until completion of agenda

PLACE: Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or email: diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or email: james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, June 26, 2012, 9:00 a.m.

PLACE: Miami-Dade County Auditorium, 2901 W. Flagler Street, Miami, FL 33135

DATE AND TIME: Tuesday, June 26, 2012, 4:00 p.m.

PLACE: Florida Memorial University, Lou Rawls Auditorium, 15800 N.W. 42nd Avenue, Miami Gardens, FL 33054

DATE AND TIME: Wednesday, June 27, 2012, 9:00 a.m.

PLACE: Plantation City Council Chambers, 400 N.W. 73rd Avenue, Plantation, FL 33317

DATE AND TIME: Wednesday, June 27, 2012, 4:00 p.m.

PLACE: Broward County Main Library, Auditorium, 100 S. Andrews Avenue, Fort Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: **DOCKET NO. 120015-EI** – Petition for increase in rates by Florida Power & Light Company. The purpose of this customer service hearing is to take testimony from the public on the quality and adequacy of Florida Power & Light Company's service and other matters related to Florida Power & Light Company's petition for a rate increase. The procedure at the service hearing shall be as follows: The Company will present a brief summary of its case and then members of the public may present testimony. Members of the public who wish to present testimony are urged to appear promptly at each scheduled hearing time since the hearing may be adjourned early if no witnesses are present to testify. All witnesses shall be subject to cross-examination at the conclusion of their testimony. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: June 20, 2012, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council Office, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly Council meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Tuesdai Brunsonbyrd-Bowden, (407)262-7772, tbyrd@ecfrpc.org or visit: www.ecfrpc.org.

For more information, you may contact: Tuesdai Brunsonbyrd-Bowden, (407)262-7772 or email: tbyrd@ecfrpc.org.

NOTICE OF CHANGE – The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

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

PLACE: Sebring Airport Authority Conference Room (Please note NEW LOCATION), 128 Authority Lane, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Central Florida Regional Planning Council and/or its Executive Committee. This Meeting LOCATION has changed from a previous publication. A copy of the agenda may be obtained by contacting: Kathryn Hall, (863)534-7130 or email: khall@cfrpc.org.

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

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

DATE AND TIME: Monday, June 25, 2012, 10:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Budget and Finance Committee's monthly meeting.

A copy of the agenda may be obtained by contacting: Ms. Nancy Doyle, ndoyle@swfrpc.org or (239)338-2550, ext. 233. 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: SWFRPC's Office, (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **Southwest Florida Regional Planning Council, LEPC** announces a public meeting to which all persons are invited.

DATE AND TIME: June 29, 2012, 9:30 a.m. – 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Region IX – Local Emergency Planning Committee (LEPC) quarterly meeting. To discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act. Additionally, the Southwest Florida Regional Hazmat Teams Meeting will be held at the same location beginning at 11:00 a.m.

A copy of the agenda may be obtained by contacting: John Gibbons, (239)338-2550, ext. 229, jgibbons@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Southwest Florida Regional Planning Council, (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

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

SOUTHERN RECREATIONAL PUBLIC MEETING (SRPM)
DATE AND TIME: Thursday, June 21, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Brevard County Commission Chambers, 2725 Judge Fran Jamieson Way, Viera, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Includes a review of the resource and recreation management accomplishments and land acquisition updates since the previous SRPM in February, 2012. One or more Governing Board Members may attend.

A copy of the agenda may be obtained by contacting: J. B. Miller, (386)329-4381 or jbmiller@sjrwm.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: J. B. Miller, (386)329-4381 or email: jbmiller@sjrwm.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

Loxahatchee River Management Coordinating Council

DATE AND TIME: June 25, 2012, 2:00 p.m. – 5:00 p.m.

PLACE: River Center, 805 North US Highway One, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meet to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

A copy of the agenda may be obtained by contacting: Laura R. H. Corry, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6012 or lcorry@sfwmd.gov or www.sfwmd.gov.

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: District Clerk's Office, (651)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).

For more information, you may contact: Laura R. H. Corry, (561)682-6012.

DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATES AND TIME: June 21, 28, 2012; July 5, 12, 19, 26, 2012; August 2, 9, 16, 23, 30, 2012, September 6, 13, 20, 27, 2012; 12:00 Noon – 1:00 p.m. (EST)

PLACE: Conference Call: 1(888)670-3525, Participant Code: 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381; email: runyana@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381,

email: runyana@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: runyana@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 21, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Agency for Health Care Administration, Conference Room "A", 2727 Mahan Drive, Tallahassee, Florida. Any person interested in participating by telephone may dial: 1(888)670-3525, Participant Code: 3875036751#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)412-3730

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Elizabeth Jenkins, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5407. The agenda will also be posted at the Agency website: <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

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: Elizabeth Jenkins, Florida Center for Health Information and Policy Analysis at Elizabeth.Jenkins@ahca.myflorida.com or (850)412-3735. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Elizabeth Jenkins, Florida Center for Health Information and Policy Analysis, Elizabeth.Jenkins@ahca.myflorida.com or (850)412-3735.

NOTICE OF CHANGE – The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATES AND TIME: June 28, 2012; July 26, 2012; August 23, 2012; September 27, 2012; October 25, 2012; December 6, 2012; 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308. This notice is to announce a new Dial-in Number for these meetings: 1(888)670-3525, Conference Code: 3876460157 then #. Those not able to attend in person may call the conference phone number (listed below).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Patricia Walker, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004.

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: Patricia Walker, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Patricia Walker, (850)412-4004.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: June 26, 2012, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

The **Board of Cosmetology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 22, 2012, 3:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Conference Code: 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida, (850)487-1395.

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: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida, (850)487-1395.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 27, 2012, 9:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)670-3525, Conference Pass code: 7489217568 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office: (850)487-1395.

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: The Board Office, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Board of Landscape Architecture** announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2012, 9:00 a.m.

PLACE: Renaissance World Golf Village, 500 South Legacy Trail, St. Augustine, FL 32092, (904)940-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

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: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 19, 2012, 10:00 a.m.

PLACE: Conference Call: 1(888)670-3525, Participant Passcode: 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399-0773.

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: Board Office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: June 18, 2012, 1:30 p.m. or soonest thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

NOTICE OF CHANGE: This notice is for the purpose of changing the time advertised in the May 25, 2012, issue.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 14, 2012, 2:00 p.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Compton, 1(888)862-7010.

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: Janet Compton, 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Compton, Executive Director, FMHRC, P. O. Box 3047 Tallahassee, FL 32315, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: June 19, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida, Via Webinar: <https://www2.goto.com/register/834411994>. Registration for the Webinar is limited to 125 participants, so please consider sharing access with other participants, if possible

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department's petroleum storage tank system reference document entitled "Storage Tank System Closure Assessment Requirements, April 1998" is out of date. This document's references to cleanup tables need to be updated and soil and groundwater sampling methodologies need to be updated to reflect current situations. A copy of the discussion document is available at <http://www.dep.state.fl.us/waste/categories/pcp/pages/announcements.htm>.

A copy of the agenda may be obtained by contacting: Kimberley Curran, (850)245-8849 or email: kimberley.curran@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kimberley Curran, (850)245-8849, email: kimberley.curran@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 **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: June 29, 2012, 9:00 a.m. (CDT)

PLACE: Florida Department of Environmental Protection, Northwest District Office, Conference Room 502, 160 W. Government Street, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on draft total maximum daily loads (TMDLs) for impaired water segments in the Pensacola Bay and Perdido Bay basins, to be adopted in Rules 62-304.330 and

62-304.335, F.A.C., respectively. The TMDLs to be presented at the public workshop are fecal coliform TMDLs for Escambia River (WBID 10F), Texar Bayou (WBID 738), Carpenter Creek (WBID 676), Blackwater River (WBID 24AB), East Bay River (WBID 701A), Yellow River (WBID 30), and Turkey Creek (WBID 117) in the Pensacola Bay basin, and Brushy Creek (WBID 4) in the Perdido Bay basin. Draft TMDL documents for these impaired waters will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl/>) by Friday, June 8, 2012 and will be provided upon request to interested parties by mail or via email distribution. The Department will accept written comments on the draft TMDLs through July 9, 2012. Written comments on these TMDLs should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station #3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, via email: jan.mandrup-poulsen@dep.state.fl.us. These rulemakings have been assigned OGC case numbers 12-1171 and 12-1172.

A copy of the agenda may be obtained by contacting: Ms. Patricia Waters, Watershed Evaluation and TMDL Section, MS #3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling: (850)245-8449.

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

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Infant, Maternal, and Reproductive Health Unit announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 14, 2012, 1:30 p.m.

PLACE: Meeting Number: 620 456 954, Meeting Password: journey; Go to <https://rcg.webex.com/rcg/j.php?ED=199213262&UID=498365452&PW=NYWQ3ZTI4M2Qw&RT=MIMxMg%3D%3D>; Conference Call: +1(408)600-3600 (U.S./Canada), Access Code: 620 456 954

GENERAL SUBJECT MATTER TO BE CONSIDERED: Healthy Start Redesign Project Steering Committee Meeting.

A copy of the agenda may be obtained by contacting: Javier_Vazquez@doh.state.fl.us or by visiting the Florida Healthy Start website: <http://www.doh.state.fl.us/family/mch/hs/hs.html>.

NOTICE OF CHANGE – The **Board of Clinical Laboratory Personnel**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: This meeting was originally scheduled for Tuesday, June 5, 2012, 9:30 a.m., and now has been rescheduled for June 19, 2012, 9:30 a.m.

PLACE: Conference Call: 1(888)670-3525, Participant Passcode: 9238150597; Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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: Sherra W. Causey. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 21, 2012, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)670-3525, Code: 1135981458

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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: The Board, (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

NOTICE OF CHANGE – The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2012, 10:00 a.m. (ET)

PLACE: Florida Department of Health, Southwood Complex, 4042 Bald Cypress Way, Room #240 P, Tallahassee, FL 32399; Or via Conference Call / Web Conference: 1(888)670-3525, Conference Pass Code: 8605907413, Website: http://connectpro22543231.na5.acrobat.com/rrac_new/

GENERAL SUBJECT MATTER TO BE CONSIDERED: ****NOTE**** This meeting was previously advertised in the May 11, 2012, F.A.W. issue 38/19 with a different conference call-in number. This number has now been updated and is listed above. The purpose of this meeting is to discuss and guide current, proposed, and potential future onsite sewage research projects. This meeting will discuss the Nitrogen Reduction Strategies Study and other ongoing and possible future research projects may be discussed. Part of this meeting may be accessible via web conference with details to be posted on the Bureau website: <http://www.doh.state.fl.us/environment/ostds/research/index.html>.

A copy of the agenda may be obtained by contacting: Elke Ursin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713, (850)245-4070, e-mail: Elke_Ursin@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Elke Ursin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070 or by e-mail: Elke_Ursin@doh.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 **Florida PDMP Foundation, Inc.** announces a telephone conference call to which all persons are invited.

DATES AND TIME: June 21, 2012; July 19, 2012; August 16, 2012; September 20, 2012; October 18, 2012; November 15, 2012; December 20, 2012, 4:00 p.m. – 5:00 p.m. (ET)

PLACE: Via Conference Call: 1(888)670-3525, Conference Code: 1648696226

GENERAL SUBJECT MATTER TO BE CONSIDERED: The General Business of The Florida PDMP Foundation, Inc.

A copy of the agenda may be obtained by contacting: The Florida PDMP Foundation, Inc., www.flpdmpfoundation.com. The public agenda will be available two days prior to the meeting date on this website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the meeting by contacting:

Prescription Drug Monitoring Program, (850)245-4797. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida PDMP Foundation, Inc., C/O Florida Prescription Drug Monitoring Program, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, FL 32399, (850)245-4797.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: Monday, June 18, 2012, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, Room 335, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Metrics for State Mental Health Treatment Facilities.

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

The **Department of Children and Families** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 19, 2012, 10:30 a.m. – 1:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Pin: 8007400450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Debriefing conference call for the Prevention Partnerships Grants.

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: ellen_piekalkiewicz@dcf.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 **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2012, 2:00 p.m.

PLACE: Florida Department of Children and Families, 401 N.W. 2 Avenue, Suite N 812, Miami, FL 33128; Conference Call: 1(888)808-6959, Conference Code: 4139599#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The rescheduled final meeting of the Department negotiation team to develop a recommendation for contract award for Refugee Youth Services in Miami-Dade County, as provided for in Section 3.14.1 and Addendum #4 of ITN #SNR12K03, published on the Vendor Bid System (VBS) on March 19 and May 30, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

A copy of the agenda may be obtained by contacting: Holly Merrick, Holly_Merrick@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pamela Thornton, email: Pamela_Thornton@dcf.state.fl.us or (850)717-4567. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

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

DATES AND TIME: June 27-28, 2012, 8:30 a.m. each day

PLACE: PGA National Resort and Spa, 400 Avenues of the Champions, Palm Beach Gardens, Florida 33418

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Robin Stetler, Florida Fish and Wildlife Conservation Commission, (850)487-3796.

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, (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).

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

For more information, you may contact: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

DEPARTMENT OF FINANCIAL SERVICES

The **Fire & Emergency Incident Information System Technical Advisory Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 23, 2012, 9:00 a.m.

PLACE: Omni Orlando Resort at Champions Gate, 1500 Masters Blvd., Champions Gate, FL 33896

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Meeting.

A copy of the agenda may be obtained by contacting:
MaryAnn.Benson@myfloridacfo.com.

The **Firefighters Employment, Standards & Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 23, 2012, 10 minutes after the adjournment of the Fire & Emergency Incident Information Systems Technical Advisory Panel Meeting which begins, 9:00 a.m.

PLACE: Omni Orlando Resort at Champions Gate, 1500 Masters Blvd., Champions Gate, FL 33896

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Meeting.

A copy of the agenda may be obtained by contacting:
MaryAnn.Benson@myfloridacfo.com.

BOARD OF GOVERNORS

The Strategic Planning Committee of the **Board of Governors**, of the State University System announces a public meeting to which all persons are invited.

DATES AND TIMES: June 19, 2012, 1:00 p.m. – 5:15 p.m.;
June 20, 2012, 8:30 a.m. – 5:00 p.m.

PLACE: University of Central Florida, Live Oak Center, Ferrell Commons, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
2012-13 University Work Plans for FAMU, FAU, FGCU, FIU, FSU, NCF, UCF, UF, UNF, USF, and UWF; and other related business.

A copy of the agenda may be obtained by contacting: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400, (850)245-0466. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The Budget and Finance Committee, the Academic and Student Affairs Committee, the Audit and Compliance Committee, the Facilities Committee, and the Trustee Nominating and Development Committee of the **Board of Governors**, of the State University System announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2012, 8:30 a.m. – 1:00 p.m.

PLACE: University of Central Florida, Live Oak Center, Ferrell Commons, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Consideration, Capital Improvement Fee Requests; Consideration, Tuition Differential Requests; Discussion, Proposed Changes to Regulation 7.003 New Fees; Consideration, Ph.D., Hospitality Management, UCF; Consideration, Ph.D., Applied Behavior Analysis, USF; Consideration, Consolidation of Graduate Education Programs into Curriculum and Instruction, FSU; Consideration, Exception to 120 Credit Hours to Degree and Limited Access Status, B.S., Biology, Medical Sciences Track, UNF; Consideration, Limited Access Status, B.S., Global Business, USF St. Petersburg; Consideration, Termination of Academic Infrastructure Support Organization Status for the Florida Center for Library Automation; Update, Council of Student Affairs; Report, FAMU Division of Audit and Compliance Corrective Action Plan; Consideration, Annual Charter Revisions, Audit and Compliance Committee and Office of the Inspector General and Director of Compliance; Inspector General's Report of Activities; Consideration, Amendment to Agreement between the City of Tallahassee, Leon County, Florida, FSU and the Board of Governors related to the Tallahassee-Leon County Civic Center Authority to release the City and County from any obligations under previous Civic Center Agreements and Authorize FSU to acquire the Tallahassee-Leon County Civic Center and associated outstanding Debt; Consideration, Resolution of the Board of Governors Authorizing the Issuance of Debt by FAU Financing Corporation to Finance the Construction of a Student Residence Facility on the Boca Raton Campus, FAU; Consideration, Resolution of the Board of Governors Authorizing the Issuance by FSU Financial Assistance, Inc. of Bonds to Finance the Construction of a Multi-Purpose Indoor Athletic Facility and Related Improvements on the Main Campus, FSU; Consideration, Resolution of the Board of Governors Requesting the Division of Bond Finance of the State Board of Administration of Florida to issue revenue bonds on behalf of UF to finance the expansion of the J. Wayne Reitz Union on the main campus, UF; Update, SUS Facilities

Task Force; Consideration, Trustee Appointments, Florida A&M University, Florida Polytechnic University, and New College of Florida; and other related business.

A copy of the agenda may be obtained by contacting: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400, (850)245-0466. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, of the State University System announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: University of Central Florida, Live Oak Center, Ferrell Commons, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration, Board Operating Procedures; Consideration, Capital Improvement Fee Requests; Consideration, Tuition Differential Requests; Final Approval, Amendments, Regulation 7.002 Tuition and Fee Assessment, Collection, Accounting and Remittance; Final Approval, Amendments, Regulation 7.003 Fees, Fines, and Penalties; Consideration, Exception to 120 Credit Hours to Degree and Limited Access Status, B.A, Music Education, FGCU; Consideration, Ph.D., Hospitality Management, UCF; Consideration, Ph.D., Applied Behavior Analysis, USF; Consideration, Consolidation of Graduate Education Programs into Curriculum and Instruction, FSU; Consideration, Exception to 120 Credit Hours to Degree and Limited Access Status, B.S., Biology, Medical Sciences Track, UNF; Consideration, Limited Access Status, B.S., Global Business, USF St. Petersburg; Consideration, Termination of Academic Infrastructure Support Organization Status for the Florida Center for Library Automation; Consideration, Annual Charter Revisions, Audit and Compliance Committee and Office of the Inspector General and Director of Compliance; Consideration, Amendment to Agreement between the City of Tallahassee, Leon County,

Florida, FSU and the Board of Governors related to the Tallahassee-Leon County Civic Center Authority to release the City and County from any obligations under previous Civic Center Agreements and Authorize FSU to acquire the Tallahassee-Leon County Civic Center and associated outstanding Debt; Consideration, Resolution of the Board of Governors Authorizing the Issuance of Debt by FAU Financing Corporation to Finance the Construction of a Student Residence Facility on the Boca Raton Campus, FAU; Consideration, Resolution of the Board of Governors Authorizing the Issuance by FSU Financial Assistance, Inc. of Bonds to Finance the Construction of a Multi-Purpose Indoor Athletic Facility and Related Improvements on the Main Campus, FSU; Consideration, Resolution of the Board of Governors Requesting the Division of Bond Finance of the State Board of Administration of Florida to issue revenue bonds on behalf of UF to finance the expansion of the J. Wayne Reitz Union on the main campus, UF; Consideration, Trustee Appointments, Florida A&M University, Florida Polytechnic University, and New College of Florida; and other related business.

A copy of the agenda may be obtained by contacting: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400, (850)245-0466. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The **Department of Economic Opportunity** announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2012, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: <http://fldeo.adobeconnect.com/FL5yrPlan>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This purpose of this webinar is to kick off the public comment period and provide an overview of Florida's five year statewide strategic plan for economic development. Free and open to the public, this presentation will provide the opportunity for Floridians to learn more about the plan, its purpose and ways to contribute ideas for consideration in developing the final plan.

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: (850)717-8960. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Strategic Plan Public Comment Initiative, (850)717-8960.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: June 14, 2012, 12:30 p.m.

PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138.

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: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138.

MONROE COUNTY LOCAL COORDINATING BOARD FOR TRANSPORTATION DISADVANTAGED

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

DATE AND TIME: Friday, June 15, 2012, 11:00 a.m.

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

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

A copy of the agenda may be obtained by contacting: Shelley Anne Glasgow-Wilson, Senior Planning & Evaluation Specialist email: sglasgow@healthcouncil.org or call: (305)592-1452.

SOIL AND WATER CONSERVATION DISTRICTS

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 21, 2012, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to Board of Supervisors: Ag Lab, MIL, District Reports and projects.

A copy of the agenda may be obtained by contacting: Wendy Lobos, (305)242-1288, southdadeswcd@southdadeswcd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Wendy Lobos, (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Morgan Levy, Administrator, (305)242-1288.

SUNSHINE STATE ONE CALL OF FLORIDA

The **Sunshine State One Call of Florida 811** d/b/a **Sunshine 811** announces a public meeting to which all persons are invited.

Meeting

DATE AND TIME: June 22, 2012, 10:00 a.m. – 12:00 Noon

PLACE: 11 Plantation Road, DeBary, Florida 32713

GENERAL SUBJECT MATTER TO BE CONSIDERED: Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811.

Executive Committee Meeting

DATE AND TIME: Friday, June 22, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)670-3525, and enter Meeting ID 8567463178 then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop the agenda for the July 11-13, 2012. Strategic Planning, Committee and Board of Directors meetings.

A copy of the agenda may be obtained by contacting: Lori Budiani, Executive Assistant, (386)575-2002.

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

AREA AGENCY ON AGING FOR NORTH FLORIDA, INC.

The **Orchard Pond, LLC** announces a hearing to which all persons are invited.

DATE AND TIME: June 28, 2012, 5:30 p.m.

PLACE: Christ Presbyterian Church, 2317 Bannerman Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held as part of the Project Development and Environment (PD&E) study being conducting for the proposed Orchard Pond Greenway. This proposed roadway would be located from Old Bainbridge Road to North Meridian Road and is approximately 5.3 miles in length. The proposed improvements would consist of a new two-lane, paved toll road and associated features.

Draft project documents will be made available for public viewing from June 7, 2012 – July 9, 2012, at the Lake Jackson Branch of the Leon County Public Library, located at 3840 North Monroe Street in Tallahassee, FL.

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

A copy of the agenda may be obtained by contacting: Bryant Brantley, Atkins North America, Inc., (850)575-1800 or via email: bryant.brantley@atkinsglobal.com.

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

For more information, you may contact: Greg Garrett, Project Manager, Atkins North America, Inc., (850)575-1800 or via email: greg.garrett@atkinsglobal.com.

ENGINEERING AND PLANNING RESOURCES

The **Escambia County**, in conjunction with the Florida **Department of Transportation**, District 3 announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, June 26, 2012, 6:00 p.m. – 7:30 p.m.

PLACE: Cokesbury United Methodist Church, Asbury Place Facility, 5725 N. 9th Avenue, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held as part of a current Project Development and Environment (PD&E) Study that is being conducted to evaluate proposed transportation solutions for the

proposed corridor. A major focal point of this study will be the 9th Avenue/Langley Avenue/Tippen Avenue intersection. The purpose of the study is to reach a decision on the type, design, and location of a of alternative routes to alleviate congestion and safety issues of the State Road (S.R.) 289 (Ninth Avenue) Corridor, from Underwood Avenue to S.R. 742 (Creighton Road).

Maps, drawings, and other pertinent information developed by the County will be available for public inspection at Escambia County One Stop, 3363 West Park Place, Pensacola, Florida, weekdays from 8:00 a.m. – 4:00 p.m., beginning Tuesday, June 5, 2012, through Monday, June 25, 2012. Those who wish to submit written statements and other exhibits in place of, or in addition to oral statements, may do so at the hearing or by sending them to Mr. Jim Waite (address provided below), no later than July 3, 2012. All comments received by the County prior to July 3, 2012, will become a part of the public hearing record.

A copy of the agenda may be obtained by contacting: Jim Waite, Phone: (850)430-1716 or e-mail: jwaite@baskerville-donovan.com or Bonita Player, Phone: (850)471-9579 or e-mail: b.player@epr-corp.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jim Waite, (850)430-1716 or e-mail: jwaite@baskervilledonovan.com or Bonita Player, (850)471-9579 or e-mail: b.player@epr-corp.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Waite, Baskerville-Donovan, Inc., 449 West Main St., Pensacola, FL 32502, Phone: (850)430-1716 or email: jwaite@baskerville-donovan.com.

CUNNINGHAM GROUP, INC.

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

DATE AND TIME: Thursday, June 21, 2012, 6:30 p.m.

PLACE: Temple Beth Shalom, 4144 Chase Avenue, Miami Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Information Meeting for State Road (SR) 112/41 Street/Arthur Godfrey Road Roadway Project from Alton Road to Collins Avenue, FIN No. 419824-1-52-01.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Heather Leslie, (305)640-7462 or via e-mail: Heather.Leslie@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting: Brian Rick, (305)470-5349, by writing to him: FDOT, Public Information Office, 1000 N.W. 111 Avenue, Miami, FL 33172 or via e-mail: Brian.Rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Robert J. Koning on January 24, 2012. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 38, No. 6, of February 10, 2012, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meetings held on March 16, 2012 and May 11, 2012. The Petitioner requested the Board's interpretation of Sections 468.831 and 864.8311(2), (3) and (4), Florida Statutes, and whether home inspection services are within the scope of licensure of a Certified Division 1 Contractor when performing such services prove they are not representing themselves as a licensed home inspector. The Board's Order, filed on May 16, 2012, issues a declaratory statement that home inspection services as described in the Petition are within the scope of licensure of a Certified Division 1 Contractor, provided the Division 1 contractor is not holding themselves out specifically as a home inspector licensed under the Chapter 468, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR QUALIFICATIONS (Construction)

Made by the University of Florida Board of Trustees:

PROJECT: LM-5046/ITB13MB-105, Government House Rehabilitation, St. Augustine, FL

SCOPE OF WORK:

This Project will rehabilitate portions of the St. Augustine Government House to accommodate a new museum space (3,473 gsf) and associated lobby, circulation, restroom spaces, and history-related retail sales space (3,332 gsf). The design will include specifications for fixed casework, lighting, interior finishes, HVAC upgrades, electrical upgrades, security, fire suppression, audio-visual equipment, food preparation space, storage, and reception area in keeping with the historic character of the Government House structure. This rehabilitation will seek to update the current Government House museum to accommodate travelling exhibits with flexible spaces for lectures, public gatherings, and a film exhibit. The resulting work product will position the State of Florida to install a world-class interpretive museum in St. Augustine while accomplishing significant building restoration. This first phase of work is critical to the overall project and will create a centerpiece for the upcoming anniversaries of the State of Florida and the city of St.

Augustine spanning the years 2013 through 2017 and will draw many visitors to St. Augustine and St. Johns County, generating significant revenue and job creation.

Generally, the work is expected to commence in September of 2012. The contractor must coordinate its efforts to allow potential exhibit construction/installation as well as complete occupancy of other portions of the Government House and its surrounding sites. Pedestrian travel in all areas adjacent to the Government House structure cannot be compromised and staging/laydown areas will be minimal, both presenting logistical challenges to the contractors that will be included in the bid.

The budget for this project is \$1,000,000 and is intended to cover the base bid and as many alternates as can be purchased within the budget. A staggered funding stream will force a division of the work into several additive alternates. All, some, or none of these alternates may be awarded, but in any event, the duration of the project shall remain constant, provided that such alternates are awarded within 90 calendar days of the Notice To Proceed. The design (by Walker Architects, Moses & Associates, and Structural Engineers Group) is in progress, so no plans or specifications will be made available during the pre-qualification process. Contractors completing the pre-qualification process successfully will proceed to the bidding phase with full bid documentation available at that time.

PROPOSAL:

The method of delivery is design-bid-build, with an enhanced pre-qualification process due to the nature of the work. The following criteria shall be used to pre-qualify potential bidders:

1. Past Performance
2. Qualifications and Experience
3. Financial Standing & Workload
4. Safety Record

To retrieve the Statement of Qualifications forms, instructions, and additional information, go to the Facilities Planning & Construction website: www.facilities.ufl.edu. Choose "Project News" under the PROJECTS heading; select the LM-5046 project link and click on the link entitled "Information for Contractors." Information can also be obtained at the UF Purchasing website: www.facilities.ufl.edu under "Schedule of Bids" Select "Construction" ITB13MB-105

PRE-PROPOSAL MEETING:

A non-mandatory Pre-Qualification Proposal Meeting will be held at 10:00 a.m., Friday, June 29, 2012, at the Government House in St. Augustine. The purpose is to generally explain and review the technical scope of work, other project parameters such as site constraints and schedule, and the pre-qualification process itself. A site visit/tour will not be included at this time.

PRE-SUBMISSION INQUIRIES:

Submit inquiries, questions, or comments via e-mail to the University's Project Manager identified in the Statement of Qualifications instructions. All requests for information or clarification must be submitted in writing by e-mail by 5:00 PM local time on July 6, 2012. Responses to questions or comments will be posted to the UF FP&C and UF Purchasing Division web sites. No hard copy reply will be issued.

SUBMISSION OF QUALIFICATIONS:

The Statement of Qualifications – Five original copies and one CD ROM – shall be submitted no later than 2:00 p.m. (Local Time), Thursday, July 12, 2012, to the UF Division of Purchasing, Elmore Hall, Building 465, Radio Road, Gainesville, FL [telephone (352)392-1331]. Late, electronic, or facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of engineering will be required for the project listed below:

Project: UF-368, Reitz Union Expansion & Renovation (Gainesville, FL)

The project consists of the expansion and renovation of the J. Wayne Reitz Union (JWRU) in the heart of campus at the University of Florida. The project will demolish the existing colonnade building, build approximately 100,000 GSF in this location and renovate roughly 50,000 GSF in the existing building. The JWRU was constructed in 1967 when there were only 19,000 students and 150 student clubs. UF currently has approximately 50,000 students and over 900 registered clubs and organizations without any significant expansion to the student space.

The estimated construction budget is approximately \$47,000,000, including demolition, site improvements, window replacement, emergency shelter requirements and utility infrastructure improvement. The project will be delivered using the Construction Manager method and construction shall be phased with demolition, new construction and renovation. Platinum LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The selected firm will provide program verification, design, Life Cycle Cost Analysis, energy modeling, construction documents and construction administration services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Blanket design professional liability insurance in the amount of \$5,000,000 will be required from the engineering firm for this project and will be provided as a part of Basic Services.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and any engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida.

The selected engineering team will be under the contract of the Architect and will be negotiated, coordinated and billed through as a consultant to the UF selected Architect.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the PQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Copies of current licenses for applicant firm and all engineering consultant firms from the appropriate governing board.
5. Proof of the applicant's and any engineering consultants' ability to be insured for \$5,000,000 of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific PQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards,

standard University of Florida Owner-Professional agreement, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Tuesday, July 10, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction

232 Stadium / P. O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000; Fax: (352)273-4034

Internet: www.facilities.ufl.edu

NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida announces that continuing construction management services are required for the following discipline:

Construction Manager (Up to 5) (Tampa Campus with the ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction, and/or additions for University facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for services that does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service Contracts for these projects provide that the Construction Manager will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Construction Management services only. The Construction Managers receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional Continuing Service Construction Managers under contract during the same time period. Continuing Service projects include projects that are awarded based upon competitive proposals from Continuing Service Construction Managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the recording of as-built conditions by the Continuing Service Construction Manager for projects constructed by that Construction Manager for use in developing record drawings to facilitate the University's space management program. Any new construction projects should have the ability to be USGBC

LEED certified, to a minimum certification level of Silver, if required by the Owner and shall be included as part of basic services and will not be considered as an additional service.

Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and worker's compensation insurance shall be required for the contract. Builder's Risk insurance may be required for specific projects based upon need.

INSTRUCTIONS:

Firms desiring to provide Construction Management services shall submit one (1) original submittal and four (4) spiral bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Construction Manager Qualifications Supplement" dated May 2012 and any required or additional information within the proposal limits as described in the CMQS Instructions, addressing the criteria contained therein, in the order listed, in a clear and concise manner. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are not to exceed forty (40) pages, including the Construction Manager Qualifications Supplement, letter of interest, attachments and additional information. Pages must be numbered consecutively. Submittals are part of the public record and no submittal material will be returned. Applications submitted in any other format may not be considered.

An applicant must be licensed to practice as a general contractor in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm(s) must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

PROJECT SELECTION CRITERIA:

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications including applicant's experience, applicant's personnel, applicant's ability to provide service, (record-keeping/administrative ability, recording of as-built conditions, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, etc.) and the applicant's license, bondability and insurability. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and

inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Construction Manager and/or the Construction Manager's consultants, for this contract, shall be provided by the Construction Manager in response to a periodic request from the University's Supplier Diversity Manager's office.

The University of South Florida Construction Manager Qualifications Supplement Form, dated May 2012, and the Project Fact Sheet may be obtained by contacting: Ms. Kathy Bennett, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, via e-mail: kbennett@admin.usf.edu or phone: (813)974-3098, (813)974-2625 or Fax: (813)974-3542. All interested firms are invited to and encouraged to attend a Pre-Submittal Meeting to be held at 1:00 p.m. (Eastern Time), Tuesday, June 26, 2012 at the University of South Florida in the Marshall Center Oak, Room #3707, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, at the campus map website: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp> and at the parking information website: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the CMQS and Project Fact Sheet. Requests for any project information must be in writing to the above email address.

One (1) original and four (4) spiral bound copies of the above requested proposal data, bound in the order listed, shall be addressed to: Ray Gonzalez, Assistant Director, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Submittals are to be received in the University of South Florida, Facilities Planning and Construction office, FPC110, by 2:00 p.m. (Eastern Time), Friday, July 6, 2012. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Mechanical, Electrical and Plumbing Engineer (Up to 2) (Tampa Campus with ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new additions for University facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for services that does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Mechanical, Electrical and Plumbing Engineering services only. Other services (including architectural, structural, etc.) required for specific projects shall be provided as part of basic services through the selected MEP engineer(s) based upon project need. Use of USF continuing service consultants by the selected MEP engineer(s) shall be encouraged. The consultant(s) receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance in the amount of \$250,000 shall be required for the contract. Services required to be provided under the Continuing Service Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University's space management program. Any new construction projects should have the ability to be USGBC LEED certified, to a minimum certification level of Silver, if required by the Owner and shall be included as part of basic services and will not be considered as an additional service.

INSTRUCTIONS:

Firms desiring to provide professional services shall submit one (1) original submittal and four (4) spiral bound copies consisting of the information as required in the "SUBMITTAL REQUIREMENTS" of the Project Fact Sheet including a letter of interest and a completed "USF Professional Qualifications Supplement for Mechanical, Electrical and Plumbing Engineer" form dated May 2012, and any required or additional information within the proposal limits as described in the PQS General Instructions. Submittals that do not comply with these requirements or do not include the requested information may not be considered. No submittal material will be returned. Submittals become part of the public record. An

applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Submittals are not to exceed 40 pages, including the "USF Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability, design ability, past performance, workload, volume of USF work (including USF Foundation), and location. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the firms for this contract shall be provided by the firms in response to a periodic request from the University's Supplier Diversity Manager's office. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The "USF Professional Qualification Supplement for Mechanical, Electrical and Plumbing Engineer" form dated May 2012 and "Project Fact Sheet", which includes project information, may be obtained by contacting: Kathy Bennett, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu, (813)974-3098, (813) 974-2625, Fax: (813)974-3542. All Interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 1:00 p.m. (Eastern Time), Wednesday, June 27, 2012, at the University of South Florida in the USF Marshall Center Oak Room #3707, Tampa Campus, Tampa, FL, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, at the campus map website: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp> and at the parking information website: <http://usfweb2.usf.edu/>

parking_services/default.asp. Requests for meetings by individual firms will not be granted. It shall be noted that no communication shall take place between the applicants and the employees of the University of South Florida, except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Fact Sheet. Requests for any project information must be in writing to the above e-mail address.

One (1) original and four (4) spiral bound copies of the above required proposal data shall be submitted to: Ray Gonzalez, Assistant Director, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application material will not be returned. Submittals are to be received at the above campus address (4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550), to the Attention: Ray Gonzalez, Assistant Director, by 2:00 p.m. (Eastern Time), Monday, July 9, 2012. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT REQUESTING BIDS FROM QUALIFIED GENERAL CONTRACTORS WITH PREFERRED ELEVATOR MANUFACTURER, OR FROM ELEVATOR MANUFACTURER/GENERAL CONTRACTOR JOINT VENTURE

TWO SEPARATE BID PROPOSALS ARE REQUESTED BY THE DEPARTMENT OF MANAGEMENT SERVICES:

PROJECT NUMBERS, NAMES & LOCATIONS: MSFM-11003110 – Service Elevator Modernization at Gore Building, Ft. Lauderdale, Florida and MSFM-11003250 – Elevator Modernization at Rohde Twin Towers, plus South and North Parking Garages, Miami, Florida

DATE of MANDATORY PRE-BID MEETING: June 14, 2012
 LOCATION: Rohde Towers Lobby, 401 N.W. 2nd Avenue, Miami, Florida 33128

BID OPENING: July 10, 2012, 2:00 p.m. via Conference Call
 ESTIMATED BASE BID CONSTRUCTION BUDGET: Gore Building Elevator Modernization (\$90,000), Modernization of Rohde Towers Elevators (\$1,700,000)

+ Bid Alternate South Garage Elevators (\$180,000)
 + Bid Alternate North Garage Elevators (\$180,000)

RELEVANT EXPERIENCE PREQUALIFIED BIDDERS ONLY: Refer to DMS website (below) for further details.

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

Please visit the Department’s website: http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on “Search Advertisements” – “Division of Real Estate Development and Management” Look for “Opportunities for Design and Construction Firms” and click on link.

ELEVENTH JUDICIAL CIRCUIT

NOTICE TO SUBCONTRACTORS
 NAVAL AIR STATION CECIL FIELD
 BUILDING 1822 – NEW SIPLAST ROOF
 REQUEST FOR BIDS

NOTICE IS HEREBY GIVEN that Auld & White Constructors, LLC, in conjunction with the Cecil Field, will be accepting proposals, which will be received until 2:00 p.m., Monday, June 4, 2012, at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, for the referenced project.

SCOPE DESCRIPTION: Negotiated project consists of renovation to exterior of 23,500 s.f. Building 1822 at Cecil Field. Scope of work includes removal of existing roof membrane & insulation boards and replacement with modified bitumen roof system with lightweight insulated concrete. New roof system must be Siplast. Additional scope of work includes removal & replacement of impact resistant storefront system, EIFS repairs, CMU mortar joint repairs, high performance coatings, HVAC, repairs to insulation, grilles and controls systems.

Interested Bidders are required to notify Auld & White Constructors, LLC, of their Intent to Bid, in writing, no later than Friday, June 1, 2012. Interested Bidders who fail to notify Auld & White Constructors, LLC, of their intent to bid by the date referenced above MAY NOT be permitted to bid. Bid drawings and specifications will be available at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, Friday, May 25, 2012. All interested bidders shall submit their Notice of Intent to Bid by Fax: (904)296-1896, Attention: Jodi Marson or e-mail: awcestimating@auld-whitemcom.

Naval Air Station Cecil Field and Auld & White Constructors, LLC are committed to provide equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

Auld & White Constructors, LLC reserves the right to reject any and all bids, waive formalities and irregularities in bidding and to accept bids, which are considered by Auld & White Constructors, LLC to be in the best interest of the project.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.

REQUEST FOR QUALIFICATIONS FOR DESIGN-BUILD SERVICES – RFQ 12-19-SVC

The H. Lee Moffitt Cancer Center and Research Institute, Inc. and its subsidiaries (collectively “Moffitt”) is seeking qualifications from qualified and responsible parties interested in providing Design-Build services for its McKinley Property campus, as described in this Request for Qualifications (“RFQ”). The RFQ is the first step in the process for selection of a Design-Builder. The submission must be made in accordance with the instructions outlined in RFQ 12-19-SVC.

General Information. Moffitt is seeking qualifications for selection of a Design-Builder to provide Design-Build services for an anticipated 150,000 sq. ft. outpatient facility at its McKinley campus located at 10902 N. McKinley Drive, Tampa, Florida 33612-6471, in accordance with the terms, conditions, and requirements set forth in the RFQ package available at the link below. The Design-Builder shall be a team comprised of a licensed contractor and a licensed architect. Moffitt shall enter a written agreement with the contractor, and the contractor shall enter into a written agreement with the architect.

RFQ Package: The RFQ package including the complete RFQ instructions, which must be evaluated before submission of the Design-Build services response, can be found via the following link: <http://www.moffitt.org/supplieropportunities>.

Submittals must be received no later than 4:00 p.m., July 6, 2012, email: gordon.peck@moffitt.org. Telefacsimile (Fax) and telephone submittals are not acceptable and will not be considered. Properly submitted proposals will not be returned to the respondent. Any plans and/or specifications will become the property of Moffitt.

DAYTONA STATE COLLEGE

Architectural Services

RFQ #12-016

Pursuant to the provisions of Section 287.055, Florida Statutes, the “Consultants’ Competitive Negotiations Act”, Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services. The project is the design of a new Classroom/Laboratory/Office/Student Services Building including site & parking improvements for the Flagler/Palm Coast Campus. The scope of work will include the development of educational specifications, site planning, building design and construction administration. The facility will be approximately 24,000 gross square feet with the addition of 200 parking spaces. The estimated construction budget is \$8.1 million inclusive of all fees and furnishings.

Firms or individuals with experience in designing for higher education facilities and desiring to qualify for consideration must submit proposals no later than 2:00 p.m., July 10, 2012, to the Facilities Planning Department, Daytona State College, Building 540, Room 112, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting nielseb@daytonastate.edu or by visiting our website: <http://www.daytonastate.edu/fp/proposals.html>.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Parks Kids, LLC, d/b/a Parks FIAT of Wesley Chapel, as a dealer for the service of FIAT passenger cars manufactured by Chrysler Group Carco, LLC (FIAT) at 28739 State Road 54, Wesley Chapel (Pasco County), Florida 33543, on or after July 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Parks Kids, LLC, d/b/a Parks FIAT of Wesley Chapel, are dealer operator(s): Stephen R. Parks, 3505 North US Highway 17-92, Longwood, Florida 32752, and Ronald R. Parks, 3505 North US Highway 17-92, Longwood, Florida 32752; principal investor(s): Stephen R. Parks, 3505 North US Highway 17-92, Longwood, Florida 32752, Kathy Jane Parks, 3505 North US Highway 17-92, Longwood, Florida 32752, and Ronald R. Parks, 3505 North US Highway 17-92, Longwood, Florida 32752.

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

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Joe Skillington, Chrysler Group Carco, LLC, 1000 Chrysler Drive, Cims: 485-03-71, Auburn Hills, Michigan, 48326.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Maserati North America, Inc., intends to allow the establishment of Jacasa, Inc., d/b/a Wilde Maserati of Sarasota, as a dealership for the sale and service of automobiles manufactured by Maserati (MASE line-make) at 4821 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after July 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Jacasa, Inc., d/b/a Wilde Maserati of Sarasota, are dealer operator(s): Mark H. Wilde, 4821 Clark Road, Sarasota, Florida 34233; principal investor(s): Mark H. Wilde, 4821 Clark Road, Sarasota, Florida 34233, Dean M. Palmer, 4821 Clark Road, Sarasota, Florida 34233, Therese L. Pierce, 440 North Orange Avenue, Sarasota, Florida 34234, Kathleen M. Wilde, 6469 Taeda Drive, Sarasota, Florida 34241.

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

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: David M. Wertheim, Maserati North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

City of North Miami

The Florida Department of Environmental Protection has determined that the City of North Miami's Winson Water Treatment Plant rehabilitation and upgrade project will not adversely affect the environment. The project will maintain water quality, maintain regulatory compliance, and increase reliability. The total cost of the project is estimated to be \$17,650,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Gregory Brown, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8371.

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted a revised policy and procedure for review and comment. The Compliance with Florida Single Audit Act Policy (FDJJ – 1810) is posted: http://www.djj.state.fl.us/policies_procedures/policyreview.html. The revised policy and procedure establish the provisions of Chapter 215.97, F.S. (Florida Single Audit Act) by the Department of Juvenile Justice; to ensure the Department promotes sound financial management of state financial assistance expenditures; and to ensure the Department monitors, uses, and follows up on audits related to state financial assistance provided to non-state entities.

Nothing in this policy and related procedures shall supersede, or infringe on the authority of Federal Law, Florida Statute, related Rules of the Auditor General, and the Department of Financial Services. There is no fiscal impact for Department or applicable service providers. The revised policy and procedure is being posted for a single 20 working day review and comment period. The closure date for submission of comments is July 5, 2012. Comments should be sent to the person

identified on the above Website utilizing the Matrix of Comments. Responses to comments received will be posted during the review period to the extent possible.

DEPARTMENT OF FINANCIAL SERVICES

INTEREST RATE SET PURSUANT TO SECTION 55.03, FLORIDA STATUTES

Chapter 2011-169, Laws of Florida, amended Section 55.03(1), Florida Statutes (F.S), to require the Chief Financial Officer to set the rate of interest that shall be payable on judgments and decrees on a quarterly basis rather than an annual basis. The interest rate for the quarter beginning July 1, 2012 has been set at 4.75 percent per annum or a daily rate of .0129781 percent (.000129781 expressed as a decimal). The daily rate considers that 2012 is a leap year, and is calculated by dividing the annual rate by 366 days. Current and historical interest rates are available on the following website: <http://www.myfloridacfo.com/aadir/interest.htm>. Please contact: Vendor Ombudsman Section, (850)413-5516, if you have any questions.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

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

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		General Counsel's Office
Tallahassee, Florida		The Fletcher Building
32314-8050		Suite 118
Phone (850)410-9800		101 East Gaines Street
Fax: (850)410-9548		Tallahassee, Florida
		32399-0379
		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 29, 2012):

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Banesco USA, Coral Gables, Florida
Selling Entity: Flagler Bank, Fort Lauderdale Branch, Florida

Received: May 23, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Final Order No. DEO-12-063

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY MONROE COUNTY ORDINANCE NO. 010-2012

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by Monroe County Ordinance No. 010-2012 (the "Ordinance").

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the County on May 16, 2012, and rendered to the Department on May 16, 2012.
3. The Ordinance amends Chapter 122, "Floodplain Regulations," of the County's land development regulations, to ensure consistency with the U.S. Fish and Wildlife Service's Biological Opinion and Reasonable and Prudent Alternative prepared for the Florida Keys, and to ensure the County's continued ability to participate in the National Flood Insurance Program.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and (11) and 380.0552(9), Florida Statutes.
5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

8. The Ordinance is consistent with Policies 101.5.4, 101.8.11, 104.3.1(11), 217.1.4 and 217.1.5 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 010-2012 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida

/s/ _____
J. Thomas Beck, AICP
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC #110, TALLAHASSEE, FLORIDA 32399-4128.

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

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY

RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 30th day of May, 2012.

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

By U.S. Mail:
Honorable David Rice, Mayor
Monroe County
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
Monroe County
500 Whitehead Street
Key West, FL 33040

Derek Howard, Assistant County Attorney
1111 Twelfth Street, Suite 408
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DCA Tallahassee, FL
David L. Jordan, Assistant General Counsel, DCA Tallahassee, FL

Notice of Funding Availability
Department of Economic Opportunity
Florida Small Cities CDBG Program

The Department of Economic Opportunity (DEO) announces funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program. The Department will make Federal Fiscal Year (FFY) 2012 funding available for the Neighborhood Revitalization (\$8.82 million), Housing Rehabilitation (\$3.44 million) and Commercial Revitalization (\$0.64 million) program categories. In order to be eligible to apply in these categories, applicants cannot have an open grant in any of the three program areas or an open Planning and Design Specifications grant.

The Department also has approximately \$8.6 million available in the Economic Development program area for job creation/retention activities. In the event that funds in this category remain available after the application deadline, applications in the Economic Development category will be reviewed, and eligible applications will be awarded subgrants on a first-come, first-served basis. A total of \$21.5 million in FFY 2012 funding will be available to eligible applicants in the four program areas.

In addition, approximately \$0.57 million is designated as Emergency Set-Aside funding for state-declared emergencies. These funds will be available for emergencies that occur between April 1, 2012 and March 31, 2013. Any funds in the set-aside for which a notice of intent to submit an emergency application has not been received by March 31, 2013, will be reallocated in accordance with Section 290.044(4), Florida Statutes.

Eligible local governments must meet specific population requirements and cannot be participants in a CDBG Urban Entitlement Program. The population requirements are: cities with not more than 50,000 residents and counties with not more than 200,000 residents. The application process is conducted in accordance with Sections 290.0401 – 290.048, Florida Statutes, and Chapter 73C-23, Florida Administrative Code.

The Federal Fiscal Year 2012 application cycle for all of the above-mentioned categories of funding will begin (“open”) on August 15, 2012 and end (“close”) at 5:00 p.m. (EDT) on October 1, 2012 (“the deadline date”). Applications must be submitted on the forms that are available on the Department’s website and must be received by 5:00 p.m. (EDT) on October 1, 2012. Mailing address: Florida Small Cities CDBG Program, Department of Economic Opportunity, 107 East

Madison Street, MSC #400, Tallahassee, Florida 32399-6508. Hand-delivered applications must be received by 5:00 p.m. (EDT), October 1, 2012 at the Small Cities CDBG Program office, Room 243, Collins Building, 107 West Gaines Street, Tallahassee, FL. An electronic copy of the application in Microsoft Word or Adobe PDF format (on a CD) can be submitted as the second copy of the application, as long as one complete hard copy with original signatures is submitted.

If you have questions, please contact the Small Cities CDBG Grants Management Staff or Roger Doherty, Planning Manager, (850)717-8417, by email: roger.doherty@deo.myflorida.com.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 21, 2012
 and May 25, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF CORRECTIONS

33-103.007	5/24/12	6/13/12	38/16	
33-103.014	5/24/12	6/13/12	38/16	
33-103.016	5/24/12	6/13/12	38/16	
33-602.205	5/25/12	6/14/12	38/17	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-35.004	5/25/12	6/14/12	38/9	
61-35.006	5/25/12	6/14/12	38/9	
61-35.011	5/25/12	6/14/12	38/9	

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-6.001	5/25/12	6/14/12	37/49	38/11
------------	---------	---------	-------	-------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Board of Speech-Language Pathology and Audiology

64B20-7.002	5/23/12	6/12/12	38/14	
-------------	---------	---------	-------	--

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

68C-22.012	5/24/12	6/13/12	38/5	
68C-22.028	5/24/12	6/13/12	38/5	

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.300	3/2/11	*****	38/3	
------------	--------	-------	------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/3
-----------	----------	-------	-------	------

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6A-20.028	37/51	38/6 38/11	38/18	11B-30.011	38/5		38/20
6A-25.001	37/41		38/19	11B-30.012	38/5		38/20
6A-25.002	37/41		38/19	11B-30.013	38/5		38/20
6A-25.003	37/41		38/19	11B-35.001	38/5		38/20
6A-25.004	37/41		38/19	11B-35.0011	38/5		38/20
6A-25.005	37/41	38/5	38/19	11B-35.002	38/5		38/20
6A-25.006	37/41		38/19	11B-35.007	38/5		38/20
6A-25.007	37/41		38/19	11B-35.009	38/5		38/20
6A-25.008	37/41		38/19	REVENUE			
6A-25.009	37/41	38/5	38/19	12-18.001	37/39		
6A-25.010	37/41	37/44	38/19	12B-4.003	37/39	37/50	38/16
6A-25.011	37/41	37/48	38/19	12B-4.060	37/39	37/50	38/16
		38/5		12B-5.150		35/14	
6A-25.012	37/41	37/48	38/19	12C-2.0115		32/31	
6A-25.013	37/41	37/48	38/19	12C-3.0015		26/49	
6A-25.014	37/41	37/48	38/19	12DER12-2			38/9
		38/5		12DER12-3	38/23		
6A-25.015	37/41	37/48	38/19				38/22
		38/12		12D-1.009	38/14		
6A-25.016	37/41	37/48	38/19	12D-1.010	38/14		
6A-25.017	37/41	37/48	38/19	12D-2.001	38/14		
6A-25.018	37/41	37/48	38/19	12D-5.004	38/14		
6A-25.019	37/41		38/19	12D-5.014	38/14		
6C4-4.0010	Newspaper		38/4	12D-7.001(4)	36/50c		
	Newspaper		38/16	12D-7.0055	38/14	38/21	
6C4-4.0011	Newspaper		38/4	12D-7.006	38/14		
6C4-4.00210	Newspaper		38/4	12D-7.013	38/14		
6C4-4.00211	Newspaper		38/4	12D-7.0142	38/14		
6C4-4.00212	Newspaper		38/4	12D-7.0143	38/14		
6C4-4.00213	Newspaper		38/4	12D-7.019	38/14	38/21	
6C4-4.00214	Newspaper		38/4	12D-7.020	38/14		
6C4-4.0023	Newspaper		38/4	12D-8.0061	38/14		
6C4-4.0024	Newspaper		38/4	12D-8.00659	38/14	38/20	
6C4-4.0025	Newspaper		38/4	12D-8.022	38/14		
6C4-4.0026	Newspaper		38/4	12D-9.015	38/14		
6C4-4.0027	Newspaper		38/4	12D-9.036	38/14		
6C4-4.0028	Newspaper		38/4	12D-16.001	38/14		
6C4-4.0029	Newspaper		38/4	12D-16.002	38/14	38/20	
LAW ENFORCEMENT						38/22	
						38/23	
				12D-17.004	38/14	38/21	
11B-18.008	38/5		38/20	12D-17.005	38/14		
11B-20.001	38/5		38/20	12D-17.006	38/14		
11B-21.005	38/5		38/20	12D-18.012	38/14		
11B-27.0011	38/5		38/20	TRANSPORTATION			
11B-27.002	38/5		38/20				
11B-27.00212	38/5		38/20	14-15.002	38/10		38/22
11B-27.005	38/5		38/20	14-65.0025	38/16		
11B-30.006	38/5		38/20	14-65.0035	38/16		
11B-30.0062	38/5		38/20	14-65.006	38/16		
11B-30.007	38/5		38/20	14-65.0065	38/16		
11B-30.0071	38/5		38/20	14-65.0075	38/16		
11B-30.008	38/5		38/20				
11B-30.009	38/5		38/20				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
HIGHWAY SAFETY AND MOTOR VEHICLES				15C-13.003	38/18		
15A-1.001	38/18			15C-13.004	38/18		
15A-1.0011	38/18			15C-13.005	38/18		
15A-1.0012	38/18			15C-13.006	38/18		
15A-1.002	38/18			15C-13.007	38/18		
15A-1.005	38/18			15C-13.008	38/18		
15A-1.006	38/18			15C-13.009	38/18		
15A-1.007	38/18			15C-13.010	38/18		
15A-1.011	38/18			15C-13.011	38/18		
15A-1.018	38/18			15C-13.012	38/18		
15A-1.020	38/18			15C-13.014	38/18		
15A-1.025	38/18			15C-13.015	38/18		
15A-1.029	38/18			15C-14.001	38/18		
15A-1.0291	38/18			15C-14.003	38/18		
15A-1.0292	38/18			15C-14.004	38/18		
15A-1.0293	38/18			15C-14.005	38/18		
15A-1.0294	38/18			15C-15.002	38/18		
15A-1.0295	38/18			15C-20.001	38/18		
15A-1.0297	38/18			15C-20.002	38/18		
15A-1.0298	38/18			15C-20.003	38/18		
15A-1.0299	38/18			15C-20.004	38/18		
15A-3.009	38/18			15C-20.005	38/18		
15A-5.0011	38/18			15C-20.006	38/18		
15A-5.003	38/18			15C-20.007	38/18		
15A-10.009	36/47	37/9		15C-20.008	38/18		
15A-18.004(1)(d)	37/20c			STATE BOARD OF ADMINISTRATION			
15A-18.006(4)	37/20c			19-8.028	38/18		
15B-1.001	38/18			19-9.001	38/19		
15B-1.006	38/18			19-11.001	38/19		
15B-4.001	38/18			19-11.002	38/19		
15B-5.001	38/18			19-11.003	38/19		
15B-6.001	38/18			19-11.004	38/19		
15C-1.002	38/18			19-11.005	38/19		
15C-1.009	38/18			19-11.006	38/19		
15C-1.0110	38/18			19-11.007	38/19		
15C-2.001	38/18			19-11.008	38/19		
15C-2.0041	38/18			19-11.009	38/19		
15C-2.009	38/18			19-11.010	38/19		
15C-2.010	38/18			19-11.011	38/19		
15C-8.001	38/18			19-11.012	38/19		
15C-8.002	38/18			19-12.001	38/19		
15C-8.003	38/18			19-12.002	38/19		
15C-12.001	38/18			19-12.003	38/19		
15C-12.002	38/18			19-12.004	38/19		
15C-12.003	38/18			19-12.005	38/19		
15C-12.004	38/18			19-12.006	38/19		
15C-12.005	38/18			19-12.007	38/19		
15C-12.006	38/18			19-13.001	38/19		
15C-12.007	38/18			19-13.002	38/19		
15C-12.009	38/18			19-13.003	38/19		
15C-12.010	38/18			19-13.004	38/19		
15C-12.011	38/18			19-14.001	38/19		
15C-13.001	38/18						
15C-13.002	38/18						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
CITRUS				33-203.601	38/16		38/22
20-9.002	38/15			33-208.001	38/22		
20-64.001	37/46	38/1		33-208.101	38/19		
		38/2		33-302.104	26/35	26/52	
		38/3				31/21	
		38/15		33-401.105	38/22		
20-69.002	37/46	38/1		33-404.108	38/20		
				33-601.101	38/12		38/21
FLORIDA PAROLE COMMISSION				33-601.201	38/11		
23-21.015(9)	35/43c			33-601.226	38/11		38/21
23-21.0155	35/43c			33-601.718	38/22		
23-21.0161	35/43c			33-601.723	38/19		
PUBLIC SERVICE COMMISSION				33-601.726	38/19		
25-4.020	38/17			33-601.733	38/19		
25-4.0201	38/17			33-602.101	38/12		38/21
25-6.097	38/22			33-602.201	37/27		
25-7.083	38/22				38/11		
25-30.311	38/22			33-602.205	38/17		38/23
				33-602.210	38/23		
ADMINISTRATION COMMISSION				COMMISSION ON ETHICS			
28-35.010	38/18			34-8.002	38/7c		
28-35.020	38/18			WATER MANAGEMENT DISTRICTS			
28-35.030	38/18			40B-1.706	38/10		38/18
28-35.040	38/18			40B-9.1381	38/9		38/16
28-35.050	38/18			40C-3.035	37/41		37/52
28-35.060	38/18			40C-400.1013	36/39	36/50	
28-35.070	38/18			40D-1.6105	38/22		
28-111.001	38/18			40D-1.659	38/22		
28-111.002	38/18			40D-2.091	22/48		
28-111.003	38/18				38/22		
REGIONAL PLANNING COUNCILS				40D-2.101	38/22		
29F-21.001	37/51			40D-2.301	22/48		
CORRECTIONS				40D-2.351	38/22		
33-103.001	38/7	38/13	38/21	40D-2.801	38/22		
33-103.002	38/7	38/13	38/21	40D-4.091	22/48		
33-103.003	38/7	38/13	38/21	40D-4.331	38/19		
33-103.004	38/7	38/13	38/21	40D-9.230	38/17		
33-103.005	38/7	38/13	38/21	40D-21.031	38/10		
33-103.006	38/7	38/13	38/21	40D-21.051	38/10		
33-103.007	38/16		38/23	40D-21.211	38/10		
33-103.008	38/7	38/13	38/21	40D-21.221	38/10		
33-103.011	38/7	38/13	38/21	40D-21.231	38/10		
33-103.014	38/16		38/23	40D-21.251	38/10		
33-103.015	38/7	38/13	38/21	40D-21.275	38/10		
33-103.016	38/16		38/23	40D-21.281	38/10		
33-103.018	38/7	38/13	38/21	40D-21.281	38/10		
33-103.019	38/7	38/13	38/21	40D-21.331	38/10		
33-103.601	38/16			40D-21.371	38/10	38/18	
				40D-21.391	38/10	38/18	
				40D-21.421	38/10		
				40D-21.441	38/10		
				40D-21.601	38/10		
				40D-21.621	38/10		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40D-21.631	38/10			53ER11-58			37/44
40D-21.641	38/10	38/18		53ER11-59			37/44
40D-21.651	38/10	38/18		53ER11-60			37/44
40E-1.659	38/6		38/20	53ER11-61			37/44
40E-2.091	38/23			53ER11-62			37/47
40E-4.021	38/6		38/20	53ER11-63			37/48
40E-4.051	38/6		38/20	53ER11-64			37/49
40E-4.091	38/6		38/20	53ER11-65			37/49
40E-4.101	38/6	38/13	38/20	53ER11-66			37/49
40E-4.321	38/6		38/20	53ER12-5			38/4
40E-7.521	38/16			53ER12-6			38/4
40E-7.527	38/16			53ER12-7			38/4
40E-7.538	38/16			53ER12-8			38/4
40E-7.5381	38/16			53ER12-9			38/4
40E-7.5382	38/16			53ER12-10			38/5
40E-20.091	38/23			53ER12-11			38/5
40E-23.011	38/23			53ER12-12			38/5
40E-23.021	38/23			53ER12-13			38/7
40E-23.023	38/23			53ER12-14			38/7
40E-23.031	38/23			53ER12-15			38/7
40E-23.043	38/23			53ER12-16			38/7
40E-23.053	38/23			53ER12-17			38/9
40E-400.021	38/6		38/20	53ER12-18			38/9
40E-400.211	38/6	38/13	38/20	53ER12-19			38/10
COMMISSION FOR THE TRANSPORTATION DISADVANTAGED				53ER12-20			38/10
				53ER12-21			38/10
				53ER12-22			38/10
41-2.001	38/19			53ER12-23			38/10
41-2.003	38/19			53ER12-24			38/11
41-2.016	38/19			53ER12-25			38/11
LAND AND WATER ADJUDICATORY COMMISSION				53ER12-26			38/11
				53ER12-27			38/11
				53ER12-28			38/14
42DDD-1.001	38/18			53ER12-29			38/15
42DDD-1.002	38/18			53ER12-30			38/15
42DDD-1.003	38/18			53ER12-31			38/15
LOTTERY				53ER12-32			38/15
				53ER12-33			38/15
				53ER12-34			38/19
53ER11-23			37/20	53ER12-35			38/19
53ER11-24			37/20	53ER12-36			38/19
53ER11-25			37/20	53ER12-37			38/19
53ER11-26			37/20	53ER12-38			38/22
53ER11-39			37/32	53ER12-39			38/22
53ER11-40			37/32	53ER12-40			38/22
53ER11-41			37/32	53ER12-41			38/22
53ER11-42			37/32	53ER38-38			38/22
53ER11-43			37/35	53ER38-39			38/22
53ER11-44			37/35	53ER38-40			38/22
53ER11-45			37/36	53-12.001	38/8		
53ER11-52			37/41	53-12.002	38/8		
53ER11-53			37/41	53-12.003	38/8		
53ER11-54			37/41	53-12.004	38/8		
53ER11-55			37/41	53-12.005	38/8		
53ER11-56			37/41	53-13.002	38/8		
53ER11-57			37/41	53-13.003	38/8		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59E-2.015	38/4		38/18	59G-13.112	38/8		38/22
59E-4.001	38/4	38/8	38/18	59G-13.132	38/8		38/22
59E-4.002	38/4		38/18	59GG-33.001	38/4		38/18
59E-4.004	38/4	38/8	38/18	MANAGEMENT SERVICES			
59E-4.005	38/4	38/8	38/18	60BB-3.0155	37/40		37/48
59E-4.009	38/4		38/18	60BB-3.029	37/26	37/38	
59E-4.011	38/4		38/18	BUSINESS AND PROFESSIONAL REGULATION			
59E-7.020	38/4		38/17	61-11.001	38/22		
59G-4.002	38/22			61-11.002	38/22		
59G-4.060	37/28	38/4	38/17	61-11.004	38/22		
		38/7		61-11.005	38/22		
59G-4.071	38/8		38/22	61-11.006	38/22		
59G-4.130	26/8	26/15		61-11.007	38/22		
	37/25	29/39		61-11.008	38/22		
		37/50		61-11.010	38/22		
		38/10		61-11.012	38/22		
		38/16		61-11.015	38/22		
59G-4.160	38/11			61-11.017	38/22		
59G-4.250	38/5	38/16		61-11.0175	38/22		
59G-4.251	38/5		38/20	61-11.018	38/22		
59G-6.010	38/3		38/17	61-16.001	38/12		
59G-6.045	38/3	38/16		61-35.004	38/9		38/23
	38/3	38/21		61-35.006	38/9		38/23
59G-6.090	38/3		38/17	61-35.010	38/9	38/16	38/19w
59G-7.004	38/4		38/18		38/21		
59G-7.023	38/4		38/18	61-35.011	38/9		38/23
59G-7.032	38/4		38/18	61A-1.013	38/8		
59G-7.0322	38/4		38/18	61A-2.018	38/8		
59G-7.0331	38/4		38/18	61A-2.019	38/8		
59G-7.0332	38/4		38/18	61A-3.0305	38/19		
59G-7.034	38/4		38/18	61A-3.033	38/8		
59G-7.035	38/4		38/18	61A-4.003	38/8		
59G-7.051	38/4		38/18	61A-4.030	38/8		
59G-7.053	38/4		38/18	61A-4.046	38/8		
59G-7.054	38/4		38/18	61A-4.0461	38/8		
59G-7.056	38/4		38/18	61A-4.0501	38/19		
59G-7.057	38/4		38/18	61A-4.061	38/8		
59G-7.058	38/4		38/18	61A-4.063	38/8		38/22
59G-7.0581	38/4		38/18	61A-5.001	38/8		
59G-7.060	38/4		38/18	61A-5.011	38/8		
59G-7.0601	38/4		38/18	61A-5.700	38/8		
59G-7.061	38/4		38/18	61A-5.710	38/8		
59G-7.062	38/4		38/18	61A-5.761	38/8		
59G-7.063	38/4		38/18	61A-7.005	38/8		38/22
59G-7.064	38/4		38/18	61A-10.012	38/8		38/22
59G-7.073	38/4		38/18	61A-10.053	38/8		38/22
59G-8.400	38/4			61A-10.083	38/8		38/17w
59G-8.700	38/4	38/20		61B8-15.0024	38/10		
59G-13.032	38/8		38/22	61C-1.001	38/17		
59G-13.050	37/27	38/4	38/21	61C-5.007	38/14		
59G-13.052	38/8		38/22	61C-5.025	38/11	38/19	
59G-13.083	37/28	38/4	38/17	61D-4.001	38/21		
59G-13.086	38/8			61D-4.002	38/21		
59G-13.088	37/44		38/19w				
	38/22						
59G-13.102	38/8		38/22				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62-304.610	35/31	36/7 36/17 38/23		64B2-11.001	37/41	37/51	38/5
	36/13c			64B2-12.0155	38/11		
	36/13c			64B2-13.0049	37/41		38/1
	36/13c			64B3-5.004	37/41		38/16w
62-304.610(11)	36/13c			64B3-6.001	37/49	38/11	38/23
62-304.705	38/4		38/19	64B5-2.013	37/39	38/12	
62-304.710	38/4		38/19	64B5-2.0135	37/39		38/18
62-304.715	38/4		38/19	64B5-2.014	38/23		
62-304.725	38/4		38/19	64B5-2.0150	38/23		
62-344.100	38/1			64B5-2.0152	38/12		38/19
62-344.200	38/1			64B5-14.001	38/12		
62-344.300	38/1	38/17		64B5-14.002	38/23		
62-344.400	38/1			64B5-14.006	38/23		
62-344.500	38/1	38/17		64B5-16.002	38/10		38/17
62-344.550	38/17	38/17		64B5-16.006	38/23		
62-344.600	38/1	38/23		64B5-16.0075	38/15		
62-344.700	38/1			64B7-25.0025	38/9		38/17
62-621.500	38/22			64B7-25.004	38/20		
62-701.200	38/3	38/23		64B7-25.006	38/8		38/17
62-701.210	38/3	38/23		64B7-28.001	38/15		
62-701.220	38/3			64B7-28.003	38/9		38/17
62-701.300	38/3			64B7-28.008	37/51	38/12	38/18
62-701.315	38/3	38/23		64B7-28.009	38/15		
62-701.320	38/3	38/23		64B7-28.0095	38/15		
62-701.330	38/3	38/23		64B7-32.001	38/20		
62-701.400	38/3			64B7-32.003	38/4	38/12	38/18
62-701.500	38/3	38/23		64B7-32.004	38/9		38/17
62-701.510	38/3	38/23		64B8-1.003	38/10		38/18
62-701.530	38/3			64B8-1.007	37/40	38/2	38/8
62-701.600	38/3	38/23		64B8-2.002	38/10		38/18
62-701.620	38/3	38/23		64B8-2.003	38/10		38/18
62-701.630	38/3	38/23		64B8-3.009	38/10		38/18
62-701.710	38/3	38/23		64B8-4.009	37/40	38/2	38/8
62-701.730	38/3	38/23		64B8-4.016	38/10		38/18
62-701.803	38/3			64B8-5.004	38/10		38/18
62-701.900	38/3	38/23		64B8-5.005	38/10		38/18
62-730.030	38/21			64B8-8.001	38/7	38/10	38/16
62-730.160	38/21				38/14		38/21
62-730.183	38/21			64B8-8.005	38/10		38/18
62B-54.002	38/6		38/17	64B8-8.008	38/10		38/18
				64B8-8.015	38/20		
				64B8-8.017	38/20		
				64B8-9.005	38/10		38/18
				64B8-9.0075	38/10		38/18
				64B8-9.009	38/14		38/20w
				64B8-9.0092	38/14		38/21
				64B8-9.010	38/10		38/18
				64B8-9.011	38/10		38/18
				64B8-9.0131	38/14		38/21
				64B8-13.007	38/10		38/18
				64B8-31.010	38/18		
64B-1.003	37/52						
64B-1.005	37/52	38/17					
64B-3.005	38/3	38/15					
64B-4.003	38/4		38/18				
64B-9.001	38/6	38/12	38/19				
64B1-3.004	38/11						
64B1-4.0011	38/22						
64B1-9.001	37/24		38/17				

HEALTH

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B8-35.001	38/10		38/18	64B16-30.001	38/4		
64B8-42.001	37/42			64B16-30.003	35/39	36/26	
64B8-42.002	37/42			64B17-3.001	38/5		
64B8-51.001	37/49			64B17-3.003	38/5		
64B8-51.006	36/42			64B17-4.001	38/5		
	38/9	38/22		64B17-4.003	38/5		
64B8-52.003	37/50			64B17-7.001	38/14		
64B9-3.0015	38/3		38/16	64B18-11.001	37/35	38/5	
64B9-3.002	38/10			64B19-11.001	38/8		38/22
64B9-3.007	38/3		38/16	64B19-11.010	38/11		
64B9-3.014	38/10		38/18	64B19-11.011	38/11		
64B9-4.005	38/3		38/16	64B19-11.012	38/11		
64B9-4.014	38/3		38/16	64B20-7.002	38/14		38/23
64B9-5.009	38/3		38/18	64B25-28.001	38/4		38/17
64B9-5.010	38/3		38/16	64B25-28.003	38/4		38/17
64B9-5.012	38/3		38/16	64B25-28.005	38/4		38/17
64B9-8.005	37/40	38/14		64B33-2.001	37/42		
64B9-8.006	38/17	38/19		64D-2.002	34/8		
64B9-8.009	38/21			64E-28.001	38/4	38/17	
64B9-8.014	38/6		38/16	64E-28.002	38/4	38/17	
64B9-9.006	38/17			64E-28.003	38/4	38/17	
64B9-15.005	38/10		38/22	64E-28.004	38/4	38/17	
64B9-15.007	38/15			64E-28.005	38/4	38/17	
64B9-15.009	38/10			64E-28.006	38/1	38/11	38/19
64B11-2.003	38/1			64E-28.007	38/4	38/17	
64B11-3.001	38/1			64E-28.008	38/4	38/17	
64B12-9.001	38/5		38/19	64E-28.009	38/4	38/17	
64B12-9.0015	38/5			64E-28.010	38/4	38/17	
64B12-15.001	38/5			64E-28.011	38/4	38/17	
64B13-4.001	38/9		38/22	64F-10.001	38/4		38/17
64B14-4.003	38/9	38/16		64F-10.002	38/4		38/17
64B14-4.004	36/36			64F-10.003	38/4		38/17
64B14-4.005	38/9		38/19	64F-10.004	38/4		38/17
64B14-4.100	38/9		38/17	64F-10.005	38/4		38/17
64B14-5.002	38/9		38/17	64F-10.006	38/4		38/17
64B14-5.005	38/9		38/17	64F-10.007	38/4		38/17
64B15-7.010	38/18			64F-10.008	38/4		38/17
64B15-9.007	38/14		38/21	64F-10.009	38/4		38/17
64B15-12.003	37/40	37/52	38/6	64F-16.005	38/4		38/17
	38/18			64F-16.008	38/4		38/17
64B15-12.006	38/18			64F-16.009	38/4		38/17
64B15-12.007	38/18			64F-16.010	38/4		38/17
64B15-12.008	38/18			64F-16.011	38/4		38/17
64B15-14.0051	38/18			64F-20.002	38/4		38/17
64B15-14.011	38/14		38/21	64H-1.002	36/7	36/40	
64B15-19.002	38/18					36/44	
64B16-26.103	37/47					37/49	
64B16-26.205	35/39	36/32		64J-3.001	36/39	38/15	
64B16-26.206	37/47			64J-3.002	34/43	35/2	
64B16-26.601	37/47				36/39	38/15	
64B16-27.420	38/22			64J-3.003	36/39	38/15	
64B16-28.100	37/47	38/9					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
CHILDREN AND FAMILY SERVICES				65E-12.110	38/3	38/18	
65A-1.204	38/14		38/22	65E-14.012	38/3		38/20w
65A-1.205(1)	36/43c				38/8		
	36/50c			65G-2.016	38/20		
65A-1.250	37/40				38/2	38/11	
65A-1.707	38/14		38/22			38/12	
65A-1.712	38/8	38/21		65G-4.014	36/7	37/11	38/19
65A-1.713	38/5	38/15				37/44	38/19
65A-2.023	38/14		38/22			37/51	38/19
65A-4.201	38/20				36/13c		
65B-38.001	38/17			65G-4.014(1)	36/13c		
65B-38.002	38/17			65G-4.014(3)	36/13c		
65B-38.003	38/17			65G-4.015	36/7	37/11	38/19
65B-38.004	38/17					37/44	38/19
65B-38.005	38/17			65G-4.016	36/7	37/11	38/19
65B-38.006	38/17					37/44	38/19
65B-38.007	38/17			65G-4.017	36/7	37/11	38/19
65B-38.011	38/17					37/44	38/19
65B-38.012	38/17			65G-4.017(1),(3)	36/13c		
65B-38.013	38/17			FLORIDA HOUSING FINANCE CORPORATION			
65B-38.015	38/17			67ER09-3	35/43c		35/43d
65B-38.018	38/17				35/43c		35/43d
65B-38.023	38/17				35/43c		35/43d
65B-38.024	38/17				35/43c		35/43d
65B-38.025	38/17			67ER09-4	35/43c		35/43d
65B-38.026	38/17				35/43c		35/43d
65B-38.027	38/17				35/43c		35/43d
65B-38.028	38/17				35/43c		35/43d
65B-38.030	38/17				35/43c		35/43d
65B-38.032	38/17				35/43c		35/43d
65B-38.033	38/17			FISH AND WILDLIFE CONSERVATION COMMISSION			
65C-14.010	36/45	38/15	38/22	68-1.003	38/7	38/14	38/20
65C-31.001	36/38	36/49		68-1.010	38/14		
65C-31.002	36/38	36/49		68A-4.009	38/15		
65C-31.003	36/38	36/49		68A-5.004	38/14		
65C-31.004	36/38	36/49		68A-5.006	38/8		38/17
65C-31.005	36/38	36/49		68A-9.004	38/1	38/11	38/17
65C-31.006	36/38	36/49		68A-9.006	38/14		
65C-31.007	36/38	36/49		68A-13.004	38/21		
65C-31.008	36/38	36/49		68A-15.004	38/1	38/11	38/17
65C-31.009	36/38	36/49		68A-15.061	38/1	38/11	38/17
65C-31.010	36/38	36/49		68A-15.063	38/1	38/11	38/17
65C-31.011	36/38	36/49		68A-15.064	38/1	38/11	38/17
65C-36.001	36/39			68A-15.065	38/21		
65C-36.002	36/39			68A-16.001	38/14		
65C-36.003	36/39			68A-17.005	38/1	38/11	38/17
65C-36.004	36/39				38/21		
65C-36.005	36/39			68A-23.003	38/14		
65C-36.006	36/39			68A-23.012	38/14		
65C-36.007	36/39			68A-23.015	38/14		
65C-36.008	36/39						
65C-36.009	36/39						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69W-7.007	38/18			73B-20.006	38/23		
69W-7.008	38/18			73B-20.007	38/23		
69W-301.001	38/18			73B-20.015	38/23		
69W-301.002	38/13		38/19	73B-21.002	38/23		
69W-301.003	38/18			73B-21.004	38/23		
69W-600.002	38/13		38/21	73B-21.006	38/23		
69W-600.006	38/13		38/21	73B-22.003	38/23		
69W-700.018	38/18			73B-22.009	38/23		
69W-700.024	38/18			73C-49.001	38/22		
69W-700.028	38/18			73C-49.002	38/22		

ECONOMIC OPPORTUNITY

73B-20.001	38/23
73B-20.003	38/23
73B-20.004	38/23
73B-20.005	38/23