

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0901	Definitions Which Apply to Programs for English Language Learners
6A-6.09022	Extension of Services in English for Speakers of Other Languages (ESOL) Program

PURPOSE AND EFFECT: The purpose and effect of this rule development is to clarify existing language within the rules.

SUBJECT AREA TO BE ADDRESSED: ESOL.

RULEMAKING AUTHORITY: 1001.02, 1003.56 FS.

LAW IMPLEMENTED: 1003.56, 1011.62 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: September 17, 2012, 5:00 p.m. – 7:00 p.m.

PLACE: The School District of Osceola County, Board Room, 817 Bill Beck Boulevard, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Chane Eplin, Bureau Chief, Bureau of Student Achievement through Language Acquisition, Department of Education, Turlington Building, 325 West Gaines St., Room 444, Tallahassee, FL 32399. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-17.001	Scope of Rules
12-17.002	Definitions
12-17.003	Requirements for Considering Entering into Stipulated Time Payment Agreements
12-17.004	Delegation of Authority

12-17.005	Factors Considered by the Department
12-17.006	Procedures
12-17.007	Form and Execution of Stipulated Time Payment Agreements
12-17.008	Terms of Stipulated Time Payment Agreements
12-17.009	Termination of Agreements
12-17.010	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 12-17, F.A.C. (Agreements for Scheduling Payments of Liabilities), is to: (1) provide when the provisions of the rule chapter apply to stipulated time payment agreements executed by the Department; (2) clarify the taxes for which the Department will enter into a stipulated time payment agreement for collection of an unpaid liability; (3) update the delegation of authority to execute stipulated time payment agreements with taxpayers to reflect the absorption of the Compliance Support Process by the Refunds and Distribution Process; (4) provide the proposed requirements for taxpayers to enter into stipulated time payment agreements; (5) provide the terms of stipulated time payment agreements; (6) provide that where there is risk to the state regarding the collection of the amount due, additional terms will be included in stipulated time payment agreements; (7) provide that unless a variance or waiver is granted, taxpayers must submit each stipulated time payment to the Department by electronic means; (8) provide when a stipulated time payment agreement will be held in default and the actions the Department will implement when an agreement is held in default; (9) remove obsolete, unnecessary, or redundant provisions; and (10) remove the unnecessary adoption of Form DR-68, Stipulated Time Payment Agreement.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the proposed rule chapter containing the Department’s proposed procedures for taxpayers to pay outstanding liabilities of tax, surtax, surcharge, or fee, associated penalties and interest, and costs of collection through stipulated time payment agreements based on the taxpayer’s financial position and the best interests of the state.

RULEMAKING AUTHORITY: 20.05(1)(e), 213.06(1), 213.21(5) FS.

LAW IMPLEMENTED: 90.408, 212.18, 213.015(10), 213.05, 213.21(2), (4), 213.24(3), 213.27, 213.67, 213.69, 213.692, 443.1316, 443.141 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: September 20, 2012, 2:00 p.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, 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 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8347. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS Published on the Department’s Internet site at myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-21.001	Scope
12-21.0015	Definitions
12-21.002	Warrant and Instructions for Levy
12-21.005	Seizure of Property Under Jeopardy
12-21.007	Seizure of Property Without Jeopardy
12-21.010	Manner and Conditions of Sale of Property
12-21.040	Satisfaction of Tax Warrants and Liens
12-21.050	Public Use Forms
12-21.201	Scope
12-21.202	Definitions
12-21.203	Notification to Custodians; Custodial Responsibilities
12-21.204	Issuance of Notice of Intent to Levy; Procedures
12-21.205	Departmental Levy on Frozen Assets; Procedures
12-21.208	Withholding of Vendor Payments

PURPOSE AND EFFECT: The purpose of the proposed changes to Rule Chapter 12-21, F.A.C., is to: (1) change the title of the rule chapter to “Warrants, Jeopardy, and Post-Warrant Collections,” to reflect the scope of the chapter, as revised; (2) provide in the rule chapter the current procedures used by the Department in warrant, jeopardy, and post-warrant collections situations; (3) eliminate unnecessary references to forms and obsolete provisions; and (4) update and incorporate into the rule chapter applicable provisions of Rule 12A-1.090, F.A.C., Tax Liens, Garnishment and Jeopardy Assessments, which will be repealed.

PART I – WARRANTS, LIENS, JEOPARDY, AND LEVY, SEIZURE, AND SALE OF PROPERTY

The purpose of the proposed changes to Part I of Rule Chapter 12-21, F.A.C., Rules 12-21.001 through 12-21.050, F.A.C., is to: (1) change the title of the chapter part to “Warrants, Liens, Jeopardy, and Levy, Seizure, and Sale of Property,” to more accurately reflect the scope of Part I of the chapter; (2) provide that the scope of the rule chapter covers instances in which the Department issues a warrant with regard to any tax it administers; (3) update the delegation of authority granted to Department personnel to issue, satisfy, cancel, or amend warrants and judgement lien certificates, to issue and release jeopardy assessments and related warrants and judgement lien certificates, to issue an execution to a sheriff, and to levy, freeze, or sell a taxpayer’s property; (4) provide definitions of terms applicable to the entire rule chapter; (5) clarify when the Department will issue a warrant and file a judgment lien certificate; (6) update the rule to reflect the current provisions of Chapter 55, F.S. (Judgments), regarding the filing of a judgment lien certificate with the Department of State to obtain a lien upon a taxpayer’s personal property; (7) provide the duration of the Department’s lien; (8) clarify when the Department will consider jeopardy to the revenue to exist, and state what factors the Department will consider in determining whether collection will be jeopardized by delay; (9) provide the notice requirements and review rights with regard to a notice or finding of the facts constituting jeopardy to the revenue, pursuant to Section 213.732, F.S.; (10) repeal as unnecessary Rule 12-21.007, F.A.C., Seizure of Property Without Jeopardy; (11) clarify and update provisions regarding the manner and conditions of sale of taxpayer property; (12) clarify and update provisions regarding satisfaction, cancellation, and amendment of warrants and judgment liens; and (13) repeal the adoption of forms in Rule 12-21.050, F.A.C., Public Use Forms, that do not meet the definition of a “rule” in Section 120.52(15), F.S., as unnecessary.

PART II – ADMINISTRATIVE GARNISHMENT FOR UNPAID TAXES

The purpose of the proposed changes to Part II of Rule Chapter 12-21, F.A.C., Rules 12-21.201 through 12-21.208, F.A.C., is to: (1) provide that the scope of Part II of the rule chapter is to implement the provisions of Section 213.67, F.S.; (2) clarify that the Department will exercise the authority to freeze a taxpayer’s assets pursuant to Sections 206.18(4) and 213.758, F.S., at the same time and in the same manner as provided in Section 213.67, F.S., and Part II of this chapter; (3) repeal Rule 12-21.202, F.A.C., Definitions, to eliminate definitions of terms that are provided in Part I of the rule chapter, as amended; (4) update provisions regarding the issuance of a Notice of Freeze to custodians of a delinquent taxpayer’s assets; (5) update provisions regarding the issuance of a Notice of Intent to Levy to delinquent taxpayers; (6) update provisions regarding levying upon a delinquent taxpayer’s assets; and (7) provide procedures for Section 213.67(9), F.S., which

authorizes the Department to withhold and levy upon certain payments by the State scheduled to persons with outstanding tax warrants.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the updates to the Department's procedures for issuing tax warrants and jeopardy assessments, and the methods used in post-warrant collections by the Department.

RULEMAKING AUTHORITY: 198.08, 199.202, 202.26(3), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 55.10, 55.202, 55.204, 56.27, 95.091, 198.01, 198.20, 198.22, 198.33, 199.262, 201.16, 202.11, 202.33, 202.35, 202.36, 206.01, 206.075, 206.18, 206.97, 206.9835, 206.9915, 211.01, 211.125, 211.33, 212.02, 212.12, 212.14, 212.15, 213.67, 213.69, 213.73, 213.731, 213.732, 213.733, 213.74, 213.75, 213.758, 220.03, 220.813, 220.819, 220.827, 220.829, 336.021, 336.025, 403.718(3)(a), 403.7185(3)(a), 443.131(3)(g), 443.1316, 538.11, 624.5092, 681.117 FS.

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DATE AND TIME: September 20, 2012, 2:00 p.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Butscher, Assistant General Counsel, Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, telephone (850)617-8347

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-1.002	Definitions
12D-1.009	Mapping Requirements

PURPOSE AND EFFECT: The purpose of the rulemaking action for the proposed amendment to Rule 12D-1.002, F.A.C., is to implement a statutory change enacted in Section 1 of Chapter 2012-193, Laws of Florida. The purpose of the

rulemaking action for the proposed amendment to Rule 12D-1.009 is to update and clarify a provision dealing with the property ownership maps property appraisers use to help them identify, assess and value property. The effect of amending Rule 12D-1.002, F.A.C., is to ensure that statutory changes are incorporated into the Department's rules on a timely basis. The effect of amending Rule 12D-1.009, F.A.C., is that the Department's rules will reflect the most current procedures used by property appraisers.

SUBJECT AREA TO BE ADDRESSED: The subject of the proposed amendment to Rule 12D-1.002, F.A.C., is the definitions of words and phrases used by property appraisers in the procedures they follow when assessing and valuing property. The subject of the proposed amendment to Rule 12D-1.009, F.A.C., is the maps property appraisers use to help them identify, assess and value property.

RULEMAKING AUTHORITY: 193.085(2), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 193.085, 193.461, 195.022, 195.062 FS.

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

DATE AND TIME: September 19, 2012, 1:30 p.m.

PLACE: Conference Room 3503, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The public can also participate in this workshop through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this workshop posted on the Department's site at the web site address listed: <http://dor.myflorida.com/dor/property/legislation/>.

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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0129, telephone (850)617-8871, email: greenlar@dor.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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0129, telephone (850)617-8871, email greenlar@dor.state.fl.us

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-6.006
 RULE TITLE: Fee Time-Share Real Property

PURPOSE AND EFFECT: The purpose of these proposed amendments is to conform definitions contained in this rule to statutory changes. The effect of these proposed rule revisions is to provide property appraisers with better guidance regarding the assessment of fee timeshare properties.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule is the procedures property appraisers use to assess ad valorem taxes on fee timeshare properties.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 192.037, 193.011, 718.103, 719.103, 721.05, 721.08, 721.13 FS.

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

DATE AND TIME: September 19, 2012, 1:30 p.m.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0129, telephone (850)617-8871, email greenlar@dor.state.fl.us

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-7.0025
 RULE TITLE: Application for Certain Exemptions Without Required Documentation

PURPOSE AND EFFECT: The purpose of this rulemaking action is to implement statutory changes enacted in Sections 19, 20, 21, 22, 27, and 28 of Chapter 2012-193, Laws of Florida. The effect of creating this rule is that applicants for certain exemptions can be granted exempt status while they await documentation that supports the exempt status.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule is the procedures taxpayers use to prove they qualify for certain property tax exemptions.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 196.081, 196.082, 196.091, 196.101, 196.202, 196.24, 197.182, 213.05 FS.

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

DATE AND TIME: September 19, 2012, 1:30 p.m.

PLACE: Conference Room 3503, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The public can also participate in this workshop through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this workshop posted on the Department's Internet site at the web site address listed: <http://dor.myflorida.com/dor/property/legislation/>.

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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0129, telephone (850)617-8871, email: greenlar@dor.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).

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-8.0065
 RULE TITLE: Transfer of Homestead Assessment Difference; "Portability"; Sworn Statement Required; Denials; Late Applications

PURPOSE AND EFFECT: This proposed rule implements the procedures of Section 5 of Ch. 2012-193, L.O.F., designating the ownership shares to be attributed to a husband and wife who abandon a homestead property for purposes of determining the assessed value of a newly established homestead under certain circumstances.

SUBJECT AREA TO BE ADDRESSED: The subject areas addressed are transfer of assessment limitation difference or portability process. Rule text is posted on the Department's website at: <http://dor.myflorida.com/dor/property/legislation/>.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.047, 193.114, 193.1142, 193.155, (Chapter 2012-193, LOF 193.703, 194.011 FS.

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

DATE AND TIME: September 19, 2012, 1:30 p.m.

PLACE: Conference Room 3503, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, GreenLar@dor.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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program,

Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, GreenLar@dor.state.fl.us

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: 12D-9.001
 RULE TITLES: Taxpayer Rights in Value Adjustment Board Proceedings
 12D-9.005 Duties of the Board
 12D-9.019 Scheduling and Notice of a Hearing
 12D-9.020 Exchange of Evidence

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 12D-9.001, 12D-9.005, and 12D-9.019, F.A.C., is to implement statutory changes enacted in Sections 2, 11, and 12 of Chapter 2012-193, Laws of Florida. The purpose of the proposed amendments to Rule 12D-9.020, F.A.C., is to implement the Administrative Law Judge's ruling in *Rob Turner, Hillsborough County Property Appraiser v. Department of Revenue*, DOAH Case No 11-677, Summary Final Order dated June 22, 2011. It was found that the rule contradicts Section 194.011(4)(a), F.S. The effect of amending Rules 12D-9.001, 12D-9.005, and 12D-9.019, F.A.C., is to: recognize a taxpayer's statutory right to request a rescheduled hearing appointment, if their petition is not heard at a value adjustment board (VAB) proceeding within a reasonable time after their originally-scheduled appointment; ensure that taxpayers who petition the VAB receive important information about their scheduled hearing; and, ensure the Department's rules reflect recent statutory changes. The effect of the proposed amendments to Rule 12D-9.020, F.A.C., is to make the rule consistent with the Administrative Law Judge's ruling regarding the exchange of evidence within the VAB hearing process.

SUBJECT AREA TO BE ADDRESSED: The subject of the proposed rule amendments to Rules 12D-9.001, 12D-9.005, and 12D-9.019, F.A.C., is the rights granted to petitioners at VAB proceedings; and, the specific procedures used in value adjustment board activities. The subject of the proposed rule amendments to Rule 12D-9.020, F.A.C., is the exchange of evidence process in VAB proceedings.

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.0105, 193.074, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.022, 195.027, 195.084, 195.096, 196.011, 196.151, 196.193, 196.194, 197.122, 200.069, 213.05 FS.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:

12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-16.002, F.A.C., is to implement provisions from Chapters 2010-147, 2011-182, and 2012-193 Laws of Florida, and to implement other technical changes to ad valorem property tax forms used by property appraisers, tax collectors, value adjustment boards, and the general public.

SUBJECT AREA TO BE ADDRESSED: Revision, creation and repeal of PTO forms to incorporate legislative changes and other technical changes. Draft forms and text of Rule 12D-16.002, F.A.C., is posted on the Department's website at: <http://dor.myflorida.com/dor/property/legislation/>.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.081, 196.082, 196.091, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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DATE AND TIME: September 19, 2012, 1:30 p.m.

PLACE: Conference Room 3503, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation/>.

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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, GreenLar@dor.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: Larry Green, Senior Tax Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, GreenLar@dor.state.fl.us

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

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-94.001	Purpose
14-94.002	Definitions
14-94.003	Statewide Minimum Level of Service Standards

PURPOSE AND EFFECT: The proposed rule amendments will repeal Rule Chapter 14-94, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Section 163.3180(10), F.S., which required the Department to adopt rules for the lowest acceptable level of service standards for transportation facilities, was repealed. Local governments will consult with the Department as required by Section 163.3180(5)(h)1., F.S.

OTHER RULES INCORPORATING THIS RULE: N/A

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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(s) 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 Department’s economic impact analysis, the agency has determined that this rule chapter does not require a SERC. In addition, the agency has determined that the rule(s) will not require legislative ratification pursuant to Section 120.541(3), Florida Statutes.

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

RULEMAKING AUTHORITY: 163.3180(10), 334.044(2) FS.

LAW IMPLEMENTED: 163.3180(10), 163.3184(4), 334.03, 334.044(10)(a), (12), (19), 339.155(2), 339.2819, 339.61, 339.62, 339.63, 339.64 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: Deanna Hurt, Esquire, Assistant General Counsel, Clerk of Agency Proceedings,

Florida Department of Transportation, Office of the General Counsel, 605 Suwannee St., MS 58, Tallahassee, FL 32399, (850)414-5383

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-94.001 Purpose.

~~(1) The purpose of this rule chapter is to establish statewide minimum level of service standards to be used in the planning and operation of the State Highway System (SHS), roadway facilities on the Strategic Intermodal System (SIS), the Florida Intrastate Highway System (FIHS), and roadway facilities funded in accordance with Section 339.2819, F.S. which creates the Transportation Regional Incentive Program (TRIP). This rule chapter is intended to promote public safety and general welfare, ensure the mobility of people and goods, and preserve the facilities on the SHS, SIS, and facilities funded by the TRIP. The minimum level of service standards for the SIS, FIHS, and facilities funded by the TRIP will be used by the Department in the review of local government comprehensive plans, assessing impacts related to developments of regional impact, and assessing other developments affecting the SIS, FIHS, and roadways funded by the TRIP. The minimum level of service standards for the SIS, FIHS, and roadways funded by the TRIP will be used by local governments for complying with applicable provisions of Section 163.3180, F.S.~~

~~(2) This rule chapter does not supersede or negate the provisions of Chapter 9J-5, F.A.C., pertaining to the preparation and adoption of local comprehensive plans or plan amendments by local governments.~~

Rulemaking Specific Authority 163.3180(10), 344.044(2) FS. Law Implemented 163.3180(10), 163.3184(4), 334.03, 334.044(10)(a), (12), (19), 339.155(2), 339.2819, 339.61-64 FS. History—New 4-14-92, Amended 5-8-06, Repealed.

14-94.002 Definitions-

As used in this rule chapter, the following definitions apply:

~~(1) “Communities” means incorporated places outside urban or urbanized areas, or unincorporated developed areas having a population of 500 or more identified by local governments in their local government comprehensive plans and located outside of urban or urbanized areas.~~

~~(2) “Controlled Access Facilities” means non limited access arterial facilities where access connections, median openings, and traffic signals are highly regulated.~~

~~(3) “Exclusive Through Lanes” means roadway lanes exclusively designated for intrastate travel, which are physically separated from general use lanes, and to which access is highly regulated. These lanes may be used for high occupancy vehicles and express buses during peak hours if the level of service standards can be maintained.~~

(4) “Florida Intrastate Highway System (FIHS)” means the highway system established pursuant to Section 338.001, F.S., which comprises a statewide network of limited and controlled access facilities. The primary function of the system is for high speed and high volume traffic movements within the state.

(5) “General Use Lanes” means roadway lanes not exclusively designated for long distance high speed travel. In urbanized areas general use lanes include high occupancy vehicle lanes not physically separated from other travel lanes.

(6) “Level of Service (LOS)” for highways means a quantitative stratification of the quality of service to a typical traveler on a facility into six letter grade levels with “A” describing the highest quality and “F” describing the lowest quality. The indicated LOS standards designate lowest acceptable operating conditions for the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest volume hour represents the typical peak hour during the peak season. Definitions and measurement criteria used for minimum LOS standards are based on the Transportation Research Board Highway Capacity Manual 2000. All LOS evaluations are to be based on the Transportation Research Board Highway Capacity Manual 2000, the Department’s 2002 Quality/Level of Service Handbook, or a methodology determined by the Department to be of comparable reliability. The Transportation Research Board Highway Capacity Manual 2000 and the Department’s 2002 Quality/Level of Service Handbook are hereby incorporated by reference and made a part of these rules. The National Transportation Research Board’s Highway Capacity Manual 2000, is available from the Transportation Research Board, National Research Council, Washington, D.C. The Department’s 2002 Quality/Level of Service Handbook may be found at: http://www.dot.state.fl.us/planning/systems/sm/los/los_sw2.htm.

(7) “Limited Access Facilities” means multilane divided highways having a minimum of two lanes for exclusive use of traffic in each direction and full control of ingress and egress; this includes freeways and all fully controlled access roadways.

(8) “Other State Roads” means roads on the SHS which are not part of the FIHS.

(9) “Peak Hour” means the 100th highest volume hour of the year in the predominant traffic flow direction from the present through a 20 year planning horizon.

(10) “Multimodal Transportation Districts (MMTDs)” means areas in which secondary priority is given to vehicle mobility and primary priority is given to assuring a safe, comfortable and attractive pedestrian environment with convenient interconnection to transit. Local government comprehensive plans may establish multimodal LOS standards within MMTDs pursuant to Section 163.3180(15), F.S.

(11) “Regionally Significant Roadways” means as established pursuant to Section 339.2819, F.S.

(12) “Roadways Parallel to Exclusive Transit Facilities” means roads that generally run parallel to and within one half mile of exclusive transit facilities, which are physically separated rail or roadway lanes reserved for multipassenger use by rail cars or buses serving large volumes of home/work trips during peak travel hours. Exclusive transit facilities do not include downtown people movers, or high occupancy vehicle lanes unless physically separated from other travel lanes.

(13) “Rural Areas” means areas not included in an urbanized area, a transitioning urbanized area, an urban area, or a community.

(14) “Strategic Intermodal System (SIS)” means as established pursuant to Sections 339.61-64, F.S.

(15) “SIS Connectors” means designated roadways that connect SIS hubs to SIS highways. These may be either on or off the SHS.

(16) “SIS Hubs” means ports and terminals that move goods or people between Florida regions or between Florida and other markets in the United States and the rest of the world. These include commercial service airports, deepwater seaports, space ports, interregional rail and bus terminals, and freight rail terminals.

(17) “Transitioning Urbanized Areas” means the areas outside urbanized areas, but within the MPO Metropolitan Planning Area Boundaries, that are expected to be included within the urbanized areas within the next 20 years based primarily on the U.S. Bureau of Census urbanized criteria.

(18) “Transportation Concurrency Exception Area (TCEA)” means an area which is so designated by a local government pursuant to Section 163.3180, F.S.

(19) “Transportation Concurrency Management Area (TCMA)” means a geographically compact area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A TCMA may be designated in local government comprehensive plans in accordance with Section 163.3180, F.S.

(20) “Transportation Regional Incentive Program (TRIP)” means as established pursuant to Section 339.2819, F.S.

(21) “Urban Areas” means places with a population of at least 5,000 which are not included in urbanized areas based on the most recent U.S. Census. The applicable boundary encompasses the urban area as well as the surrounding geographical area as determined by the Federal Highway Administration (FHWA), the Department, and local government. The boundaries are commonly called FHWA Urban Area Boundaries and include areas expected to have medium density development before the next decennial census.

(22) “Urbanized Areas” means the urbanized areas designated by the U.S. Bureau of Census as well as the surrounding geographical areas, as determined by the FHWA, the Department, and the Metropolitan Planning Organization, and are commonly called FHWA Urbanized Area Boundaries.

The over or under 500,000 classifications distinguish urbanized area populations based on the most recent U.S. Census.

Rulemaking Specific Authority 163.3180(10), 334.044(2) FS. Law Implemented 163.3180(10), 163.3184(4), 334.03, 334.044(10)(a), (12), (19), 339.155(2), 339.2819, 339.61-64 FS. History—New 4-14-92, Amended 5-8-06, Repealed.

14-94.003 Statewide Minimum Level of Service Standards.

(1) The Statewide Minimum LOS Standards are as follows:

	SIS AND FIHS FACILITIES		TRIP FUNDED FACILITIES AND OTHER STATE ROADS ³	
	Limited Access Highway ⁴ (Freeway)	Controlled Access Highway ⁴	Other Multilane ⁴	Two-Lane ⁴
Rural Areas	B	B ¹	B	C
Transitioning Urbanized Areas, Urban Areas, or Communities	C	C	C	C
Urbanized Areas Under 500,000	C(D)	C	D	D
Urbanized Areas Over 500,000	D(E)	D	D	D
Roadways Parallel to Exclusive Transit Facilities	E	E	E	E
Inside TCMA ² s	D(E) ²	E ²	-- ²	-- ²
Inside TCEA ² s and MMTD ² s	-- ²	-- ²	-- ²	-- ²

Level of service standards inside of parentheses apply to general use lanes only when exclusive through lanes exist.

- For rural two lane facilities, the standard is C.
- Means the Department must be consulted as provided by Section 163.3180(5), (7), or (15), Florida Statutes, regarding level of service standards set on SIS or TRIP facilities impacted by TCMA²s, MMTD²s, or TCEA²s respectively.
- Means the level of service standards for non TRIP facilities may be set by local governments in accordance with Rule 9J-5.0055, F.A.C.
- It is recognized that certain roadways (i.e., constrained roadways) will not be expanded by the addition of through lanes for physical, environmental, or policy reasons. In such instances, a variance to the level of service may be sought pursuant to Section 120.542, Florida Statutes.

NOTE: Level of service letter designations are defined in the Department's 2002 Quality/Level of Service Handbook.

(2) Specific assumptions and restrictions that apply to these minimum LOS standards are:

(a) The minimum LOS standards represent the lowest acceptable operating conditions in the peak hour.

(b) Definitions and measurement criteria used for the minimum LOS standards can be found in the Transportation Research Board's Highway Capacity Manual Special Report 2000.

(c) When calculating or evaluating level of service pursuant to this rule, all calculations and evaluations shall be based on the methodology contained in Transportation Research Board's Highway Capacity Manual Special Report

2000, the Department's 2002 Quality/Level of Service Handbook, or a methodology determined by the Department to be of comparable reliability. Any methodology superseded by the Highway Capacity Manual 2000, such as a methodology based on the 1997 Highway Capacity Manual or Circular 212, shall not be used.

(3) Minimum LOS Standards for SIS Connectors and TRIP Funded Facilities are:

(a) Minimum LOS Standards for SIS Highways.

1. Limited access SIS highways shall adhere to the limited access FIHS LOS standards.

~~2. Controlled access SIS highways shall adhere to the controlled access FHHS LOS standards.~~

~~3. These standards shall apply regardless whether the facility is FHHS, SHS, or under other jurisdiction.~~

~~(b) Minimum LOS Standards for SIS Connectors. The minimum LOS standard for SIS connectors shall be LOS D.~~

~~(e) Minimum LOS Standards for Regionally Significant Roadways Funded by the TRIP.~~

~~1. Regionally significant roadways utilizing TRIP funding shall adhere to the Other State Roads Standards in Chapter 14-94, F.A.C.~~

~~2. These LOS standards apply to the TRIP funded portions of the roadway facilities extending to their logical termini for LOS analysis.~~

Rulemaking Specific Authority 163.3180(10), 334.044(2) FS. Law Implemented 163.3180(10), 163.3184(4), 334.03, 334.044(10)(a), (12), (19), 339.155(2), 339.2819, 339.61-.64 FS. History--New 4-14-92, Amended 5-8-06, Repealed _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:

19B-4.002 Contract Prices

PURPOSE AND EFFECT: The rule is amended to establish the actuarial assumptions which will be used to establish Prepaid Plan prices.

SUBJECT AREA TO BE ADDRESSED: The actuarial assumptions used to establish Prepaid Plan prices.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98(2) 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.

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: Kevin Thompson, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514. 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: Kevin Thompson, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.002 Contract Prices.

(1) The Board will evaluate the advance payment contract prices for revision annually. All advance payment contract prices will be published annually in the Florida Administrative Weekly.

(2) The advance payment contract prices for:

(a) The 4-Year Florida University Plan are based on the actuarial assumptions that Registration Fees at State Universities will rise at an average of 6.5 percent per annum, Local Fees at State Universities will rise at an average of 6.5 percent per annum, and the Tuition Differential Fee will rise 10 percent annually through fiscal year 2015-16 and at the maximum increase permitted pursuant to Section 1009.24(16), F.S., annually thereafter.

(b) The 2 + 2 Florida Plan are based on the actuarial assumptions that Registration Fees at State Universities will rise at an average of 6.5 percent per annum, Local Fees at State Universities will rise at an average of 6.5 percent per annum, the Tuition Differential Fee will rise annually at the maximum increase permitted pursuant to Section 1009.24(16), F.S., the Registration Fees at Florida Colleges will rise at an average of 6 percent per annum and Local Fees at Florida Colleges will rise at an average of 6 percent per annum.

(c) The 4-Year Florida College Plan are based on the actuarial assumptions that the Registration Fees at Florida Colleges will rise at an average of 6 percent per annum and Local Fees at Florida Colleges will rise at an average of 6 percent per annum.

(d) The 2-Year Florida College Plan are based on the actuarial assumptions that Registration Fees at Florida Colleges will rise at an average of 6 percent per annum and Local Fees at Florida Colleges will rise at an average of 6 percent per annum.

(e) The Dormitory Plan are based on the actuarial assumption that dormitory fees at State Universities will rise at an average of 6 percent per annum.

(f) Local Fee Plans are based on the actuarial assumptions that the Local Fees at State Universities will rise at an average of 6.5 percent per annum and Local Fees at Florida Colleges will rise at an average of 6 percent per annum.

(g) Tuition Differential Fee Plans are based on the actuarial assumption that the Tuition Differential Fee will rise annually at the maximum increase permitted pursuant to Section 1009.24(16), F.S.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98(2) FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.002, Amended 5-31-95, 2-18-99, 2-8-00, 12-28-03, 12-28-04, 12-20-05, 12-17-07, 11-30-09, 10-18-10, _____.

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:
25-4.0051 Certificate Holder Information

PURPOSE AND EFFECT: New Rule 25-4.0051, F.A.C., states that all certificated companies must keep their contact information current with the Public Service Commission.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Telecommunications.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.18(1), 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: Cindy Miller, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.fl.state.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:
25-4.0665	Lifeline Service
25-4.113	Refusal or Discontinuance of Service by Company

PURPOSE AND EFFECT: Rule 25-4.0665, F.A.C., would be amended to require eligible telecommunications carriers to comply with subscriber eligibility determinations and certifications as contained in CFR §§54.409, 54.410, and 54.416, to eliminate Link-Up, to update Forms PSC/TEL 157 and 158, to require that a subscriber’s Lifeline local service may not be discontinued because of nonpayment of charges for non-basic services and toll charges, to eliminate quarterly reporting requirements, and to clarify telecommunications carrier responsibilities regarding record retention, resale of Lifeline lines, and advertising, including developing outreach materials for specific consumer groups and outreach strategies. Consistent with the 2011 changes made to Ch. 364, F.S., Rule 25-4.113, F.A.C., would be repealed.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127(2), 364.10(2)(j) FS.

LAW IMPLEMENTED: 364.10, 364.105, 364.183(1) FS.

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

DATE AND TIME: Wednesday, September 19, 2012, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, 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 5 days before the workshop/meeting by contacting: Office of Commission Clerk at 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosanne Gervasi, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, rgervasi@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendment will be available on the Commission’s website, www.floridapsc.com, on September 12, 2012

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:
25-24.585	Rules Incorporated
25-24.835	Rules Incorporated

PURPOSE AND EFFECT: The two rules are being repealed because they are no longer necessary. All rules for local service providers are being generically approached and consolidated.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Telecommunications.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.18(1), 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: Cindy Miller, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.fl.state.us

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

ADMINISTRATION COMMISSION

Division of Emergency Management

RULE NO.: 27P-2.002
RULE TITLE: State Comprehensive Emergency Management Plan Adopted

PURPOSE AND EFFECT: The purpose of this amendment is to adopt the 2012 State Comprehensive Emergency Management Plan.

SUBJECT AREA TO BE ADDRESSED: State Comprehensive Emergency Plan.

RULEMAKING AUTHORITY: 252.35 FS.

LAW IMPLEMENTED: 252.35(2)(a) FS.

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

DATE AND TIME: September 18, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Division of Emergency Management, 2555 Shumard Oak Boulevard, Room 100E, Tallahassee, Florida 32399. Conference Call: 1(888)670-3525, Conference Code: 5872188816.

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: Mindy Dowling at (850)410-1268. 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: Mindy Dowling, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone: (850)410-1268, email: mindy.dowling@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27P-2.002 State Comprehensive Emergency Management Plan Adopted.

(1) The Division hereby adopts and incorporates by reference into this Chapter the State Comprehensive Emergency Management Plan (February 1, 2012 ~~February 1, 2010~~ Edition).

(2) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.35(2)(a) FS. History—New 1-4-01, Amended 7-8-02, 8-4-04, 6-2-10, Formerly 9G-2.002, Amended.

ADMINISTRATION COMMISSION

Division of Emergency Management

RULE NOS.: 27P-6.002
RULE TITLES: Definitions

27P-6.0023 County Comprehensive Emergency Management Plans
27P-6.006 County Comprehensive Emergency Management Plans – Review by Division

PURPOSE AND EFFECT: The purpose of these amendments is to increase the time in which counties have to raise their County Comprehensive Emergency Management Plans and provide counties the opportunity to request an extension to submit their plan.

SUBJECT AREA TO BE ADDRESSED: Local Emergency Management Plans.

RULEMAKING AUTHORITY: 120.57, 252.35 FS.

LAW IMPLEMENTED: 120.57, 252.35(1), (2)(a), (b), (c), (d), (x), 252.38(1) FS.

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

DATE AND TIME: September 18, 2012, 2:30 p.m. – 4:30 p.m.

PLACE: Division of Emergency Management, 2555 Shumard Oak Boulevard, Room 100E, Tallahassee, Florida 32399. Conference Call: 1(888)670-3525, Conference Code: 5872188816

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: Mindy Dowling at (850)410-1268. 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: Mindy Dowling, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone: (850)410-1268, email: mindy.dowling@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27P-6.002 Definitions.

(1) through (6) No change.

(7) “Local Emergency Management Plans” refer to the County Comprehensive Emergency Management Plans and the Municipal Comprehensive Emergency Management Plans.

(8)(7) “County Radiological Emergency Plan for Nuclear Power Plants” means the plan to be prepared by the Division and county governments within 50 miles of a commercial nuclear power plant.

(9)(8) “County Emergency Management Program” means the emergency management program authorized and mandated by Chapter 252, F.S., to be created by each legally constituted county in the state.

~~Rulemaking Specific~~ Authority 252.35(2)(x), ~~(2)(u)~~ FS. Law Implemented 252.35(1), (2)(a), (b), (c), (d), 252.38(1) FS. History—New 1-18-81, Amended 2-24-85, Formerly 9G-6.02, Amended 2-5-91, 5-11-95, 2-11-01, Formerly 9G-6.002, Amended _____.

27P-6.0023 County Comprehensive Emergency Management Plans.

(1) Each county emergency management agency established pursuant to the authority contained in Section 252.38(2), F.S., shall develop and submit to the governing body of the jurisdiction ~~Board of County Commissioners~~ for adoption a County Comprehensive Emergency Management Plan in compliance with the requirements, format and standards contained in this rule chapter.

(2) through (6) No change.

(7) The Division hereby adopts and incorporates by reference “Local Comprehensive Emergency Management Plan Compliance Criteria” and the “Emergency Management Capabilities Assessment Checklist” (Form Numbers CEMP-001 and CEMP-002, 2012 ~~2000~~ Edition) as part of this chapter. County Comprehensive Emergency Management Plans and County Emergency Management Programs shall comply with these criteria. These criteria are available from the Division and may be obtained by writing the Division at 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399 or online at www.floridadisaster.org. These criteria shall be used in the development and review of County Comprehensive Emergency Management Plans and Programs. Counties shall complete the compliance criteria prior to the Division’s review of their Comprehensive Emergency Management Plan and have them available to the Division 60 ~~thirty~~ days after receiving notification of the Division’s intent to review. Counties shall demonstrate satisfaction of the required plan criteria by noting the page and section in their plan, or supporting documents, where each criterion is satisfied. Counties shall provide the documentation needed to satisfy the requirements of the Capabilities Assessment.

(8) No change.

~~Rulemaking Specific~~ Authority 252.35(2)(x) FS. Law Implemented 252.35(1), (2)(a), (b), (c), (d), 252.38(1) FS. History—New 2-11-01, Formerly 9G-6.0023, Amended _____.

27P-6.006 County Comprehensive Emergency Management Plans – Review by Division.

(1) No change.

(2) The Division shall review each county comprehensive emergency management plan at a minimum of every four years and shall offer the affected regional planning council an opportunity to participate in the review. The Division shall review the county plan in accordance with the criteria CEMP-001 and CEMP-002. The Division shall provide notice of its intent to review a County Comprehensive Emergency Management Plan via certified mail ~~at least 60 days prior to~~

~~initiation of the review.~~ Within 60 ~~30~~ days of receipt of this notification the county shall provide to the Division a copy ~~three copies~~ of the plan to be reviewed with a copy ~~three copies~~ of the completed compliance criteria. ~~The county may waive the 60 day review notification.~~ Upon receiving notification of the intent to review, the county and the Division shall coordinate to finalize the Capabilities Assessment prior to the date of adoption of the plan by the governing body of the jurisdiction ~~the plan review~~. The Division will provide the county with the results of its review and its finding as to the compliance of the plan within 60 days of its initial review. If the Division finds the county plan meets the requirements of this chapter, it shall issue a notice of compliance.

(3) If the Division finds that a county plan does not meet all of the criteria established in this chapter the Division shall withhold a notice of compliance and issue a ~~an official~~ notification by the Division ~~certified mail~~ specifically stating the reasons the plan does not meet the criteria. Upon receipt of the ~~official~~ notification by the Division, the county shall either:

(a) ~~Within 60 days, R~~revise its plan by the date agreed upon by the Division and the county, ~~notify the Division of the changes~~ and make the changes available to the Division for review by the date agreed upon by the Division and the county; or

(b) ~~Within 60 days D~~develop a workplan to be approved by the Division which addresses all changes necessary for compliance and a timetable for completion by the date agreed upon by the Division and the county; or

(c) In accordance with Section 120.57, F.S., request an administrative proceeding regarding the Division’s withholding of a notice of non-compliance ~~non-compliance determination~~ within 21 days of receipt of the determination.

(4) If the county does not submit a revised plan, or a workplan by the agreed upon date ~~60 days~~ after the receipt of the ~~official~~ notification by the Division or request an administrative hearing the Division shall issue a notice of non-compliance via certified mail specifically stating the reasons for non-compliance. Upon receipt of the notice of non-compliance the county shall either:

(a) Within 60 ~~30~~ days revise the plan, ~~notify the Division of the changes~~ and make the changes available to the Division for review; or

(b) In accordance with Section 120.57, F.S., request an administrative proceeding regarding the Division’s notice of non-compliance determination within 21 days of receipt of same ~~the determination~~.

(5) If upon the submittal of the revised plan, either after the dated agreed upon by the Division and the county ~~60 days~~ ~~after~~ or upon completion of the workplan, the Division finds that the revised plan is not in compliance, the Division shall withhold a notice of compliance and issue notification ~~issue a notice of non-compliance~~, specifically stating the reasons the

~~plan does not meet the criteria for non-compliance.~~ Upon receipt of the ~~notification notice of non-compliance~~ the county shall either:

(a) ~~Within thirty days R~~revise the plan ~~by the date agreed upon by the Division and the county; notify the Division of the changes~~ and make the changes available to the Division for review; or

(b) In accordance with Section 120.57, F.S., request an administrative proceeding regarding the Division's notice of non-compliance determination within 21 days of receipt of the determination.

(6) If the tasks laid out in the workplan are is not completed in the time frame established in the workplan, the Division shall issue a notice of non-compliance via certified mail specifically stating the reasons for non-compliance. Upon receipt of the notice of non-compliance, the county shall either:

(a) Within ~~90 30~~ days revise the plan, ~~notify the Division of the changes~~ and make the changes available to the Division for review; or

(b) In accordance with Section 120.57, F.S., request an administrative proceeding regarding the Division's notice of non-compliance determination within 21 days of receipt of the determination.

(7) All requests for an administrative proceeding shall be filed in accordance with Section 120.57, F.S., and Rule Section 28-106.201, F.A.C. Failure to request an administrative proceeding within the time frames noted above and failure to request an administrative proceeding in accordance with this chapter shall constitute a waiver of the opportunity to contest the notice of non-compliance determination.

(8) If the Division is unable, for any reason, to provide notice to the county regarding the results of its review within 60 days, it will forward a notice to the county stating its intent to extend the review period a length of time up to 90 days for the specifically identified time period necessary to provide notice.

(9) If the county is unable, for any reason, to provide a copy of their plan within 60 days of receipt of the intent to review notification, it will request an extension to the Division to extend the deadline for turning in their plan stating just cause. Upon approval by the Division, the extension will allow 90 days for the county to submit a copy of their plan. If after the extension the county is still unable to submit their plan, the county must develop a workplan which is approved by the Division.

(10)(9) In order to ensure that County and Municipal Comprehensive Emergency Management Plans can be implemented in the event of a disaster or emergency, each agency assigned responsibility in the plan must coordinate the development of implementation procedures. The jurisdiction promulgating the plan shall document this coordination.

(11)(40) After a determination that a County Comprehensive Emergency Management Plan is in compliance with the terms of this chapter the approved plan must be adopted by resolution of the governing body of the jurisdiction within ~~90 60~~ days of receiving notification of compliance from the Division before it becomes the Comprehensive Emergency Management Plan for such local government. If the county is unable to adopt the plan within ~~90 60~~ days the county may request in writing to the Division, stating just cause, an extension of no more than an additional 90 days to adopt the plan. Adoption must occur, at a minimum, every four years. Notification of the date of adoption shall be sent to the Division. Failure to adopt, to notify the Division of an adoption date or make available for review a revised plan and resolution will constitute non-compliance. Upon adoption of the plan, the county shall submit a copy of the adopted plan and resolution to the Division.

Rulemaking Specific Authority 120.57, 252.35(2)(b), (x) FS. Law Implemented 120.57, 252.35(1), (2)(a), (b), (c), (d) FS. History—New 1-18-81, Amended 2-24-85, Formerly 9G-6.06, Amended 2-5-91, 5-11-95, 2-11-01, Formerly 9G-6.0063, Amended _____.

ADMINISTRATION COMMISSION

Division of Emergency Management

RULE NOS.:	RULE TITLES:
27P-11.004	Prerequisites
27P-11.0061	Funding

PURPOSE AND EFFECT: The purpose of these amendments is to align the prerequisites with the statutory language and to delete the reference to SLA funding.

SUBJECT AREA TO BE ADDRESSED: Funding Formula for County Emergency Management Agencies.

RULEMAKING AUTHORITY: 252.35, 252.373 FS.

LAW IMPLEMENTED: 252.373 FS.

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

DATE AND TIME: September 19, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Division of Emergency Management, 2555 Shumard Oak Boulevard, Room 100E, Tallahassee, Florida 32399. Conference Call: 1(888)670-3525, Conference Code: 5872188816.

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: Mindy Dowling at (850)410-1268. 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: Mindy Dowling, Division

of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone: (850)410-1268, email: mindy.dowling@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27P-11.004 Prerequisites.

No application for matching funding will be considered unless an applying county complies with each of the following requirements:

(1) The county must have an emergency management director, who works at least 40 hours a week in that capacity devotes no less than one half of his/her time (20 hours per week) to the duties of the director. Counties with populations of less than 75,000 or party to an interjurisdictional emergency management agreement entered into pursuant to Section 252.38(3)(b), F.S., that is recognized by the Governor by executive order or rule, must have an emergency management coordinator who works at least 20 hours a week in that capacity 50,000 or more must have a full-time director. "Full-time Director" means a single professional emergency management program Administrator working full-time as identified in the position description established by the governing body of the jurisdiction Board of County Commissioners.

(2) No change.

Rulemaking Specific Authority 252.35(2)(x), 252.373(2) FS. Law Implemented 252.373 FS. History—New 2-15-82, Amended 10-5-82, 10-1-84, Formerly 9G-11.04, Amended 9-18-96, 10-2-97, Formerly 9G-11.004, Amended.

27P-11.0061 Funding.

Eligible County Emergency Management Agencies in the state shall be allocated annual Federal Emergency Management Agency (FEMA) ~~State and Local Assistance (SLA)~~ funding based on the following: Each county shall be allocated the amount initially allocated to the county under its Fiscal Year 1994-95 Emergency Management Assistance agreement with the Division of Emergency Management (Division). This amount shall be increased or decreased to reflect additions or reductions in the availability of FEMA ~~SLA~~ funds to the Division and the Division's distribution of funds to local governments. Each county's increase or decrease shall be commensurate with its proportionate share of the state's total population based on the most recent official population estimates.

Federal ~~SLA~~ funds shall be used by the county for personnel, travel and administrative expenses. Each county must be able to provide a non-federal match for federal funds on a dollar for dollar basis.

Rulemaking Specific Authority 252.35(2)(x), 252.373(2) FS. Law Implemented 252.373 FS. History—New 10-1-84, Formerly 9G-11.061, Amended 9-18-96, Formerly 9G-11.0061, Amended.

ADMINISTRATION COMMISSION

Division of Emergency Management

RULE NOS.:	RULE TITLES:
27P-19.002	Definitions
27P-19.004	Base Grant Eligibility
27P-19.006	Reallocation of Base Grant Funds
27P-19.010	Disbursement
27P-19.011	Match Requirements

PURPOSE AND EFFECT: The purpose of these amendments is to align the base grant eligibility requirement with the statutory language and increase the amount of time counties have to submit requests for a match.

SUBJECT AREA TO BE ADDRESSED: Base Grant Eligibility.

RULEMAKING AUTHORITY: 252.35, 252.373 FS.

LAW IMPLEMENTED: 216.052, 252.373, 252.35, 252.38 FS. 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: Mindy Dowling at (850)410-1268. 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: Mindy Dowling, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone: (850)410-1268, email: mindy.dowling@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27P-19.002 Definitions.

(1) through (4) No change.

(5) "Full-time Director" means a single professional emergency management program Administrator working full-time as identified in the position description established by the governing body of the jurisdiction Board of County Commissioners.

(6) through (28) No change.

Rulemaking Specific Authority 252.35(2)(x), 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-11-98, 10-11-00, 10-22-02, 1-3-06, Formerly 9G-19.002, Amended.

27P-19.004 Base Grant Eligibility.

(1) No change.

(2) Counties with population of in excess of 75,000 or more shall have a Full-time Director in order to qualify for an allocation.

(3) Counties with a population less than 75,000, or which are parties to an inter-jurisdictional emergency management agreement entered into pursuant to Section 252.38(3)(b), Florida Statutes, shall have an emergency management coordinator who works at least 20 hours a week in that capacity or a Full-time Director in order to qualify for an allocation.

~~(4) County Emergency Management Agencies not in compliance with the terms of a prior award shall not be eligible for additional awards.~~

Rulemaking Specific Authority 252.35(2)(x), 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History–New 1-12-94, Amended 6-21-95, 11-13-96, 10-11-00, Formerly 9G-19.004, Amended _____.

27P-19.006 Reallocation of Base Grant Funds.

Rulemaking Specific Authority 252.35(2)(x), 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History–New 1-12-94, Amended 11-13-96, 11-10-97, Formerly 9G-19.006, Repealed _____.

27P-19.010 Disbursement.

(1) The amount of funds estimated as available for ~~Base Grant and~~ Competitive Award allocations shall be noticed prior to each grant cycle.

(2) Base Grant Awards provided under this rule shall be offered to the governing body of the jurisdiction ~~Board of County Commissioners~~. Competitive Awards shall be offered to and accepted by the chief executive officer, or by the appropriate governing body, if a local government.

(3) No change.

(4) Each Recipient may receive trust funds from the Division on a quarterly basis, based on the submittal of reports. Said reports shall be provided using the forms included in the grant agreement, as supplemented by any particular information requested in writing by the Division prior to the due date of the report. The term of a competitive grant shall be as set forth in the grant agreement, subject to any limitations imposed by the applicable legislative appropriation. Any extensions shall be governed by Section 287.057(12)(11), Florida Statutes.

(5) No change.

~~(6) Upon written request and accompanying documentation detailing exceptional circumstances justifying the need, not later than July 31 of each year, Base Grant Recipients receiving trust funds may carry forward up to twenty-five (25) percent of a single year grant award to the next fiscal year.~~

~~(6)(7)~~ Recipients shall comply with all applicable procurement rules and regulations in securing goods and services to implement a proposed project. For purposes of the competitive grant programs only, the Recipient shall identify the applicable procurement rules, regulations and standards to be used in the first progress report to the Division following the notice of award.

~~(7)(8)~~ The Recipient shall establish a separate account code in an interest bearing account for tracking all deposits, expenditures and interest pertaining to an award. A separate account code shall be established for each award received.

~~(8)(9)~~ The Division shall be permitted to inspect and monitor the records and facilities of funded projects and award recipients. Such inspections may occur without notice at any reasonable time, which shall be presumed to be normal business hours on Monday through Friday.

~~(9)(10)~~ The Division shall prescribe the type of information, timing and format in which project information shall be reported in the grant agreement. In the event that the Division determines that additional reports are necessary in order to demonstrate compliance with this rule chapter or the terms of the grant agreement, then the grant recipient shall supply said reports. Failure to meet the requirements related to reporting shall constitute noncompliance.

~~(10)(11)~~ Allowable costs shall be determined in accordance with applicable Federal Office of Management and Budget Circulars, or, in the event no circular applies, by 48 C.F.R. part 31 CONTRACT COST PRINCIPLES AND PROCEDURES.

Rulemaking Specific Authority 252.35(2)(x), 252.373 FS. Law Implemented 216.052, 252.35, 252.373, 252.38 FS. History–New 1-12-94, Amended 6-21-95, 11-13-96, 11-27-03, 1-3-06, Formerly 9G-19.010, Amended _____.

27P-19.011 Match Requirements.

(1) No change.

(2) If the Base Grant recipient demonstrates that exceptional financial circumstances prevent the Base Grant recipient from complying with the match requirements in subsection 27P-19.011(1), F.A.C., then the Base Grant recipient may request that the Division authorize a reduction in the amount of match required. The match required shall not be reduced by a percentage amount in excess of reductions in funding for county 911 services, emergency medical services, law enforcement, criminal justice, public works or other emergency management related services, ~~and shall not be reduced below twenty five (25) percent of the Base Grant award.~~ To be eligible for any reduction, the Base Grant recipient shall demonstrate and certify that the reduction is due to reductions in county general revenue funding and that the amount of the requested reduction is equivalent to across the board reductions in all county budgets. County requests for reduction shall be signed by the county’s chief elected officer and the certification of reduction in county budget funding shall be signed by the county’s chief financial officer. Requests shall certify the intent to return to pre-reduced funding as soon as practicable, and shall provide an estimate of the date at which the county will return to the current level of funding. Requests for reduction shall also be accompanied by financial data for the previous three years indicating: the level of county funding for the County Emergency Management Agency

budget; budget detail regarding all individual items of the County Emergency Management Agency budget; and the proposed level of funding, for all budget items, if the reduction is authorized by the Division. All requests for match reduction shall be submitted no later than forty-five (45) days after the county budget has been approved by the governing body of the jurisdiction prior to the beginning of the county fiscal year, or the opportunity to request shall be waived.

(3) No change.

Rulemaking Specific Authority 252.35(2)(x), 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History–New 1-12-94, Amended 11-13-96, Formerly 9G-19.011, Amended.

ADMINISTRATION COMMISSION

Division of Emergency Management

RULE NOS.:	RULE TITLES:
27P-22.002	Definitions
27P-22.004	LMS Working Groups
27P-22.006	County Allocations and Project Funding
27P-22.007	Application

PURPOSE AND EFFECT: The purpose of these amendments is to change the method of allocating excess funds and to update the Hazard Mitigation Flood Program Application.

SUBJECT AREA TO BE ADDRESSED: Hazard Mitigation Grant Program.

RULEMAKING AUTHORITY: 252.35 FS.

LAW IMPLEMENTED: 252.311, 252.35, 252.32 FS.

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: Mindy Dowling at (850)410-1268 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: Mindy Dowling, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone: (850)410-1268, email: mindy.dowling@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27P-22.002 Definitions.

(1) No change.

(2) “Application” means the request for hazard mitigation funding as submitted to the Division of Emergency Management by an Applicant.

(3) through (12) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New 2-24-02, Formerly 9G-22.002, Amended.

27P-22.004 LMS Working Groups.

Each county electing to participate in the HMGP must have a formal LMS Working Group and a current LMS.

(1) Not later than the last working weekday of January of each year the Chairperson of the governing body of the jurisdiction ~~Board of County Commissioners~~ shall submit to the Division a list of the members of the Working Group and its designated Chairperson and Vice-Chairperson.

(2) through (4) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New 2-24-02, Formerly 9G-22.004, Amended.

27P-22.006 County Allocations and Project Funding.

(1) No change.

(a) through (b) No change.

(2) If funds remain after all eligible projects under subsection (1) above have been funded, then they shall be applied to fund eligible projects submitted from counties not included in the relevant presidential disaster declaration and distributed equally amongst the counties for eligible projects prioritized by the LMS on a first come first served basis until all available funds are obligated.

(3) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New 2-24-02, Formerly 9G-22.006, Amended.

27P-22.007 Application.

(1) through (4) No change.

(5) Applications must be submitted using Form No. HMGP/FMA-001, State of Florida ~~Joint~~ Hazard Mitigation Grant Program ~~& Flood Mitigation Assistance~~ Application (Effective Date June, 2012 or as amended by the Division September 30, 2004), which is incorporated into this rule by reference, a copy of which may be obtained by contacting the Division or visiting www.floridadisaster.org.

(6) through (7) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History–New 2-24-02, Formerly 9G-22.007, Amended.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-601.240	Basic Training Program – Inmate Conduct

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is, for a limited purpose, to permit basic training inmates and general population inmates to participate in apprenticeship training.

SUBJECT AREA TO BE ADDRESSED: Classification and Central Records.

RULEMAKING AUTHORITY: 944.09, 958.045 FS.

LAW IMPLEMENTED: 944.09, 958.045 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 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.240 Basic Training Program – Inmate Conduct.

(1) Basic training program inmates shall not talk to general population inmates, except as required for program participation.

(2) through (3) No change.

Rulemaking Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History–New 2-26-89, Formerly 33-27.011, 33-506.210, Amended.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the inmate property list.

SUBJECT AREA TO BE ADDRESSED: Inmate Property.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.201 Inmate Property.

(1) through (17) No change.

APPENDIX ONE
 PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all department institutions and facilities except community correctional centers. Except for items specified below as “exemptions,” property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold in department canteens, items purchased in canteens at private facilities will not always be admissible in department facilities.

Definitions.

The “quantity” establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. All canteen items are subject to availability and may not be available for purchase. Items found in the possession of an inmate that are in excess of the established “quantity” shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a “value” indicated, the authorized item shall not exceed that value. The terms “canteen” and “state issue” refer to the sources from which property can be obtained after January 1, 1996. All items with the “canteen” designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between department institutions. “State issue” means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING			Value	Articles
Quantity	Unit			
1	each			Athletic Bra (canteen – female only)
1	each			Belt (state issue)
4	each			Bras (state issue or canteen – female only)
1	each			Coat (state issue)
1	pair			Gloves, work (state issue)
4	each			Handkerchief, cotton, white only (canteen)
1	each			Hats (state issue)
2	pair			Pajamas – long (state issue or canteen) Light blue or white – female only
				Light blue – male
7	each			Panties (state issue or canteen – female only)
3	each			Pants (state issue)
1	each			Raincoat or Poncho – clear (state issue or canteen)
1	each			Robe (state issue – female only)
3	each			Shirt, outer (state issue)
4	each			Shirt, T-Shirt (state issue or canteen order – gray for female, white for male) *inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair			Shoes, Athletic (canteen)
1	pair			Shoes, Work (canteen or state issue)
2	each			Shorts, athletic (navy blue) (canteen)
1	each			Shower cap, clear only (female only) (canteen)
1	pair			Shower slides (canteen)
6	pair			Socks (state issue or canteen)
1	each			Supporter, athletic (male only) (canteen)
2	each			Sweatshirts (gray only) (canteen order)
4	each			Undershorts (male only) (state issue or canteen)
2	each			Underwear, thermal (state issue or canteen)
PERSONAL ARTICLES			Value	Articles
Quantity	Unit			
Number	in			Batteries (canteen)
use				
25	each			Roller clips – plastic only (females only), (canteen)
*				Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
1	each			Bowl – plastic (canteen)
1	package			Breath tablets (canteen)
1	each			Calendar, as specified by Rule 33-501.401, F.A.C.
*				Canteen purchases – * limited by approved storage space;
1	each			Canteen bag (canteen)
1	set			Checkers (light wood or plastic, standard checkers only) (canteen order)
1	set			Chess (light wood or plastic, 2 inches max. height) (canteen order)
1	each			Coffee mug – plastic (canteen)
1	each			Comb-pocket type, no handles (non-metal) (state issue or canteen)
*				Correspondence – * limited by storage space limitations
1	pack			Cotton swabs (plastic or paper stems only) (canteen)
2	each			Crème rinse and conditioner (canteen)
1	each			Cup, drinking – plastic (canteen)
1	package			Dental floss, (floss loops only), unwaxed (canteen)
1	each			Denture adhesive (state issue or canteen)
1	each			Denture cup (canteen order)
2	each			Deodorant and antiperspirant (no aerosols) (canteen)
1	set			Domino (light wood or plastic, standard size) (canteen order)
1	set			Earbuds (canteen)
1	pair			Earphone pads (replacement) (canteen order)
1	pair			Ear rings, post type (female only) (canteen order)

*			Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack		Emery board – cardboard (canteen)
25	each		Envelopes – legal (#10 size) (canteen)
5	each		Envelopes – oversized (10" x 13") (canteen)
*			Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
2	each		Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated
1	each		Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (canteen)
1	box		Feminine hygiene products (internal and external) (female only) (state issue or canteen)
*			File folders (*limited by storage space)
20			Greeting cards and accompanying envelopes
1	each		Hairbrush – nonmetal, handles for females only (canteen)
2	each		Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (canteen)
1	each		Hair net (female only) (canteen)
25	each		Hair rollers (female only) (canteen)
2	each		Handballs or racketballs (canteen)
1	each		Headphones for use with radio (canteen)
Maximum weekly dosage			Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (canteen – as approved by health services)
2	each		Hearing aid (state issue or personal)
*			Hobby craft – at locations where program exists and subject to storage space limitations
1	each		Insect repellent (canteen)
1	each		Jigsaw puzzle (canteen order)
1	Each		Keyboard (canteen)
1	each		Laundry bag (state issue or canteen)
1	each		Lip balm (canteen)
1	each		Locks, combination (V68 series) (canteen)
1	each		Make-up bag, clear only (female only) (canteen)
1	each		Mirror – plastic, nonbreakable, 5" x 7" max. (canteen)
1	each		Moisturizer – no mineral oils, no vaseline (canteen)
1	each		Mouthwash (canteen)
1	each		MP3 Player (canteen)
1	Each		MP3 Player arm band holder (canteen)
1	each		Nail clippers, not to exceed 2 1/2" (canteen)
2	pack		Notebook paper (canteen)
4	each		Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (canteen)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, “Walkman” type, maximum 4" x 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)

1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
1	each		Screen protector (canteen)
2	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
2	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)
1	each		Soap, laundry (female only) (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (canteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)
1	each		Toilet Paper (state issue or canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (nylon and Velcro only) (canteen)
2	each		Washcloths (state issue or canteen)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, 7-4-10, 10-26-11, 8-19-12,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-14.009 Real Estate Sales Associate
 PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes.
 SUBJECT AREA TO BE ADDRESSED: The proposed rule change affects rule provisions relating to real estate sales associate.
 RULEMAKING AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.25(1)(k) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Tuesday, September 18, 2012, 8:30 a.m. or as soonest thereafter as possible
 PLACE: Zora Neale Hurston Building; Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
 61K1-1.0024 Code of Conduct for Commissioners, Commission Staff, and Commission Officials
 PURPOSE AND EFFECT: The purpose and effect of the rule development is to develop an ethical code of conduct for commissioners, commission staff, and commission officials, pursuant to Section 548.003(2)(a), F.S.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is an ethical code of conduct for commissioners, commission staff, and commission officials.

RULEMAKING AUTHORITY: 548.003(2)(a) FS.

LAW IMPLEMENTED: 548.003(2)(a) 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: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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

State Boxing Commission

RULE NOS.:	RULE TITLES:
61K1-3.0165	Weigh-In
61K1-3.024	Notices of Non-Compliance
61K1-3.025	Records
61K1-3.026	Disciplinary Guidelines
61K1-3.027	Boxing Weight Classes
61K1-3.028	Boxing Participants' Apparel
61K1-3.029	Boxing Bandages and Handwraps; Gloves
61K1-3.030	Boxing Conduct of Bout; Rounds
61K1-3.031	Boxing Scoring
61K1-3.032	Kickboxing Weight Classes
61K1-3.033	Kickboxing Participants' Apparel
61K1-3.034	Kickboxing Bandages and Handwraps; Gloves
61K1-3.035	Kickboxing Conduct of Bout; Rounds
61K1-3.036	Kickboxing Scoring
61K1-3.037	Mixed Martial Arts Weight Classes
61K1-3.038	Mixed Martial Arts Participants' Apparel
61K1-3.039	Mixed Martial Arts Bandages and Handwraps; Gloves
61K1-3.040	Mixed Martial Arts Conduct of Bout; Rounds
61K1-3.041	Mixed Martial Arts Scoring

PURPOSE AND EFFECT: The purpose and effect of the rules are to set forth requirements regarding a participant's apparel, bandages, handwraps, gloves, mouthpiece, and appearance

during a match, records requirements, and disciplinary matters for professional boxing, kickboxing, and mixed martial arts matches held in the state of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed are the requirements regarding a participant's apparel, bandages, handwraps, gloves, mouthpiece, and appearance during a match, records requirements, and disciplinary matters for professional boxing, kickboxing, and mixed martial arts matches held in the state of Florida.

RULEMAKING AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: 548.003(2) 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: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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

State Boxing Commission

RULE NOS.:	RULE TITLES:
61K1-4.023	Kickboxing Bandages and Handwraps; Gloves
61K1-4.024	Mixed Martial Arts Weight Classes; Weigh-In
61K1-4.025	Mixed Martial Arts Conduct of Bout; Rounds
61K1-4.026	Mixed Martial Arts Apparel
61K1-4.027	Mixed Martial Arts Bandages and Handwraps; Gloves

PURPOSE AND EFFECT: The purpose and effect of the rules are to set forth requirements regarding health and safety standards for amateur kickboxing and mixed martial arts matches held in the state of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed are the health and safety standards for amateur kickboxing and mixed martial arts matches held in the state of Florida.

RULEMAKING AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: 548.003(2) 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: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.0032 RULE TITLE: Use of Physician Anesthesiologist

PURPOSE AND EFFECT: To address all categories of dentists who may be treating dental patients in the outpatient dental office who have been administered anesthesia by a physician anesthesiologist.

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 Dentistry

RULE NO.: 64B5-14.0032 RULE TITLE: Use of Physician Anesthesiologist

PURPOSE AND EFFECT: Allowing pediatric dentists to transfer conscious sedation permit to a pediatric conscious sedation permit at the next biennium.

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 Medicine

RULE NO.: 64B8-11.001 RULE TITLE: Advertising

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify the rule and to set forth the criteria for triennial review of entities holding themselves out as board certified in dermatology.

SUBJECT AREA TO BE ADDRESSED: Clarification of the rule and setting forth requirements for entities holding themselves out as board certified in dermatology.

RULEMAKING AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 456.072(1)(t), 458.331(1)(d), (l), (n), (o), 458.3312 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: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-11.001 RULE TITLE: Application for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised application form for licensure.

SUBJECT AREA TO BE ADDRESSED: Application for licensure.

RULEMAKING AUTHORITY: 461.005 FS.

LAW IMPLEMENTED: 456.017(1)(c), 456.048, 461.006, 456.0276 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-16.006 RULE TITLE: Registration Requirements of Podiatric Residents

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised Podiatric Resident Registration form.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements of Podiatric Residents.

RULEMAKING AUTHORITY: 461.005, 461.014(4) FS.

LAW IMPLEMENTED: 461.014(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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.001 RULE TITLE: Continuing Education Required for License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify that at least two of the 40 required continuing education courses be on the subject of prevention of medical errors; to provide continuing education credit for

active or former Board members participating in annual service on a Probable Cause Panel; to provide continuing education credit for service as a volunteer expert witness; to clarify that the required HIV/AIDS continuing education course must be approved by the Board.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Required for Licensure Renewal.

RULEMAKING AUTHORITY: 456.013(6), 456.033, 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 461.007 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.003 RULE TITLE: Continuing Education Programs Not Requiring Pre-Approval from the Board

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove language that provided the HIV/AIDS education course did not require pre-approval from the Board.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Programs Not Requiring Pre-Approval from the Board.

RULEMAKING AUTHORITY: 456.013, 456.033(7), 461.005, 461.007 FS.

LAW IMPLEMENTED: 456.013(6), 456.033(1), 461.007 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001
 RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the revised application for certified podiatric x-ray assistant.

SUBJECT AREA TO BE ADDRESSED: Licensure for Podiatric X-Ray Assistants.

RULEMAKING AUTHORITY: 461.005, 461.0135 FS.
 LAW IMPLEMENTED: 456.013(2), 456.025(1), 461.003(2), 461.0135 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-9.001	General
64E-9.002	Definitions
64E-9.003	Forms
64E-9.0035	Exemptions
64E-9.004	Operational Requirements
64E-9.005	Construction Plan or Modification Plan Approval
64E-9.006	Construction Plan Approval Standards
64E-9.007	Recirculation and Treatment System Requirements
64E-9.008	Supervision and Safety
64E-9.009	Wading Pools
64E-9.010	Spa Pools
64E-9.011	Water Recreation Attractions and Specialized Pools

64E-9.013	Bathing Places
64E-9.015	Fee Schedule
64E-9.016	Variances
64E-9.017	Enforcement
64E-9.018	Public Pool Service Technician Certification

PURPOSE AND EFFECT: Revision will allow for implementation of statutory changes made to Chapter 514, F.S., by Laws of Florida 2011-222 and 2012-184. To revise and clarify sanitation and safety topics for public pools and bathing places via technical & definition changes, reorganization, glitch repair, reference updates, forms updates, fee updates, and repeal/revise language to harmonize rules with the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: All listed rule chapters under 64E-9, F.A.C., will be revised or repealed to assure compliance with the statutory changes, assure consistency with other state rules, to update references, and to clarify statutory requirements and rule language.

RULEMAKING AUTHORITY: 381.006, 514.0115, 514.021, 514.023(2), 514.033, 514.05, 514.071, 514.075 FS.

LAW IMPLEMENTED: 381.006, 386.01, 386.03, 386.041, 386.051, 514.011-514.075 FS.

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

DATE AND TIME: September 25, 2012, 10:30 a.m. – 4:00 p.m., Eastern Standard Time

PLACE: Room 706, 7th Floor Conference Room, South Tower, Hurston Building, 400 W. Robinson St., Orlando, FL 32801

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: Pat Duncan, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin #C-22, Tallahassee, FL 32399-1742. Telephone (850)245-4240. 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: Bob Vincent, same address and phone number as above, or email bob_vincent@doh.state.fl.us

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-11.002	Definitions
64E-11.003	Food Supplies
64E-11.004	Food Protection
64E-11.005	Personnel
64E-11.006	Food Equipment and Utensils
64E-11.007	Sanitary Facilities and Controls
64E-11.012	Manager Certification
64E-11.013	Sanitation Certificates and Fees
64E-11.014	Mobile Food Units

PURPOSE AND EFFECT: To update rules to be consistent with changes in Section 381.0072, F.S., changes in the 2009 FDA Model Food Code, and to increase clarity.

SUBJECT AREA TO BE ADDRESSED: Food hygiene, definitions, FDA Model Food Code, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: 154.06, 381.006, 381.0072 FS.

LAW IMPLEMENTED: 154.06, 381.006, 381.0072 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: Ric Mathis, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4444, X-2337

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.011	Okeechobee Waterway Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Okeechobee Waterway within Hendry County where necessary to manage and promote the use of this state waterway for safe boating. Additionally we intend to fix inconsistencies between the geographic description and map for the Palm City Bridge Boating Restricted Area in Martin County.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Okeechobee Waterway within Hendry and Martin Counties.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

DATE AND TIME: Wednesday, September 19, 2012, 6:30 p.m. – 8:00 p.m.

PLACE: John Boy Auditorium, 1200 South W.C. Owens Avenue, Clewiston, Florida 33440

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: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.018	St. Johns River Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the St. Johns River within Seminole and Volusia Counties where necessary to manage and promote the use of this state waterway for safe boating. We intend to fix inconsistencies between the geographic description and map for the Mullet Lake Park Flood Zone.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the St. Johns River within Seminole and Volusia Counties.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-24.143
 RULE TITLE: Martin County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Florida Intracoastal Waterway within Martin County where necessary to manage and promote the use of this state waterway for safe boating. We intend to fix inconsistencies between the geographic description and map for the NE Ocean Boulevard Boating Restricted Area.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Florida Intracoastal Waterway within Martin County.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NOS.: 73A-4.001, 73A-4.002
 RULE TITLES: Definitions and Forms, Qualification Process

PURPOSE AND EFFECT: To qualify as a taxpayer who is eligible to apportion its adjusted federal income under Section 220.153, F.S., the taxpayer must notify the Division of Strategic Business Development (Division) of its intent to submit an application. The taxpayer must submit an application to apportion its adjusted federal income to the Division within 2 years after notifying the office of the taxpayer's intent to qualify. The taxpayer notice and application forms must be established by rule.

SUBJECT AREA TO BE ADDRESSED: Development of forms, processes, and rules for submitting the taxpayer's notice of intent to apply and the application to qualify to apportion adjusted federal income.

RULEMAKING AUTHORITY: 220.153(5) FS.

LAW IMPLEMENTED: 220.153 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: Karl Blischke, Division of Strategic Business Development, Department of Economic Opportunity, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)717-8962

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

73A-4.001 Definitions and Forms.

The following capitalized terms have the meanings indicated. Referenced forms are available on the Internet at <http://www.floridajobs.org> or may be obtained from the Division.

(1) "Applicant" means a taxpayer that applies to qualify as eligible to apportion its adjusted federal income under Section 220.153, F.S.

(2) "Application" means the standard "Apportionment by Sales Factor Application" form DSBD 153-2, which is hereby incorporated by reference.

(3) "Division" means the Department of Economic Opportunity, Division of Strategic Business Development, which is located at the address: Suite 1902, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399-0001.

(4) "Notice of Intent" means the standard "Notice of Intent to Apply for Apportionment by Sales Factor" form DSBD 153-1, which is hereby incorporated by reference.

Rulemaking Authority 220.153(5) FS. Law Implemented 220.153 FS. History—New _____.

73A-4.002 Qualification Process.

(1) An Applicant must notify the Division in writing of its intent to submit an Application to apportion its adjusted federal income in order to commence the two year period for measuring qualified capital expenditures. The notice shall state the Applicant's intent to submit an Apportionment Application pursuant to Section 220.153, F.S. and include the name of the taxpayer and Federal Employer Identification Number.

(2) The Division shall acknowledge in writing receipt of the Applicant's Notice of Intent to apply and specify that the two year period for submitting the application has commenced.

(3) The Division shall evaluate each complete Application in accordance with the requirements of Section 220.153, F.S.

(4) The Division shall have ten (10) business days to review each Application for completeness and to notify any Applicant in writing if the Division determines that it is incomplete. The Division’s notice shall specify the reasons for its determination, and the Applicant shall have fifteen (15) business days after receipt of such notice to submit a revised Apportionment Application to the Division. If the Applicant fails to submit a revised Apportionment Application within the required time, the Division shall notify the Applicant in writing that it is not approved.

The Division shall notify the Florida Department of Revenue of any approved Application.

Rulemaking Authority 220.153(5) FS. Law Implemented 220.153 FS. History–New _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-16.001	Approved BMPs
5M-16.002	Presumption of Compliance
5M-16.003	Notice of Intent to Implement BMPs
5M-16.004	Recordkeeping
5M-16.005	Previously submitted NOIs

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of agricultural best management practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

SUMMARY: The proposed rule establishes procedures for Florida citrus operations to submit a Notice of Intent (NOI) which contains agricultural water quality and quantity best management practices (BMPs) applicable to the operation covered by the NOI. Submittal of the NOI to the Florida Department of Agricultural and Consumer Services and implementation of identified BMPs that have been verified effective by the Florida Department of Environmental Protection provides a presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), Florida Statutes, for those pollutants addressed by the practices. The rule adopts the BMP manual and procedures for enrollment, and requires that records maintained by the participant confirming the implementation of BMPs are subject to inspection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s analysis of the economic impact of the rule did not trigger any of the requirements in Section 120.541(1), Florida Statutes, for preparing a Statement of Economic Regulatory Costs (SERC). As part of this analysis, the Department relied upon its past experiences with voluntary Best Management Practices implementation activities and costs, if any, they would not exceed the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), Florida Statutes. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(10), 570.07(23) FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

5M-16.001 Approved BMPs.

The manual titled Water Quality/Quantity Best Management Practices for Florida Citrus (2012), DACS-P-01756, is hereby adopted and incorporated by reference. Copies of the manual may be obtained from the University of Florida Cooperative Extension Service county office or from the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, FL 32301 or accessed online at <http://www.flrules.org/Gateway/reference>.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

5M-16.002 Presumption of Compliance.

Pursuant to Section 403.067(7)(c)3., F.S., agricultural operations that implement BMPs, in accordance with FDACS rules, that have been verified by the Florida Department of Environmental Protection as effective in reducing pollutants addressed by the practices are presumed to comply with state water quality standards, and are released from the provisions of Section 376.307(5), F.S., for those pollutants. In order to meet the requirements for a presumption of compliance and release from Section 376.307(5), F.S., the producer must:

- (1) Submit a Notice of Intent to Implement, as provided in Rule 5M-16.003, F.A.C., that identifies the applicable BMPs;
- (2) Implement all applicable BMPs in accordance with the timeline requirements in Rule 5M-16.003, F.A.C.; and
- (3) Maintain records to document the implementation and maintenance of the identified BMPs, in accordance with Rule 5M-16.004, F.A.C.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-16.003 Notice of Intent to Implement BMPs.

(1) A Notice of Intent to Implement (NOI) BMPs and the accompanying BMP Checklist, both of which are in the manual referenced in Rule 5M-16.001, F.A.C., shall be submitted to the FDACS Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301. The Notice of Intent to Implement Water Quality/Quantity Best Management Practices for Florida Citrus (DACS-01598, Rev. 05/12), hereby adopted and incorporated by reference, may be obtained from FDACS or accessed online at <http://www.flrules.org/Gateway/reference>.

(2) The Notice of Intent to Implement BMPs shall include:

(a) The name of the property owner, the location of the property, the property tax ID number(s), and any other pertinent property identification information;

(b) The amount of acreage on which BMPs will be implemented;

(c) The name and contact information of a person to contact;

(d) The signature of the land owner, lease holder, or authorized agent; and

(e) A BMP Checklist with a schedule for implementation, as contained in the manual. The producer shall select the applicable BMPs by following the instructions in the manual. Except as provided in the manual, all applicable BMPs must be implemented as soon as practicable, but no later than 18 months after submittal of the NOI.

(3) Submittal of the Notice of Intent to Implement Bumps enables the producer to receive assistance with BMP implementation.

Remaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-16.004 Recordkeeping.

BMP participants must keep records, as directed in the manual to document the implementation and maintenance of the practices submitted to FDACS pursuant to this rule. These records are subject to inspection upon request, in accordance with a mutually agreed upon time and manner, and must be retained for a period of at least five years.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-16.005 Previously submitted NOIs.

(1) In order to retain a presumption of compliance with state water quality standards:

(a) Citrus growers who, prior to the effective date of this rule, submitted an Notice of Intent to Implement Nitrogen Best Management Practices for Florida Ridge Citrus (July 23, 2002) and adopted by reference in Rule 5E-1.023, F.A.C., must:

1. Within two years of the effective date of this rule, submit a new NOI and BMP checklist in accordance with Rule 5M-16.003, F.A.C., and

2. Implement the applicable BMPs on the checklist, in accordance with Rule 5M-16.003, F.A.C.

(b) Flatwoods citrus growers who, prior to the effective date of this rule, submitted an NOI and checklist under the programs listed in subparagraphs 1., 2., or 3., below must continue to implement the applicable BMPs on the checklist, and must follow the guidelines applicable to the operation contained in Nutrition of Florida Citrus Trees, Second Edition, UF-IFAS Publication SL253 (January 2008), hereby adopted and incorporated by reference. Copies of the document may be obtained from the University of Florida Cooperative Extension Service county office or accessed online at <http://www.flrules.org/Gateway/reference>.

1. Water Quality/Quantity BMPs for Indian River Area Citrus Groves (January 2005), as revised by the January 2005 updates adopted by reference in Rule 5M-2.002, F.A.C.

2. Best Management Practices for Citrus Groves in the Peace River and Manasota Basins (October 2004), adopted by reference in Rule 5M-5.002, F.A.C.

3. Best Management Practices for Gulf Citrus (March 2006), adopted by reference in Rule 5M-7.002, F.A.C.

(2) Flatwoods citrus growers re-establishing inactive groves or renovating groves, who enrolled prior to the effective date of this rule, must contact FDACS for assistance in submitting a new NOI and BMP checklist pursuant to Rule 5M-16.003, F.A.C.

(3) NOIs or BMP checklists submitted on or after the effective date of this rule chapter for citrus BMP programs adopted prior to the effective date of this rule chapter will be deemed invalid.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard J. Budell, Director, Office of Agricultural Water Policy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2012

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210 RULE TITLE: 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 before and 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 _____. 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 (which includes segregation) due to a diagnosed mental 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.

(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 a diagnosed mental 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 video recorded unless exigent or emergency circumstances prevent such action. Except in the circumstances described in sub-subparagraph (3)(n)2.e., video 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 order 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.

(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, 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 32399-2500. 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, 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, 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, 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. 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) 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 Form DC6-209, Housing Unit Log, at the beginning of each shift with an entry for each canister

indicated by canister number and officer initials who is assigned that canister. Form DC6-209 is incorporated by reference in Rule 33-601.800, F.A.C. 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. Form DC6-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, FL 32399-2500. The effective date of the form is _____.
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. Form DC6-281 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, FL 32399-2500. The effective date of the form is _____. 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 Form 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. Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned and the seal number on the dispenser he or she received. Form DC6-213 is hereby incorporated by reference. Copies of this form are available from the Forms

Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____. 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. 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, 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 is ordered, medical examination is 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 final 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, 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. All inmates exposed to chemical agents shall be ordered to shower in cool water and change inner and outer garments within 20 minutes from the last application of chemical agents, unless there is a documentable emergency resulting in an extension of this time frame or unless the inmate refuses to participate in the decontamination process. 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.

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 Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

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 _____.

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. 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 subparagraph (3)(a)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 Section 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 likely 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 person who was responsible for requesting authorization to use force shall prepare, date, and sign Form DC6-232, Authorization for Use of Force, either prior to or immediately after 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 7-25-02. 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, 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 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 Form DC6-230, 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, Report of Force Used, 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, 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. 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 of force 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, Report of Force Used. 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, 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 notified 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, 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 be 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, 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, 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 incorporated by reference in Rule 33-401.105, F.A.C.

(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. The application of the restraints will be videotaped. The videotape, Form DC6-210, 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 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 (4) 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, 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, 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, Report of Force Used. A Qualified 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: August 15, 2012

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.002
RULE TITLE: Licensing and Inspection Requirements

PURPOSE AND EFFECT: The proposed rule will update the rule to reflect changes made to Chapter 509, F.S., by Laws of Florida Chapter 2008-055 and Laws of Florida Chapter 2011-119, and the deregulation of roominghouses by Laws of

Florida Chapter 2012-165. The proposed rule will also update forms incorporated by reference and include plain language changes.

SUMMARY: The proposed rule updates the licensing, plan review, and inspection forms, process and requirements; changes resort license classifications to vacation rental; removes roominghouses to comply with statutory deregulation; removes fire safety and bathroom requirements to conform to changes to the division's authority; and removes variance procedures to allow the division to use the variance procedures in Chapter 120, Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 509.032, 509.241 FS.

LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 559.79 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.002 Licensing and Inspection Requirements.

(1) No change.

(2) To apply for licensure, an applicant must submit the appropriate application and the required fee, pursuant to Section 509.251, F.S., and Rule 61C-1.008, F.A.C., to the division shall accompany the application, which is BPR form 21-020, APPLICATION FOR LICENSE, incorporated herein by reference and effective 9-25-96. Copies of this form may be

~~obtained from any division office.~~ Any license fee received by the division is non-refundable once the establishment commences operation.

(a) License Applications.

1. Public lodging establishments, except vacation rentals, required to be licensed by the division, under Chapter 509, F.S., must submit DBPR HR-7027, APPLICATION FOR PUBLIC LODGING ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01504>), incorporated herein by reference and effective 2012 October 1. Instructions for filling out DBPR HR-7027 are provided in DBPR HR-7027i, INSTRUCTIONS FOR COMPLETING DBPR HR-7027 APPLICATION FOR PUBLIC LODGING ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01505>), incorporated herein by reference and effective 2012 October 1.

2. Vacation rentals required to be licensed by the division under Chapter 509, F.S., must submit DBPR HR-7028, APPLICATION FOR VACATION RENTAL LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01506>), incorporated herein by reference and effective 2012 October 1. Instructions for filling out DBPR HR-7028 are provided in DBPR HR-7028i, INSTRUCTIONS FOR COMPLETING DBPR HR-7028 APPLICATION FOR VACATION RENTAL LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01507>), incorporated herein by reference and effective 2012 October 1.

3. Public food service establishments required to be licensed by the division under Chapter 509, F.S., must submit one of the following applications, as appropriate to the establishment.

a. DBPR HR-7007, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01508>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7007 are provided in DBPR HR-7007i, INSTRUCTIONS FOR COMPLETING DBPR HR-7007 APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01509>), incorporated herein by reference and effective 2011 August 22.

b. DBPR HR-7030, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01510>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7030 are provided in DBPR HR-7030i, INSTRUCTIONS FOR COMPLETING DBPR HR-7030 APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01511>), incorporated herein by reference and effective 2011 August 22.

c. DBPR HR-7031, APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01512>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7031 are provided in DBPR HR-7031i, INSTRUCTIONS FOR COMPLETING DBPR HR-7031 APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01513>), incorporated herein by reference and effective 2011 August 22.

4. Temporary public food service establishments required to be licensed by the division under Chapter 509, F.S., must submit DBPR HR-7029, APPLICATION FOR TEMPORARY EVENT VENDOR LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01514>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7029 are provided in DBPR HR-7029i, INSTRUCTIONS FOR COMPLETING DBPR HR-7029 APPLICATION FOR TEMPORARY EVENT VENDOR LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01515>), incorporated herein by reference and effective 2011 August 22. The division will provide the applicant a copy of this application, including instructions, at the time of inspection.

~~(b)(a)~~ Pursuant to Section 559.79(1), F.S., the application shall require the name, address and social security number of each person who owns 10 percent or more of the outstanding stock or equity interest in the licensed activity ~~and the name, address and social security number of each officer, director, chief executive, or other person who is determined by the division to be able directly or indirectly to control the operation of the business of the licensed entity.~~ The division shall keep the social security number of each person reported on the application shall be kept confidential by the division, except in accordance with Section 559.79(3), F.S., and as provided in law with other governmental agencies.

~~(c)(b)~~ Pursuant to Section 213.0535, F.S., the application shall require the federal employer identification number and sales tax identification number of the applicant. Such numbers shall be kept confidential by the division except as provided in conjunction with the Registration Information Sharing and Exchange Program and as provided in law with other governmental agencies.

(3) Upon the division determining that each new application for license or application for change of ownership is complete, the establishment shall pass an opening inspection by the division prior to issuance of the license. An opening inspection shall not be required for vacation rentals or vending machines. An opening inspection shall not be required for a change of ownership for public food service establishments that do not require a plan review if within 120 days prior to the

postmark date on the application the establishment had a satisfactory inspection that did not result in administrative action or require a call-back inspection.

~~(4) The criteria for licensing public lodging establishments as defined in Section 509.013(4), F.S., are licensed shall be in accordance with the following classifications in Section 509.242, F.S., and requirements:~~

~~(a) Transient establishments — transient establishments are licensed classified as hotels, motels, transient apartments, and vacation rentals, rooming houses as defined in Section 509.242, F.S., which are rented or leased to guests by an operator whose intention is that such guests' occupancy will be temporary:~~

1. Vacation rentals are further classified as condominiums or dwellings and will be issued a single, group or collective license pursuant to Section 509.251, F.S. A vacation rental condominium license will be issued for a unit or group of units in a condominium, cooperative, or timeshare plan. A vacation rental dwelling license will be issued for a single-family house, a townhouse, or a unit or group of units in a duplex, triplex, quadruplex, or other dwelling unit that has four or less units collectively.

a. A single license is a license issued by the division to an individual person or entity, but not an authorized agent. A single license may include one single-family house or townhouse, or a unit or group of units within a single building that are owned and operated by the same individual person or entity.

b. A group license is a license issued by the division to an authorized agent to cover all units within a building or group of buildings in a single complex. A group license shall only cover those units which are held out to the public as a place regularly rented to guests as defined in Chapter 509, F.S.

c. A collective license is a license issued by the division to an authorized agent who represents a collective group of houses or units found on separate locations. A collective license may not be issued for more than 75 houses or units per license and is restricted to counties within one district.

2. Responsibilities of the Vacation Rental Licensee.

a. For inspection purposes, the licensee or designee shall, upon request, meet the inspector at the site of a specified establishment with keys to the licensed house or unit being inspected.

b. The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the vacation rental license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request.

c. Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above constitutes failure to make the premises available for inspection.

d. In the case of a single license, the licensee shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C.

e. In the case of a collective license or group license, the authorized agent shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C., if violations occurred while the dwelling or unit was listed under the licensed agent or as reflected in records filed with the division.

~~(b) Nontransient establishments — nontransient establishments are licensed classified as nontransient apartments, and rooming houses as defined in Section 509.242, F.S., that have more than four units collectively and that are rented for periods of at least 30 days or 1 calendar month, whichever is less, and that are not advertised or held out to the public as places regularly rented for periods of less than 1 calendar month. Rooming houses do not include any establishment exempted pursuant to Section 509.013(4), F.S.~~

~~(c) Resort Condominium and Resort Dwelling — each public lodging establishment classified as a resort condominium or resort dwelling as defined in Section 509.242, F.S., shall obtain a single, group or collective license pursuant to Section 509.251, F.S., prior to commencing operation.~~

~~1. A single license may include multiple units within a building or group of buildings owned and operated by an individual person or entity, but not an agent licensed under Chapter 475, F.S.~~

~~2. A group license is a license issued by the division to a licensed agent to cover all rooms or units within a building or group of buildings in a single complex. A group license shall only cover those rooms or units which are held out to the public as a place regularly rented to guests as defined in Chapter 509, F.S.~~

~~3. A collective license is a license issued by the division to a licensed agent who represents a collective group of rooms or units found on separate locations of resort condominiums or resort dwellings. A collective license may not be issued for more than 75 units per license and is restricted to counties within one district.~~

~~4. For the purposes of this section, the term “dwelling unit” as it relates to the definition of resort dwelling in Section 509.242(1)(g), F.S., includes duplexes, triplexes, quadruplexes and townhouses that have four or less units collectively.~~

~~5. Responsibilities of the Licensee.~~

~~a. For inspection purposes, the licensee or designee shall, upon request, meet the inspector at the site of a specified establishment with keys to the units or dwellings.~~

~~b. A licensed agent or operator shall notify the division of any and all condominium units or dwelling houses or units represented for inclusion in the license application using BPR form 21-030, LIST FOR COLLECTIVE LICENSE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96, or BPR form 21-031, LIST FOR SINGLE OR GROUP LICENSE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96. Copies of these forms may be obtained from any division office.~~

~~e. Notification of additions or deletions of resort dwelling houses or units listed in a collective license or resort condominiums units in a single or group license shall be sent to the division at least 60 days prior to the expiration date of the license. Notification of changes is required only if changes occur. In addition, any such additions or deletions shall be maintained in a written form for inspection by request. The licensed agent or operator shall notify the division by listing the specific street address and unit number on BPR form 21-032, NOTIFICATION OF CHANGE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96. Copies of this form may be obtained from any division office.~~

~~d. Failure to fulfill any of the responsibilities of the licensee, as set forth in sub-subparagraphs a. — c. above, constitutes failure to make the premises available for inspection.~~

~~e. If a unit has been removed from a collective or group license, the licensee shall inform the division in writing.~~

~~f. In the case of a single license, the owner of the unit or dwelling shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C.~~

~~g. In the case of a collective license or group license, the licensed agent shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C., if violations occurred while the unit or dwelling was listed under the licensed agent or as reflected in records filed with the division.~~

~~(c)(d) For all public lodging establishments except vacation rentals for resort condominiums and resort dwellings, the operator is required to notify the division immediately of any changes in the number of rental units.~~

~~(5) The criteria for licensing public food service establishments, as defined in Section 509.013(5), F.S., are licensed shall be in accordance with the following classifications and requirements:~~

~~(a) Nonseating:~~

~~1. No change.~~

~~2. Mobile food dispensing vehicle — Mobile food dispensing vehicles are classified as any vehicle mounted public food service establishments which are self-propelled or otherwise movable from place to place and include~~

~~self-contained are self-sufficient for~~ utilities, such as gas, water, electricity and liquid waste disposal. ~~The It shall be the responsibility of the owner is responsible for acquainting to acquaint~~ all operators with the requirements of all applicable laws and rules. All mobile food dispensing vehicles required to have vehicle identification numbers shall submit this number to the division on the application for license. All mobile food dispensing vehicles required to have a commissary under Rule 61C-4.0161, F.A.C., must submit DBPR HR-7022, COMMISSARY NOTIFICATION, to the division upon application for plan review or application for a license, if plan review is not required.

3. ~~Caterer Catering~~ – Caterers are classified as any public food service establishments where food or drink is prepared for service elsewhere in response to an agreed upon contract for a function or event. The term includes catering kitchens and commissaries. For the purpose of this rule, the The term “caterer” does not include those establishments licensed pursuant to Chapters 500 or 381, F.S., or any other location where food is provided or displayed for sale by the individual meal or which exclusively prepare or serve traditional bakery goods such as cakes, pastries, bagels, or confections. A ~~If~~ licensed public food service establishment that also provides catering services, ~~it~~ is not required to hold a separate catering license from the division. Caterers must meet all applicable standards of a public food service establishment as provided in Rules 61C-1.004, 61C-4.010 and 61C-4.023, F.A.C. Separate independent caterers utilizing the equipment or premises of a licensed public food service establishment are deemed operators as defined by Section 509.013(2), F.S., of such public food service establishment and subject to all applicable requirements of law and rule.

4. No change.

5. Vending machines – Vending machines are classified as any self-service devices licensed pursuant to Chapter 509, F.S., which, upon insertion of coin or token, or by other means, dispense unit servings of potentially hazardous food, either in bulk or packaged, without the necessity of replenishing the device between each operation. All vending machine owners shall submit the serial number of each vending machine to the division on the application for license. ~~The It is the responsibility of the~~ vending machine owner shall to maintain an accurate and current list of vending machine locations with the corresponding serial number. This list shall be made available to the division upon request. The division shall coordinate with the vending machine owner to schedule inspections with the assistance of the owner or the owner’s its agent with the capability to open and demonstrate the machine.

6. Theme park food carts – Theme park food carts are classified as mobile or stationary units which operate within the confines of a theme park or entertainment complex as an extension of or in association with a fixed public food service establishment. Such carts shall be licensed collectively by the

entity which maintains and operates them. ~~The It shall be the responsibility of the~~ entity which maintains and operates any food cart or group of food carts within a theme park or entertainment complex shall to acquaint all operators with the requirements of all applicable laws and rules. The operator is required to notify the division immediately of any changes in the number of carts.

(b) Seating – Seating establishments are classified as those public food service establishments that provide and maintain accommodations for consumption of food on the premises of the establishment or under the control of the establishment. The operator of the establishment is responsible for providing the number of seats available to the public to the division prior to licensing. Prior to making a Any changes in the number of seats provided which may affect the license fee, ~~the Florida Clean Indoor Air Act, fire safety, or the wastewater disposal system, the operator must report the change bathroom requirements or any other sanitation and safety requirements provided in law or rule, shall be reported immediately to the division by submitting DBPR Form HR 5021-103, SEATING CHANGE EVALUATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00895>), incorporated herein by reference and effective 2008 October 22, or any document obtained from the local authorities having jurisdiction that provides proof the operator obtained approval for the change. A change in the number of seats is not valid until approved by the division. License fees related to a seating change are not due until the license is renewed, unless the seating change is part of a license application by the operator.~~

(c) Plan Reviews and Variances.

1. The operator of each public food service establishment to be newly constructed, remodeled, converted, or reopened after being out of business for more than 12 months shall submit properly prepared facility plans and specifications to the division for review and approval in accordance with the provisions of Chapter 509, F.S., and Rule Chapters 61C-1 and 61C-4, F.A.C. Such plans must be approved by the division as meeting the sanitation and safety requirements provided in law prior to ~~construction, remodeling, conversion,~~ scheduling of an opening inspection and licensing. For remodeling, plan review submittal is shall not be required if the division can otherwise determine that the intended remodeling will not have an impact on ~~the Florida Clean Indoor Air Act, fire safety, bathroom requirements or any other sanitation and safety requirements provided in law or rule. Plan review is not required for~~ Applications for change of ownership shall not require plan review when no interruption in operation or no change to the establishment, construction, remodeling or conversion occurs. Plan reviews for additional vending machines and theme park food carts are shall not be required if such units have been previously reviewed and approved and have no modifications from the originally approved model.

2. The plans and specifications ~~specification~~ shall indicate the general operation of the establishment; the intended menu items; location of employee and public bathrooms; kitchen concept, proposed layout, including all work, guest, and employee areas and storage facilities; arrangement, mechanical plans, and construction finishes materials of work areas; and equipment location, design and installation, including the type and model of proposed fixed equipment and facilities. Plans and specifications must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7005 BPR Form 21-010, APPLICATION FOR PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01516>), incorporated by reference herein and effective 2011 August 22, or DBPR HR-7030, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE WITH PLAN REVIEW. Plans and specifications for mobile food dispensing vehicles; must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7006 BPR Form 21-017, MOBILE FOOD DISPENSING VEHICLE VEHICLES PLAN REVIEW APPLICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01517>), incorporated herein by reference and effective 2011 August 22 ~~9-25-96~~, or DBPR HR-7031, APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW. Instructions for filling in DBPR HR-7005 are provided in DBPR HR-7005i, INSTRUCTIONS FOR COMPLETING DBPR HR-7005 APPLICATION FOR PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01518>), incorporated herein by reference and effective 2011 August 22. Instructions for filling in DBPR HR-7006 are provided in DBPR HR-7006i, INSTRUCTIONS FOR COMPLETING MOBILE FOOD DISPENSING VEHICLE PLAN REVIEW APPLICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01519>), incorporated herein by reference and effective 2011 August 22. Copies of these forms may be obtained from any division office. The division shall review plans in the order in which they were received and shall grant or deny approval of the plans in writing pursuant to the provisions of Chapter 120, F.S.

3. When the establishment's water source is a well or the sewer source is an onsite sewage treatment and disposal system, applicants for plan review must also submit the Department of Health's Interagency - DOH/DACS/DBPR Onsite Sewage (Septic) and Water Supply Evaluation, which is available with the division's application forms.

3. In accordance with Section 509.032(2)(c), F.S., the division shall grant variances from construction standards described by this rule in hardship cases. Hardship cases include circumstances when physical or structural limitations of the premises preclude compliance with the division's requirements or when the establishment conforms to classification as a historic property as described in Section 509.215(6)(a), F.S. It

is the responsibility of the applicant to demonstrate the hardship to the division prior to approval of the variance request.

a. Each variance request shall be accompanied by the appropriate fee as described in Rule 61C-1.008, F.A.C., supportive materials and documents such as a copy of the establishment's license, construction plans and specifications for new or extensively remodeled establishments, and any other information necessary for rendering a decision. The burden of presenting pertinent and supportive facts shall be the responsibility of the applicant.

b. Emergency variance requests must be acted upon within 30 days of receipt by the division of all information necessary for the Advisory Council to determine the existence of a hardship.

c. All routine variance requests shall be acted upon at the next regularly scheduled Advisory Council meeting. A completed variance request form must be received by the division at least 10 business days prior to any scheduled Advisory Council meeting. The division shall make available to the public, through the division's district offices, a schedule of all Advisory Council meetings.

d. The Advisory Council shall review variance requests and recommend agency action to the director. Upon consideration of the merits of each variance request and the recommendations of the Advisory Council, the director or designee shall either grant a variance, as requested, or deny the variance request. The division shall enforce variance provisions and shall take administrative action to ensure compliance with the terms of a variance.

4. Whenever plans are disapproved or a variance request is denied, the division shall notify the applicant of their right to request a hearing on the matter. Notification shall be in writing and shall indicate that a hearing must be requested within 30 days of the applicant's receipt of notice. The division shall grant or deny a hearing request within 10 days of receipt. All hearings shall be conducted in accordance with the provisions of Chapter 120, F.S.

(d) A public food service establishment operating in conjunction with a public lodging establishment must obtain a separate public food service establishment license from with the division, unless the only food served at the public lodging establishment is packaged or prepackaged as defined in Rule 61C-1.001, F.A.C. In such cases, the establishment which prepares the food is subject to the licensing provisions of this chapter, unless otherwise exempt.

(6) Renewal - The licensee is responsible for renewing ~~It is the responsibility of the licensee to renew~~ the license prior to the expiration date. The department provides ~~division makes~~ available to all licensees an application for license renewal BPR form 21-021, APPLICATION FOR LICENSE RENEWAL, incorporated herein by reference and effective 3-31-94, which contains all information required by law to

renew the license. Any public lodging establishment or public food service establishment operating on an expired license is deemed to be operating without a license, and subject to the penalties provided for this offense in law and rule. Annual renewal dates for all establishments are determined by district and county in the counties indicated are as follows:

(a) through (g) No change.

(7) The division shall issue a license, ~~which is BPR form 21-022, PUBLIC LODGING AND FOOD SERVICE LICENSE, incorporated herein by reference and effective 9-25-96,~~ to each public lodging establishment and public food service establishment which has satisfied the requirements of Chapter 509, F.S., and this chapter upon initial licensing and annual renewal. In addition to the license, the division shall issue a license decal, ~~which is BPR form 21-023, LICENSE DECAL, incorporated herein by reference and effective 9-25-96,~~ to each mobile food dispensing vehicle, theme park food cart and vending machine, which must be prominently displayed and affixed to the vehicle, cart or machine. ~~Copies of these forms may be obtained by written request to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1015.~~

(8) General Inspection Requirements.

(a) Division personnel shall inspect all public lodging establishments as often as necessary for enforcement of the provisions of law and rule and protection of the public's health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-014, LODGING INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00935>) ~~BPR form 22-014, LODGING INSPECTION REPORT,~~ incorporated herein by reference and effective 2009 December 3 9-25-96, a legible copy of which shall be provided to the operator. ~~Copies of this form may be obtained from any division office.~~

(b) Division personnel shall inspect all public food service establishments and other places where food is served to or prepared for service to the public as often as necessary for enforcement of the provisions of law and rule and protection of the public's health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-015, FOOD SERVICE INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00936>) ~~BPR form 22-015, FOOD SERVICE INSPECTION REPORT,~~ incorporated herein by reference and effective 2009 October 1 9-25-96, a legible copy of which shall be provided to the operator. ~~Copies of this form may be obtained from any division office.~~ Persons operating a public food service establishment shall permit division personnel right of entry during operating hours to observe food preparation and service, and if necessary examine records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received or used.

(c) through (d) No change.

(9) Obtaining forms. All forms incorporated in this section are available from the Division of Hotels and Restaurants internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail to [call.center@dbpr.state.fl.us](mailto:center@dbpr.state.fl.us); by phone request to the department at (850)487-1395; or upon written request to the Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014.

Rulemaking Specific Authority 509.032(2)(d), (6), 509.241(4) FS. Law Implemented 213.0535, 509.032(2)(a), (d), (e), (6), 509.221, 509.241(4), (3), 509.242, 509.251, 559.79(4) FS. History—Amended 1-20-63, 9-19-63, 5-20-64, 2-23-66, 8-9-68, Revised 2-4-71, Amended 10-18-71, Repromulgated 12-18-74, Amended 9-1-83, 10-1-83, Formerly 7C-1.02, Amended 1-30-90, 12-31-90, 2-27-92, 6-15-92, Formerly 7C-1.002, Amended 3-31-94, 3-15-95, 10-9-95, 9-25-96, 5-11-98, 9-9-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2012
 DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2012 and June 8, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008
 RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update the rule to reflect the deregulation of roominghouses by Chapter 2012-165, Laws of Florida, and correct subsection citations.

SUMMARY: The proposed rule removes roominghouse license fees and corrects subsection citations relating to license fee adjustments.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 509.032, 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032, 509.251, 509.302 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants,

Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.008 License Fees.

(1) through (2) No change.

(3) Amount of License Fee – Public Lodging Establishment.

The license fee to conduct a public lodging establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsections ~~rule~~ 61C-1.008(1), ~~(2)~~ and ~~(5)(3)~~, F.A.C.:

(a) through (d) No change.

~~(e) NONTRANSIENT ROOMING HOUSES.~~

NUMBER OF UNITS	BASIC FEE	INCREMENTAL UNIT FEE	HEP FEE	TOTAL FEE
4 OR LESS	0	0	0	0
5-25	\$140	\$20	\$10	\$170
26-50	\$140	\$35	\$10	\$185
51-100	\$140	\$50	\$10	\$200
101-200	\$140	\$75	\$10	\$225
201-300	\$140	\$105	\$10	\$255
301-400	\$140	\$135	\$10	\$285
401-500	\$140	\$160	\$10	\$310
OVER 500	\$140	\$190	\$10	\$340

(4) Amount of License Fee – Public Food Service Establishment. The license fee for a public food service establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsections ~~Rule~~ 61C-1.008(1), ~~(2)~~ and ~~(5)(3)~~:

(a) through (c) No change.

(5) No change.

Rulemaking Authority 509.032, 509.251 FS. Law Implemented 509.013, 509.032, 509.251, 509.302 FS. History—New 7-31-79, Revised 9-1-80, Formerly 7C-1.08, Amended 5-10-89, 9-10-89, 10-31-89, 4-3-90, 12-31-90, 9-11-91, 2-27-92, 7-6-9, 8-23-92, 11-4-92, 4-4-93, Formerly 7C-1.008, Amended 9-20-93, 12-22-93, 6-29-95, 10-9-95, 9-25-96, 5-11-98, 9-21-00, 9-10-03, 1-18-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:

61G1-13.001 Experience Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for meeting the diversified program of architectural experience pursuant to Section 481.211, F.S.

SUMMARY: The requirements for meeting the diversified program of architectural experience pursuant to Section 481.211, F.S. will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 481.2055, 481.211 FS.

LAW IMPLEMENTED: 481.209(2)(b), 481.211 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-13.001 Experience Requirements.

The requirements of Section 481.211, F.S. regarding the diversified program of architectural experience may be satisfied as follows:

(1) For applicants for initial licensure, pursuant to Section 481.209, F.S., or by endorsement, pursuant to Section 481.213(3)(a), F.S., completion of the Intern Development Program (IDP) through the National Council of Architectural Registration Boards (NCARB). The diversified program of architectural experience required in Section 481.211, F.S., shall include training and experience under the direct supervision of an architect in the following areas of practice:

- ~~(a) Programming—Client Contact~~
- ~~(b) Site and Environmental Analysis~~
- ~~(c) Schematic Design~~
- ~~(d) Building Cost Analysis~~
- ~~(e) Code Research~~
- ~~(f) Design Development~~
- ~~(g) Construction Documents (graphics)~~
- ~~(h) Specifications and Material Research~~
- ~~(i) Documents Checking and Coordination~~
- ~~(j) Bidding Procedures~~
- ~~(k) Construction Phase—Office~~
- ~~(l) Construction Phase—Observation~~
- ~~(m) Office Procedures~~

(2) For applicants for licensure by endorsement, pursuant to Section 481.213(3)(b), F.S., ten (10) years of experience as a licensed architect in another NCARB jurisdiction. An applicant engaged in a full-time teaching position in an architectural program approved by the Board pursuant to Section

~~481.209(2)(b), F.S., shall receive credit, not to exceed one year, for the internship required in Section 481.209(2)(b), F.S. Notwithstanding the foregoing, no applicant may complete an internship without at least two (2) years of acceptable training in an architect's office (one year of which must be in the United States or Canada) as set forth in subsection 61G1-13.001(1) or Rule 61G1-13.0021, F.A.C.~~

Rulemaking Specific Authority 481.2055, 481.211 FS. Law Implemented ~~481.209(2)(b)~~, 481.211 FS. History—New 12-23-79, Amended 5-18-83, Formerly 21B-13.01, Amended 12-10-86, 1-3-93, Formerly 21B-13.001, Amended 7-14-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Architecture and Interior Design

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2012

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.003
 RULE TITLE: Experience for Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the Verification of Work Experience form into the rule and to clarify language regarding experience.

SUMMARY: The Verification of Work Experience form will be incorporated into the rule. Language regarding experience will be clarified.

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: 473.304, 473.306, 473.308 FS.

LAW IMPLEMENTED: 455.217(7), 473.308 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-29.003 Experience for Licensure by Endorsement.

(1) through (2) No change.

(3) Any applicant seeking licensure by endorsement under Section 473.308(8), F.S., must have experience that includes at least five years experience gained in industry, academia, or in the practice of public accounting while licensed as a Certified Public Accountant or Chartered Accountant in the practice of public accounting or as an auditor or accountant in a unit of federal, state, or local government provided that the position held meets the activity and verification supervision requirements set forth in Section 473.308(4)(a) 473.308(8), F.S.

(4) No change.

(5) Documentation of the experience shall be made using the Verification of Work Experience form (DBPR Form CPA 32/Revised 07/01/2012), which is hereby incorporated by reference, a copy of which may be obtained from the Board office located at 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607-6655.

Rulemaking Authority 473.304, 473.306, 473.308 FS. Law Implemented 455.217(7), 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98, 5-19-03, 1-31-05, 2-22-07, 11-18-07, 12-10-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.330
RULE TITLE: Pensacola Bay Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliform in the Pensacola Bay Basin.

SUMMARY: These TMDLs address certain fecal coliform impairments in the Pensacola Bay Basin. Specifically, the TMDL rules being proposed for adoption are for the Blackwater River (Tidal), the East Bay River (Marine Portion), the Escambia River, Texar Bayou, Carpenter Creek, Turkey Creek, and the Yellow River. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop these TMDLs was the percent reduction method. This rulemaking has been given an OGC case number 12-1171.

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.

Specifically SERCs have been prepared for the Black River (Tidal), the East Bay River (Marine Portion), the Escambia River, Texar Bayou, Carpenter Creek, and the Yellow River. While Section 120.541, F.S., does not necessitate the preparation of a SERC in such instance, the Department has chosen to prepare a SERC for these proposed TMDLs to assist in the determination of whether any costs are incurred as a result of the TMDL, and if so, how much. A SERC was not conducted for Turkey Creek because there are no regulated entities, including NPDES permitted wastewater and municipal stormwater facilities, located in the watershed. The adoption of these TMDLs will not adversely impact the local economy or competitiveness of businesses in the State of Florida.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no regulated entities, including NPDES permitted wastewater and municipal stormwater facilities, located in the Turkey Creek watershed.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: September 27, 2012, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, 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 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.330 Pensacola Bay Basin TMDLs.

(1) Fecal Coliform TMDL for Bayou Chico, Jones Creek, Jackson Creek, Bayou Chico Beach and Sanders Beach. The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a)(1) A Wasteload Allocation (WLA) for wastewater point sources is not applicable.

(b)(2) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department's National Pollutant Discharge Elimination System 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 1998 to 2005 period, will require a 61 percent reduction at sources contributing to exceedances of the criteria.

(c)(3) The Load Allocation (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 1998 to 2005 period, will require a 61 percent reduction at sources contributing to exceedances of the criteria.

(d)(4) The Margin of Safety is implicit.

(e)(5) 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.

(2) The Blackwater River (Tidal) Fecal Coliform TMDL. The fecal coliform Total Maximum Daily Load for the Blackwater River (Tidal) is 400 counts/100 mL, and is allocated as follows:

(a) The WLA for the Milton Wastewater Treatment Facility (Permit Number FL0021903) is that the facility must meet its permit limits for fecal coliform.

(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 2003 to 2011 period, will require a 7 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 2003 to 2011 period, will require a 7 percent reduction at 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 coliform concentrations. However, it is not the intent of these TMDLs to abate natural background conditions.

(3) The East Bay River (Marine Portion) Fecal Coliform TMDL. The TMDL for the East Bay River (Marine Portion) is 43 counts/100mL for fecal coliform, 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 2003 to 2011 period, will require a 92 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 fecal coliform criteria which, based on the measured concentrations from the 2003 to 2011 period, will require a 92 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 II 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.

(4) The Escambia River Fecal Coliform TMDL. The TMDL for the Escambia River is 400 counts/100mL for fecal coliform, 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 2003 to 2011 period, will require a 5 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 fecal coliform criteria which, based on the measured concentrations from the 2003 to 2011 period, will require a 5 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.

(5) Texar Bayou Fecal Coliform TMDL. The TMDL for Texar Bayou is 400 counts/100mL for fecal coliform, 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 2003 to 2011 period, will require a 49 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 fecal coliform criteria which, based on the measured concentrations from the 2003 to 2011 period, will require a 49 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.

(6) Carpenter Creek Fecal Coliform TMDL. The TMDL for Carpenter Creek is 400 counts/100mL for fecal coliform, 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 2006 and 2012, will require a 28 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 fecal coliform criteria which, based on the measured concentrations from 2006 and 2012, will require a 28 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.

(7) Turkey Creek Fecal Coliform TMDL. The TMDL for Turkey Creek is 400 counts/100mL for fecal coliform, 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 not applicable,

(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 2006, 2007, and 2009, will require a 73 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA 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.

(8) Yellow River Fecal Coliform TMDL. The TMDL for the Yellow River is 400 counts/100mL for fecal coliform, 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 2003 to 2011 period, will require a 60 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 fecal coliform criteria which, based on the measured concentrations from the 2003 to 2011 period, will require a 60 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.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 6-3-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.335 RULE TITLE: Perdido Bay Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt a Total Maximum Daily Load (TMDL), and its allocations, for fecal coliform in the Perdido Bay Basin.

SUMMARY: The TMDL addresses a fecal coliform impairment in the Perdido Bay Basin. Specifically, the TMDL rule being proposed for adoption is for Brushy Creek. This waterbody was verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the TMDL was the percent reduction method. This rulemaking has been given an OGC case number 12-1172.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no regulated entities, including NPDES permitted wastewater and municipal stormwater facilities, located in the Brushy Creek watershed.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: September 27, 2012, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, 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 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.335 Perdido Bay Basin TMDLs.

(1) Fecal Coliform TMDL for Elevenmile Creek (US 90). The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater point sources subject to the Department's National Pollutant Discharge Elimination System (NPDES) Permitting Program is to meet the Class III water quality criteria for fecal coliform in Chapter 62-302, F.A.C.,

(b) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department's National Pollutant Discharge Elimination System 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 1972 to 2006 period, will require a 63 percent reduction at sources contributing to exceedances of the criteria,

(c) The Load Allocation (~~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 1972 to 2006 period, will require a 63 percent reduction at sources contributing to exceedances of the criteria,

(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.

(2) Fecal Coliform TMDL for Elevenmile Creek (State Road 297A). The Total Maximum Daily Load is 400 counts/100 ml and is allocated as follows:

(a) The ~~WLA Wasteload Allocation~~ for wastewater point sources subject to the Department's National Pollutant Discharge Elimination System Permitting Program is to meet the Class III water quality criteria for fecal coliform in Chapter 62-302, F.A.C.,

(b) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department's National Pollutant Discharge Elimination System 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 1972 to 2006 period, will require a 66 percent reduction at sources contributing to exceedances of the criteria,

(c) The ~~LA Load Allocation~~ 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 1972 to 2006 period, will require a 66 percent reduction at sources contributing to exceedances of the criteria,

(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.

(3) Fecal Coliform TMDL for Tenmile Creek. The Total Maximum Daily Load for Fecal Coliforms for Tenmile Creek is 400 counts/100 ml and is allocated as follows:

(a) ~~The WLA A Wasteload Allocation~~ for wastewater point sources is not applicable,

(b) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department's National Pollutant Discharge Elimination System 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 1972 to 2006 period, will require a 43 percent reduction at sources contributing to exceedances of the criteria,

(c) The ~~LA Load Allocation~~ 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 1972 to 2006 period, will require a 43 percent reduction at sources contributing to exceedances of the criteria,

(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.

(4) Fecal Coliform TMDL for Brushy Creek. The TMDL for Brushy Creek is 400 counts/100mL for fecal coliform, 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 not applicable.

(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 2004 to 2011 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from all anthropogenic 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.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 6-3-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Director, Division of Environmental Assessment and Restoration

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.435 RULE TITLE: Upper East Coast Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt a Total Maximum Daily Load (TMDL), and its allocations, for fecal coliform in the Upper East Coast Basin.

SUMMARY: The TMDL addresses a fecal coliform impairment in the Upper East Coast Basin. Specifically, the TMDL rule being proposed for adoption is for Pellicer Creek. This waterbody was verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the TMDL was the percent reduction method. This rulemaking has been given an OGC case number 12-1219.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no regulated entities, including NPDES permitted wastewater and municipal stormwater facilities, located in the Pellicer Creek watershed.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: September 27, 2012, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, 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 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.435 Upper East Coast Basin TMDLs ~~Spruce Creek~~

(1) Spruce Creek (Freshwater Segment). The Total Maximum Daily Load for the freshwater segment of Spruce Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The Wasteload Allocation (WLA) for discharges subject to the Department’s National Pollutant Discharge Elimination System (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 1997 to 2005 period, will require a 53 percent reduction at sources contributing to exceedances of the criteria,

(b) The Load Allocation (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 1997 to 2005 period, will require a 53 percent reduction at sources contributing to exceedances of the criteria,

(c) The Margin of Safety is implicit,

(d) 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.

(2) Spruce Creek (Marine Segment). The Total Maximum Daily Load for the marine segment of Spruce Creek is based on achieving the Class 3 marine minimum dissolved oxygen criterion of 4.0 mg/L, and is allocated as follows:

(a) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 25 percent reduction of current anthropogenic 5 day biochemical oxygen demand (BOD₅) loading, and a 27 percent reduction of current anthropogenic total phosphorus (TP) loading based on measured concentrations from the 1992 to 2005 period,

(b) The ~~LA Load Allocation~~ for nonpoint sources is a 25 percent reduction of current anthropogenic 5 day biochemical oxygen demand (BOD₅) loading, and a 27 percent reduction of current anthropogenic total phosphorus (TP) loading based on measured concentrations from the 1992 to 2005 period,

(c) The Margin of Safety is implicit.

(3) Fecal Coliform TMDL for Pellicer Creek. The TMDL for Pellicer Creek is 43 counts/100mL for fecal coliform, 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 not applicable.

(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 2004, 2005, and 2009, 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 for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the combined reductions from all anthropogenic 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.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 6-3-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.645
 RULE TITLE: Springs Coast Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliform in the Springs Coast Basin.

SUMMARY: These TMDLs address fecal coliform impairments in the Springs Coast Basin. Specifically, the TMDL rules being proposed for adoption are for the 34th Street Basin, Clam Bayou Drain, Clam Bayou (East Drainage), Clam Bayou Drain (Tidal), Cedar Creek (Tidal), Cedar Creek, Curlew Creek Freshwater Segment, McKay Creek Tidal, McKay Creek, and Pinellas Park Ditch No. 1 (Tidal Segment). These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop these TMDLs was the percent reduction method. This rulemaking has been given an OGC case number 12-1387, which updates the OGC case number (08-2478) used for the rule in the June 22, 2012 workshop notice.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

While Section 120.541, F.S., does not necessitate the preparation of a SERC in instances where the estimated costs are less than \$200,000, the Department has chosen to prepare a SERC for all of these proposed TMDLs to assist in the determination of whether any costs are incurred as a result of the TMDL, and if so, how much. The adoption of these TMDLs will not adversely impact the local economy or competitiveness of businesses in the State of Florida.

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 associated costs will not trip legislative ratification thresholds.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: September 27, 2012, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, 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 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.645 Springs Coast Basin TMDLs.

(1) Klosterman Bayou Run Tidal Segment. The Total Maximum Daily Load for Klosterman Bayou Run is 400 counts/100 ml for fecal coliform, and is allocated as follows:

(a) The Wasteload Allocation (WLA) for discharges subject to the Department's National Pollutant Discharge Elimination System (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 2005 to 2006 period, is a 52 percent reduction of current fecal coliform loading,

(b) The Load Allocation (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 2005 to 2006 period, is a 52 percent reduction of current fecal coliform loading, and

(c) The Margin of Safety is implicit.

(2) Saint Joes Creek Freshwater Segment. The Total Maximum Daily Loads for the Saint Joes Creek freshwater segment are established as follows: the Main Channel is a median of 4.1×10^{10} colonies/day for fecal coliform and the Miles Creek tributary is a median of 3.2×10^{10} colonies/day for fecal coliform, and are allocated as follows:

(a) The ~~WLA Wasteload Allocation~~ for discharges subject to the Department's ~~NPDES National Pollutant Discharge Elimination System~~ 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 2004 to 2006 period, is a 50 percent reduction of current fecal coliform loading to the Saint Joes Creek Main Channel and based on the measured concentrations from the 2005 to 2006 period, is a 57 percent reduction of fecal coliform loading to the Saint Joes Creek Miles Creek tributary,

(b) The ~~LA Load Allocation~~ 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 2004 to 2006 period is a 50 percent reduction of current fecal coliform loading to the Saint Joes Creek Main Channel and based on the measured concentrations from the 2005 to 2006 period, is a 57 percent reduction of fecal coliform loading to the Saint Joes Creek Miles Creek tributary,

(c) The Margin of Safety is implicit,

(d) While the ~~LA Load Allocation~~ and ~~WLA Wasteload Allocation~~ 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 coliform concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(3) 34th Street Basin Fecal Coliform TMDL. The fecal coliform Total Maximum Daily Load for the 34th Street Basin is 400 counts/100 mL, 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 2008 to 2011 period, will require a 98 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 2008 to 2011 period, will require a 98 percent reduction at 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 coliform concentrations. However, it is not the intent of these TMDLs to abate natural background conditions.

(4) Clam Bayou Drain Fecal Coliform TMDL. The TMDL for the Clam Bayou Drain is 400 counts/100mL for fecal coliform, 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 2004 to 2011 period, will require a 86 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 fecal coliform criteria which, based on the measured concentrations from the 2004 to 2011 period, will require a 86 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.

(5) Clam Bayou (East Drainage) Fecal Coliform TMDL. The TMDL for the Clam Bayou (East Drainage) is 400 counts/100mL for fecal coliform, 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 2004 to 2011 period, will require a 95 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 fecal coliform criteria which, based on the measured concentrations from the 2004 to 2011 period, will require a 95 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.

(6) Clam Bayou Drain (Tidal) Fecal Coliform TMDL. The TMDL for the Clam Bayou Drain (Tidal) is 400 counts/100mL for fecal coliform, 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 2010, will require a 90 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 fecal coliform criteria which, based on the measured concentrations from 2010, will require a 90 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.

(7) Cedar Creek (Tidal) Fecal Coliform TMDL. The TMDL for Cedar Creek (Tidal) is 400 counts/100mL for fecal coliform, 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 2004 to 2011 period, will require a 88 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 fecal coliform criteria which, based on the measured concentrations from the 2004 to 2011 period, will require a 88 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.

(8) Cedar Creek Fecal Coliform TMDL. The TMDL for Cedar Creek is 400 counts/100mL for fecal coliform, 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 2004 to 2010 period, will require a 87 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 fecal coliform criteria which, based on

the measured concentrations from the 2004 to 2011 period, will require a 87 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.

(9) Curlew Creek Freshwater Segment Fecal Coliform TMDL. The TMDL for the Curlew Creek Freshwater Segment is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for the Mid-County Wastewater Treatment Plant (Permit Number FL0034789) is that the facility must meet its permit limit.

(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 2004 to 2011 period, will require a 90 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 fecal coliform criteria which, based on the measured concentrations from the 2004 to 2011 period, will require a 90 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.

(10) McKay Creek (Tidal) Fecal Coliform TMDL. The TMDL for McKay Creek (Tidal) is 400 counts/100mL for fecal coliform, 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 2004 and 2010, will require no reduction from the existing condition, but must continue to meet applicable water quality standards.

(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 2004 and 2010, will require no reduction from the existing condition, 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.

(11) McKay Creek Fecal Coliform TMDL. The TMDL for McKay Creek is 400 counts/100mL for fecal coliform, 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 2005 to 2010 period, will require a 91 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 fecal coliform criteria which, based on the measured concentrations from the 2005 and 2010 period, will require a 91 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.

(12) Pinellas Park Ditch No. 1 (Tidal Segment) Fecal Coliform. The TMDL for Pinellas Park Ditch No. 1 (Tidal Segment) is 400 counts/100mL for fecal coliform, 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 2004, 2006, and 2008, will require a 77 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 fecal coliform criteria which, based on

the measured concentrations from 2004, 2006, and 2008, will require a 77 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.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 6-3-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Director, Division of Environmental Assessment and Restoration

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-7.002
RULE TITLE: Guidelines for Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The Board proposes the rule amendment to make the rule consistent with Sections 456.072(2)(d) and 456.072(1)(II), F.S.

SUMMARY: The guidelines will be updated to make the rule consistent with Section 456.072, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.002 Guidelines for Disposition of Disciplinary Cases.

(1) No change.

(2) Violations and Range of Penalties. For applicants, all violations are sufficient for refusal to certify an application for licensure. For licensees or trainees, the imposition of probation as a penalty shall ordinarily require compliance with conditions such as restitution, continuing education and/or training, indirect or direct supervision by a Board-approved monitor, restrictions on practice, submission of reports, appearances before the Board, and/or hours of community service. As appropriate, such conditions of probation also shall be required following any period of suspension. In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case. In imposing discipline pursuant to Sections 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty as authorized by Section 456.072(2), F.S., within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included:

(a) through (ff) No change.

(gg) Section 456.072(1)(II), F.S., Being convicted of, or entering a plea of guilty or nolo contendere to a crime related to health care fraud – If the crime is a felony under Chapter 409, F.S. chapter 817, 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396 the penalty shall be a minimum fine of ~~\$10,000~~ ~~\$1000~~ and revocation. Otherwise the penalty range is from a minimum of a reprimand, six months probation and a fine of ~~\$10,000~~ ~~\$5,000~~ to a maximum of revocation and a fine of \$10,000. For a second offense, a fine of \$10,000 and revocation.

(3) through (6) No change.

Rulemaking Authority 456.079 FS. Law Implemented 456.079 FS. History—New 2-11-87, Amended 2-16-89, Formerly 21JJ-7.005, Amended 8-18-93, 9-22-94, Formerly 61G9-7.005, Amended 11-11-02, 6-23-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 3, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-157.018
RULE TITLE: Right to Return Policy – Free Look
PURPOSE AND EFFECT: Repeals Rule 690-157.018, Florida Administrative Code.

SUMMARY: This rule requires individual long-term care insurers to give policyholders thirty days to examine a policy after its delivery and to return the policy for a full refund of premium if they are not satisfied with the policy for any reason. The rule also requires insurers to provide insureds with a notice of their right to return the policy within 30 days.

This rule substantially restates the language of Section 627.9407(8), Florida Statutes and is unnecessary. As a result, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 624.308(1), 627.9407(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.9407(1), (7) FS.

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

DATE AND TIME: October 3, 2012, 1:00 p.m.

PLACE: 142 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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-157.018 Right to Return Policy – Free Look.

~~Rulemaking Specific~~ Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.9407(1), (7) FS. History—New 5-17-89, Formerly 4-81.018, 4-157.018, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-157.105
RULE TITLE: Refund of Premium
PURPOSE AND EFFECT: Repeals Rule 690-157.105, Florida Administrative Code.

SUMMARY: This rule requires insurers that cancel an insurance policy to refund to the policyholder any unearned premium paid to the insurer.

This rule substantially restates the language of Section 627.6645(4), Florida Statutes and is unnecessary. As a result, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 624.308(1), 627.9701(1), (6), 627.9508 FS.

LAW IMPLEMENTED: 624.307(1), 627.6403, 627.6645, 627.9407 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: October 3, 2012, 1:00 p.m.

PLACE: 142 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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-157.105 Refund of Premium.

Rulemaking Specific Authority 624.308(1), 627.9407(1), (6), 627.9408 FS. Law Implemented 624.307(1), 627.6043, 627.6645, 627.9407 FS. History–New 1-13-03, Formerly 4-157.105, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-185.005
RULE TITLE: Advertisement of Mortgage Insurance

PURPOSE AND EFFECT: Repeals Rule 690-185.005, Florida Administrative Code.

SUMMARY: This rule prohibits insurers from insuring mortgages which are offered for sale to the public by advertisements that expressly or impliedly represent that the worth, value or safety of the mortgage investment arises by virtue of the proposed mortgage guaranty insurance rather than by virtue of the value of the underlying security or which stress the fact that the mortgage guarantee insurance is regulated by an agency of the State or Federal Government.

This rule substantially restates the language of Section 635.071(3), Florida Statutes and is unnecessary. As a result, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 635.081 FS.

LAW IMPLEMENTED: 635.071 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: October 3, 2012, 1:00 p.m.

PLACE: 142 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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-185.005 Advertisement of Mortgage Insurance.

Rulemaking Specific Authority 635.081 FS. Law Implemented 635.071 FS. History—Repromulgated 12-24-74, Formerly 4-2.09, 4-2.009, 4-185.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-196.008
RULE TITLE: Failure to Comply
PURPOSE AND EFFECT: Repeals Rule 690-196.008, Florida Administrative Code.

SUMMARY: This rule states that the failure of a premium finance company to comply with the requirements of Part XV, Chapter 627, Florida Statutes, or any of the rules lawfully made pursuant thereto shall cause the premium finance company to be subject to action by the Office under Sections 627.832 and 627.833, Florida Statutes.

This rule substantially restates the language of Sections 627.832 and 627.833, Florida Statutes and is unnecessary. As a result, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.832, 627.833 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: October 3, 2012, 1:00 p.m.

PLACE: 142 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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-196.008 Failure to Comply.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.832, 627.833 FS. History—New 10-20-73, Repromulgated 12-24-74, Formerly 4-18.08, 4-18.008, Amended 7-27-95, Formerly 4-196.008, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE NOS.:	RULE TITLES:
15B-2.013	Approved Speed Measuring Devices
15B-2.016	Tests to Determine Accuracy of Laser Speed Measuring Devices

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 33, August 17, 2012 issue of the Florida Administrative Weekly.

The following is replacement language for the 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.

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 31, August 3, 2012 issue of the Florida Administrative Weekly.

In proposed Rule 33-601.713(3), the reference to “Rule 33-601.737, F.A.C.” should be corrected to state “Rule 33-601.715, F.A.C.”. Also, the last sentence of proposed Rules 33-601.713(3) and 33-601.732(1) are deleted as follows: ~~The effective date of the form is _____.~~

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.6107	Transfer of Environmental Resource, Surface Water Management, or Water Use Permit
40E-1.659	Forms and Instructions

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. 27, July 6, 2012 issue of the Florida Administrative Weekly.

40E-1.6107 Transfer of Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit.

(1) To transfer an environmental resource, surface water management, water use, or wetland resource permit, the permittee, in addition to satisfying the applicable provisions in Rules 40E-2.351, F.A.C., 40E-4.351, F.A.C., 40E-20.351, and 40E-40.351, F.A.C., must submit Form No. 0483, 2012, (hyperlink), Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer, incorporated by reference herein. Form No. 0483 is also ~~and~~ available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, +(800)432-2045, ext. 6436, or (561)682-6436.

(2) through (5) No change.

Rulemaking Authority 120.53(1), 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.083, 373.171, 373.309, 373.416, 373.426, 373.429, 373.436, 668.003, 668.004, 668.50 FS. History–New 5-11-93, Amended 10-3-95, 10-1-06, _____.

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by reference throughout the District’s rules as specified below and are listed herein for convenience. Hyperlinks are provided in the rules in which the forms and instructions are referenced and copies can be obtained without cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436:

Form No.	Date	Title
0188-QMQ	___	Quarterly Report of Withdrawals, incorporated by reference in subsection paragraph 40E-2.091(1)(a), F.A.C.
0188-QASR	___	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, incorporated by reference in subsection paragraph 40E-2.091(2)(1)(a), F.A.C.
0188-QMON	___	Quarterly Report of Monitoring Requirements, incorporated by reference in subsection paragraph 40E-2.091(5)(1)(a), F.A.C.
0188-QMQF	___	Quarterly Report of Withdrawals from Wells and Surface Water Pumps, incorporated by reference in subsection paragraph 40E-2.091(3)(1)(a), F.A.C.
0188-QCROP	___	Report of Planting and Harvest of Seasonal Crops, incorporated by reference in subsection paragraph 40E-2.091(6)(1)(a), F.A.C.
0188-QBWDR	___	Quarterly Report of Bulk Water Delivered and Received, incorporated by reference in subsection paragraph 40E-2.091(4)(1)(a), F.A.C.
0645-W-01	___	Water Use Permit Application <u>Form</u> , incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.
0645-G60	___	Table A Description of Wells, incorporated by reference in paragraph 40E-2.101(1)(b)(a), F.A.C.
0645-G61-1	___	Table B Description of Surface Water Pumps, incorporated by reference in paragraph 40E-2.101(1)(c)(a), F.A.C.
0645-G61-2	___	Table C Description of Culverts, incorporated by reference in paragraph 40E-2.101(1)(d)(a), F.A.C.
0645-G65	___	Table D Crop Information, incorporated by reference in paragraph 40E-2.101(1)(e)(a), F.A.C.
0645-G74	___	Table E Water Received From or Distributed to Other Entities, incorporated by reference in paragraph 40E-2.101(1)(f)(a), F.A.C.
0645-G69	___	Table F Past Water Use & Table G Projected Water Use, incorporated by reference in paragraph 40E-2.101(1)(g)(a), F.A.C.
0645-G70	___	Table H Projected Water Use (For Per Capita Greater than 200 GPD), incorporated by reference in paragraph 40E-2.101(1)(h)(a), F.A.C.
0645-G71	___	Table I Water Treatment Method and Losses, incorporated by reference in paragraph 40E-2.101(1)(i)(a), F.A.C.
0645-G72	___	Table J Aquifer Storage and Recovery, incorporated by reference in paragraph 40E-2.101(1)(j)(a), F.A.C.
0645-G73	___	Table K Water Supply System Interconnections, incorporated by reference in paragraph 40E-2.101(1)(k)(a), F.A.C.
0779	01-01	Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/ Application for a Works of the District Permit, incorporated by reference in subsection 40E-63.091(9), F.A.C.
1045	11-10	Application for a C-139 Basin Works of the District Permit <u>Pollutant Source Control Permit and Guidebook for Preparing an Application for a C-139 Basin Pollutant Source Control Permit</u> , incorporated by reference in subsection 40E-63.430(2), F.A.C.

Rulemaking Authority 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, 7-4-10, 12-15-11, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

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. 27, July 6, 2012 issue of the Florida Administrative Weekly.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~(date),(hyperlink)~~, is incorporated by reference herein, and requires the use of the following forms, which are also incorporated by reference herein ~~incorporates the following forms:~~

(1) through (6) No change.

~~(7) Form 0188-QMMQF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (date),(hyperlink), (referenced in Section 5.2.3.-).~~

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.117, 373.1175, 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, _____.

The following is an excerpt of the changes in the Basis of Review:

1.3.2.1 Competition within the Central Florida Coordination Area (CFCA)

In adopting the interim CFCA rules, the District acknowledges the increasing stress on the water resources in the CFCA and the mandate of the Legislature to foster the development of additional water supplies and avoid the adverse effects of competition. However, the interim CFCA rules do not abrogate the rights of the District or of any other person or entity under Section 373.233, F.S., Competing Applications. The CFCA regulatory framework provides a comprehensive strategy for interim allocations of available groundwater and expeditious development of supplemental water supply projects, as defined in Section 1.8, to minimize competition and thereby provide greater certainty of outcome than competition.

1.6 Professional Certification of Supporting Documents

All final plans, calculations, analyses, or other geologic/engineering documents, submitted as part of a permit application are required to be certified by signing signed and sealing sealed by an appropriate registered professional pursuant to Section 373.117, 373.1175, or Chapter 492, F.S., as appropriate.

1.7.2.3 Compliance Reports

A. Where necessary to maintain reasonable assurance that the conditions for issuance of a permit can continue to be met over the duration of a 20 year permit, the District shall require the permittee to submit a compliance report pursuant to subsection 373.236(4)(3), F.S., no more than once every ten years. The permit shall be conditioned to assure compliance with the initial conditions for issuance, including implementation of schedules for Water Need and Demand Methodologies under Section 2.9, maintaining updated water conservation and efficiency requirements, and updated allocation methodologies, pursuant to District rules.

(rest of section remains unchanged)

4.1 Withdrawal Quantity

Proper accounting for water use is essential to establish that the use is a reasonable-beneficial use of the resource and in the public interest. In addition, proper accounting of the various water uses enables the District to better estimate water use and to implement water shortage plans.

All Permittees with a maximum monthly allocation of greater than 3.0 million gallons, or irrigation water users located within the South Dade County Water Use Basin (as designated in Figure 21-11, Chapter 40E-21, F.A.C.), with a maximum monthly allocation of greater than 15.0 million gallons, are required to monitor and report withdrawal quantities from each withdrawal facility or point of diversion. Permittees shall submit the following forms, if applicable:

0188-QMQ, Quarterly Report of Withdrawals, incorporated by reference in subsection 40E-2.091(1), F.A.C. (date),(hyperlink);

0188-QASR, Quarterly Report of Injections and Withdrawals for Aquifer, incorporated by reference in subsection 40E-2.091(2), F.A.C. (date),(hyperlink);

0188-QMQF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, incorporated by reference in subsection 40E-2.091(3), F.A.C. (date),(hyperlink);

0188-QBWR, Quarterly Report of Bulk Water Delivered and Received, incorporated by reference in subsection 40E-2.091(4), F.A.C. (date),(hyperlink).

~~These forms are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436.~~

(No change to remainder of section)

4.2 Saline Water Monitoring

The purpose of saline water monitoring is to ensure that harmful saline water intrusion, whether lateral from a surface or groundwater saline source, vertical from an aquifer containing lower quality water, or a combination of both, does not occur. Saline water monitoring is accomplished by routine sampling of the discharge water from production wells or from separate monitor wells. However, in areas of known saline

water movement, separate monitor wells are required to be designed and constructed expressly for the purpose of saline water intrusion monitoring. The dissolved chloride concentration and the water level elevation, referenced to National Geodetic Vertical Datum, shall be measured. Frequency of measurements may be weekly, monthly, or quarterly, and will be identified in the permit limiting conditions. The data shall be reported using Form No. 0188-QMON, Quarterly Report of Monitoring Requirements, ~~(date),(hyperlink)~~, incorporated by reference in subsection 40E-2.091(5)(1)(a), F.A.C.

(No change to remainder of section)

5.2.3 Irrigation

A through C No change.

D. The permittee shall complete Form No. 0188-QCROP, a "Report of Planting and Harvest of Seasonal Crops", ~~(date),(hyperlink)~~, incorporated by reference in subsection paragraph 40E-2.091(6)(1)(a), F.A.C., ~~form~~ and submit it with the appropriate "Quarterly Report of Withdrawals From Wells and Surface Water Pumps" (Form No. 0188-QMQF), incorporated by reference in subsection paragraph 40E-2.091(3)(1)(a).

(No change to remainder of section)

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-3.036	Rules and Publications Incorporated by Reference

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. 22, July 27, 2012 issue of the Florida Administrative Weekly.

The change to the proposed rule is in response to comments made by the Joint Administrative Procedures Committee in a letter dated July 18, 2012, to incorporate additional materials relied upon by the District and incorporated in the Department's rules. The copyrighted materials identified below are available for inspection and examination at the Department of State, Room 701, The Capitol, Tallahassee, FL 32399-0250, and at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406.

40E-3.036 Rules and Publications Incorporated by Reference.

(+) The following Department rules, ~~and~~ publications, standards and forms are incorporated by reference herein, regarding construction, repair, and abandonment of wells, into this rule and shall apply to the well contractor licensing program administered by the District ~~and to all wells constructed, repaired, or abandoned in the District.~~

(1)(~~a~~) Chapter 62-531, F.A.C., Well Contractor Licensing Requirements (11-25-07), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00573>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436. The following publications referenced in Chapter 62-531, F.A.C., are also incorporated by reference herein:

(a)(~~b~~) The Department's Water Well Contractor Disciplinary Guidelines and Procedures Manual (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00581>, incorporated by reference in subsection 62-531.450(5), F.A.C., a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436; ~~and the Department's Florida Unified Citations Dictionary for Well Construction (October 2002).~~

(b) The Department's Manual for Coursework and Continuing Education for Water Well Contractors, Department of Environmental Protection (November 2006), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01521>, incorporated by reference in subsection 62-531.300(2), F.A.C., a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, MS 3680, Tallahassee, FL 32399-2400; telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436;

(2)(~~e~~) Chapter 62-532, F.A.C., Water Well Permitting and Construction Requirements (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00574>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436. The following publications referenced in Chapter 62-532, F.A.C., are also incorporated by reference herein:

(a) American Society for Testing and Materials (ASTM) A53/A53M-99b (1999); A135-01 (2001), A252-98 (1998), and A589-96 (1996), incorporated by reference in paragraph 62-532.500(1)(a), F.A.C. Copies of these copyrighted standards may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, P. O. Box C700, West Conshohocken, PA 19428-2959;

(b) American Petroleum Institute (API) 5L-2000 (2000), incorporated by reference in paragraph 62-532.500(1)(a), F.A.C. Copies of this copyrighted standard may be obtained from the American Petroleum Institute, 1220 L Street N.W., Washington, DC 20005-4070;

(c) ANSI/ASME B36. 10M-2000, incorporated by reference in paragraph 62-532.500(1)(a), F.A.C. Copies of this copyrighted standard may be obtained from the American National Standards Institute, 1819 L Street NW, Washington, DC 20036;

(d) Schedule 10S and Schedule 40 of the ANSI/ASME B36. 19M-1985, incorporated by reference in paragraph 62-532.500(1)(d), F.A.C. Copies of this copyrighted standard may be obtained from the American National Standards Institute, 1819 L Street NW, Washington, DC 20036;

(e) 2008 NSF International Standard/American National Standard NSF/ANSI 14-2008e, Plastics Piping System Components and Related Materials; NSF International Standard/American National Standard NSF/ANSI 61-2008, Drinking Water System Components – Health Effects, incorporated by reference in paragraph 62-532.500(1)(a), F.A.C. Copies of these copyrighted standards may be obtained from NSF International, P. O. Box 130140, Ann Arbor, MI 48113-0140;

(f) Closed-Loop/Geothermal Heat Pump Systems Design and Installation Standards, Revised Edition 2008, published by the International Ground Source Heat Pump Association, Oklahoma State University; Closed-Loop/Ground-Source Heat Pump Systems Installation Guide, 1988, Oklahoma State University, incorporated by reference in paragraph 62-532.500(2), F.A.C. Copies of these copyrighted materials may be obtained from the International Ground Source Heat Pump Association, Oklahoma State University, 374 Cordell South, Stillwater, OK 74078-8018;

(g) Appendix C of American Water Works Association (AWWA) Standard A100-97 (1997), AWWA Standard for Water Wells, incorporated by reference in subparagraph 62-532.500(3)(i)6., F.A.C. Copies of these copyrighted, recommended practices and methods may be obtained from the American Water Works Association, 6666 West Quincy Avenue, Denver, CO 80235;

(h) Vertical Geothermal Heat Pump Systems Engineering Design and Field Procedures Manual, published by the International Ground Source Heat Pump Association, First Edition 2000, Oklahoma State University, incorporated by reference in subparagraph 62-532.500(3)(i)6., F.A.C. Copies of these copyrighted, recommended practices and methods may be obtained from the International Ground Source Heat Pump Association, Oklahoma State University, 374 Cordell South, Stillwater, OK 74078-8018.

~~(3)(d)~~ Rule Chapter 62-555.310, F.A.C., Source and Siting Requirements for Public Water Systems (8-28-03) Construction of Public Supply Water Wells (4-10-03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01538>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL

32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436.

(4) Rule 62-555.312, F.A.C., Location of Public Water System Wells (8-28-03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01539>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436.

(5) Subsection 62-555.315(1), F.A.C., Public Water System Wells – Well Security (8-28-03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01540>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436.

(6)(e) Chapter 62-524, F.A.C., Construction of Water Wells in Delineated Areas (6-27-00), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00572>, and the maps containing Delineated Areas for the following Counties: Broward, Glades, Highlands, Martin, Miami-Dade, Orange, Osceola, Polk, and St. Lucie, incorporated by reference in Rule 62-524.430, F.A.C. <http://www.flrules.org/Gateway/reference.asp?No=Ref-01529>. Copies may be obtained, upon receipt of reproduction and other appropriate costs, from the Department of Environmental Protection, Bureau of Information Systems, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, or the South Florida Water Management District Clerk's office, 3301 Gun Club Road, West Palm Beach, FL 33406.

(7) The Department's Florida Unified Citations Dictionary for Well Construction (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00580>, a copy of which may be obtained by writing or calling the Department, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8648, or the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (561)682-6436.

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

(a) through (c) No change.

~~(3) Copies of these publications and forms can be obtained at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436, and the delegated permitting authorities' offices, as identified in Rule 40E-3.035, F.A.C.~~

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.091	Publications Incorporated by Reference
40E-20.101	Content of General Water Use Permit Applications
40E-20.321	Duration of General Water Use Permits

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. 27, July 6, 2012 issue of the Florida Administrative Weekly.

40E-20.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District,” and associated forms incorporated by reference in Rule paragraph 40E-2.091(1)(a), F.A.C., are applicable and referenced throughout this chapter.

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, _____.

40E-20.101 Content of General Water Use Permit Applications.

(1) Except in those circumstances detailed in subsection (4) below, an application for a General Water Use permit shall be filed ~~with~~ electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District’s Service Centers. The addresses and phone numbers of the District’s Service Centers are online at www.sfwmd.gov, “Locations.” Form No. 0645-W-01, which is incorporated by reference in subsection 40E-2.101(1), F.A.C., shall be filed with the District prior to commencement of any use of water authorized in this chapter. The application for all General Water Use Permits shall contain:

(a) through (d) No change.

(2) Applicants for a General Water Use Permit under subsection 40E-20.302(1), F.A.C., shall submit Form No. 0645-W01, Water Use Permit Application, incorporated by reference in subsection 40E-2.101(1)(a), F.A.C. ~~(date),(hyperlink)~~, and shall include the following forms, if applicable: ~~file the following parts of Form 0645—Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.~~

Form No. 0645-G60, Table A Description of Wells, incorporated by reference in paragraph 40E-2.101(1)(b), F.A.C. ~~(date),(hyperlink)~~, for permits with wells;

Form No. 0645-G61-1, Table B Description of Surface Water Pumps, incorporated by reference in paragraph 40E-2.101(1)(c), F.A.C. ~~(date),(hyperlink)~~, for permits with pumps;

Form No. 0645-G61-2, Table C Description of Culverts, incorporated by reference in paragraph 40E-2.101(1)(d), F.A.C. ~~(date),(hyperlink)~~, for permits with irrigation culverts;

Form No. 0645-G65, Table D Crop Information, incorporated by reference in paragraph 40E-2.101(1)(e), F.A.C. ~~(date),(hyperlink)~~, for agricultural permits;

Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, incorporated by reference in paragraph 40E-2.101(1)(f), F.A.C. ~~(date),(hyperlink)~~, (2) for public water supply permits;

Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, incorporated by reference in paragraph 40E-2.101(1)(g), F.A.C. ~~(date),(hyperlink)~~, for public water supply permits;

Form No. 0645-G70, Table H Projected Water Use, incorporated by reference in paragraph 40E-2.101(1)(h), F.A.C. ~~(date),(hyperlink)~~, for public water supply permits;

Form No. 0645-G71, Table I Water Treatment Method and Losses, incorporated by reference in paragraph 40E-2.101(1)(i), F.A.C. supply permits;

Form No. 0645-G72, Table J Aquifer Storage and Recovery, incorporated by reference in paragraph 40E-2.101(1)(j), F.A.C. ~~(date),(hyperlink)~~, for public water supply permits; and

Form No. 0645-G73, Table K Water Supply System Interconnections, incorporated by reference in paragraph 40E-2.101(1)(k), F.A.C. ~~(date),(hyperlink)~~, for public water supply permits.

(3) Applicants for a Dewatering Water Use General Permit under subsection 40E-20.302(2), F.A.C. shall electronically file or file with the District Form 0445, ~~(date),(hyperlink)~~, Mining/Dewatering Permit Application, incorporated by reference in subsection 40E-2.101(3), F.A.C. ~~herein~~.

(4) No change.

~~(5) Copies of the forms referenced above are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436.~~

Rulemaking ~~Specific~~ Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History—New 8-14-02, Amended 8-31-03(2), 8-31-03(3), _____.

40E-20.321 Duration of General Water Use Permits.

(1) No change.

(2)(a) No change.

(b) For uses with a maximum monthly allocation greater than 3 mgm (up to 15 mgm), authorized by a Major Standard General Water Use Permit, the period shall be based on the provisions in Rule 40E-2.321, F.A.C., and the applicable provisions in the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule ~~40E-2.091~~ 40E-2.091, F.A.C.

(3) through (6) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.236 FS. History—New 9-3-81, Formerly 16K-2.031(2)(j), 16K-2.032(2)(d), Amended 7-26-87, 4-20-94, 8-14-02, 8-31-03, 4-23-07, 2-13-08,_____.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:
64B-1.003 Examination Administration
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 52, December 30, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
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. 10, March 9, 2012 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Committee in their letter dated March 23, 2012. The change is as follows:

Subsection (3)(s) shall now read as follows:

(s) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to ~~this Chapter 456, F.S., the Chapter 464, F.S., regulating the profession,~~ or the rules of the department or the board.

(Section 456.072(1)(j), F.S.)

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	Request for Eligibility Determination
69A-37.089	Employing Agency Request for Reimbursement
69A-37.090	Supplemental Compensation Forms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 23, June 8, 2012 issue of the Florida Administrative Weekly.

The prior notice incorrectly stated that a SERC had not been prepared by the agency. The following is substituted for what was published at the end of the first paragraph of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: A SERC has been prepared by the agency. The SERC is available on the Department’s website at <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/>.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-138.001	NAIC Financial Condition Examiners Handbook Adopted

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 29, July 20, 2012 issue of the Florida Administrative Weekly.

The Purpose and Effect currently reads: This rule is being amended to adopt the 2012 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2010 version.

The Purpose and Effect should be changed to read: This rule is being amended to adopt the 2012 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2010 and 2011 versions. Upon adoption of the proposed changes to the rule, the rule will no longer adopt the 2010 version of the NAIC Financial Condition Examiners Handbook.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12DER12-6	Form for Use to Attempt to Establish Adverse Possession Without Color of Title

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2011-107 (Senate Bill 1142), 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. This act further provides that all conditions imposed by Sections 120.536(1) and 120.54(4), Florida Statutes, (Section 1 of Chapter 2011-107) 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 2011-107 (Senate Bill 1142), 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. The form included here is based on the requirements of Chapter 2011-107, Laws of Florida, as passed by the Legislature, and will renew the form based on the changes to Section 95.18, F.S. The Department of Revenue has taken action to inform interested parties about the form that is being renewed to implement this amended 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: Section 1 of Chapter 2011-107, 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 this emergency rule is provide a procedure and form for applicants who apply to claim adverse possession and property appraisers to implement the new requirements from the provisions of the amended Section 95.18, F.S., Form DR-452, Return of Real Property in Attempt to Establish Adverse Possession Without Color of Title, is renewed to include the amended provisions of Section 95.18, F.S. and is posted to our website at: <http://dor.myflorida.com/dor/property/forms/#5>. Emergency Rule 12DER12-6 (Form for use to Attempt to Establish Adverse Possession Without Color of Title) will replace Emergency Rule 12DER12-2.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Larry Green, Department of Revenue, Property Tax Technical Unit, 2450 Shumard Oak

Bldv., Tallahassee, Florida 32399-0100, telephone (850)617-8871, Fax (850)617-6112, email address: greenlar@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER12-6 Form for Use to Attempt to Establish Adverse Possession Without Color of Title.

(1) This rule applies to real property being claimed as adversely possessed under Section 95.18 Florida Statutes, Chapter 2011-107 (Senate Bill 1142), Laws of Florida.

(2) The Department of Revenue adopts and incorporates in this rule by reference the following form: DR-452, Return of Real Property in Attempt to Establish Adverse Possession Without Color of Title (R. 02/12). This is the form to be used by persons claiming adverse possession without color of title.

(3) 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/>. Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

(4) This rule renews and replaces emergency Rule 12DER12-2 which was effective February 16, 2012. This rule will be superseded by any rule adopted addressing the same subject matter and will otherwise remain in effect for 6 months and may be renewed during the pendency of procedures to adopt rules addressing the subject matter of this emergency rule.

Rulemaking Authority Section 1 of Ch. 2011-107, L.O.F. Law Implemented 95.18 FS. History--New 8-15-12.

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: August 15, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER12-55	Instant Game Number 1148, DOUBLE-UP DOLLARS

SUMMARY: This emergency rule describes Instant Game Number 1148, "DOUBLE-UP DOLLARS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:



53ER12-55 Instant Game Number 1148, DOUBLE-UP DOLLARS.

(1) Name of Game. Instant Game Number 1148, “DOUBLE-UP DOLLARS.”

(2) Price. DOUBLE-UP DOLLARS lottery tickets sell for \$2.00 per ticket.

(3) DOUBLE-UP DOLLARS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning DOUBLE-UP DOLLARS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10		
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN		
11	12	13	14	15	16	17	18	19	20		
ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTY	SIXTY	SEVENTY	EIGHTY	NINETY	TWENTY		

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTY	SIXTY	SEVENTY	EIGHTY	NINETY	TWENTY

(6) The prize play symbols and play symbol captions are as follows:

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
ONE	TWO	FOUR	FIVE	TEN
\$15.00	\$25.00	\$30.00	\$40.00	\$100
FIFTEEN	THY FIVE	THIRTY	FORTY	ONE HUN
\$200	\$400	\$1,000	\$10,000	\$25,000
TWO HUN	FOUR HUN	ONE THOU	TEN THOU	THYFIV THOU

(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches either play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a “DOUBLE” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown for that symbol. A ticket having a



“HINALL” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$30.00, \$40.00, \$100, \$200, \$400, \$1,000, \$10,000 and \$25,000.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 1148 are as follows:

GAME PLAY	WIN	1 IN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 68 POOLS OF TICKETS PER POOL
\$2	\$2	10.00		1,224,000
\$1 x 4	\$4	50.00		244,800
(\$1 x 2) + \$2	\$4	50.00		244,800
\$2 (STACK OF BILLS)	\$4	50.00		244,800
\$4	\$4	50.00		244,800
\$1 x 5	\$5	375.00		32,640
(\$1 x 3) + \$2	\$5	375.00		32,640
\$2 (STACK OF BILLS) + \$1	\$5	375.00		32,640
\$1 + \$4	\$5	375.00		32,640
\$5	\$5	375.00		32,640
\$1 x 10	\$10	250.00		48,960
(MONEYBAG)				
\$1 x 10	\$10	250.00		48,960
\$2 x 5	\$10	250.00		48,960
\$5 (STACK OF BILLS)	\$10	250.00		48,960
\$10	\$10	250.00		48,960
(\$1 x 5) + (\$2 x 5)	\$15	750.00		16,320
(MONEYBAG)				
(\$1 x 5) + (\$2 x 5)	\$15	750.00		16,320
\$2 + (\$4 x 2) + \$5	\$15	750.00		16,320
\$5 + \$5 (STACK OF BILLS)	\$15	750.00		16,320
\$15	\$15	750.00		16,320
\$1 + (\$2 x 7) + (\$5 x 2) (MONEYBAG)	\$25	900.00		13,600
\$1 + (\$2 x 7) + (\$5 x 2)	\$25	900.00		13,600
(\$2 x 5) + (\$5 x 3)	\$25	900.00		13,600
\$5 + \$10 (STACK OF BILLS)	\$25	900.00		13,600
\$25	\$25	1,200.00		10,200
(\$2 x 5) + (\$4 x 5)	\$30	3,600.00		3,400
(MONEYBAG)				
\$5 x 6	\$30	3,600.00		3,400
\$10 x 3	\$30	3,600.00		3,400
\$15 (STACK OF BILLS)	\$30	3,600.00		3,400
\$30	\$30	3,600.00		3,400
\$4 x 10	\$40	6,000.00		2,040
(MONEYBAG)				
(\$4 x 5) + (\$5 x 4)	\$40	6,000.00		2,040

\$10 x 4	\$40	6,000.00	2,040
\$10 + \$15 (STACK OF BILLS)	\$40	6,000.00	2,040
\$40	\$40	6,000.00	2,040
(\$4 x 5) + (\$10 x 4) + \$40	\$100	3,600.00	3,400
(MONEYBAG)			
\$10 x 10	\$100	3,600.00	3,400
(\$10 x 2) + \$40 (STACK OF BILLS)	\$100	3,600.00	3,400
(\$10 x 4) + (\$30 x 2)	\$100	3,600.00	3,400
\$100	\$100	3,600.00	3,400
(\$15 x 8) + (\$40 x 2)	\$200	18,000.00	680
(MONEYBAG)			
\$25 x 8	\$200	18,000.00	680
\$10 (STACK OF BILLS) + (\$30 x 6)	\$200	18,000.00	680
\$100 (STACK OF BILLS)	\$200	18,000.00	680
\$200	\$200	18,000.00	680
\$40 x 10	\$400	45,000.00	272
(MONEYBAG)			
(\$40 x 5) + (\$100 x 2)	\$400	45,000.00	272
\$100 x 4	\$400	45,000.00	272
\$200 (STACK OF BILLS)	\$400	45,000.00	272
\$400	\$400	45,000.00	272
(\$40 x 5) + (\$100 x 2) + (\$200 x 3)	\$1,000	180,000.00	68
(MONEYBAG)			
\$100 x 10	\$1,000	180,000.00	68
\$200 x 5	\$1,000	180,000.00	68
\$200 + \$400 (STACK OF BILLS)	\$1,000	180,000.00	68
\$1,000	\$1,000	180,000.00	68
\$10,000	\$10,000	1,020,000.00	12
\$25,000	\$25,000	1,224,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 1148 are 1 in 4.36. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1148, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for DOUBLE-UP DOLLARS lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-17-12.

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: August 17, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-56
 RULE TITLE: Instant Game Number 1149, BIG MONEY

SUMMARY: This emergency rule describes Instant Game Number 1149, “BIG MONEY” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-56 Instant Game Number 1149, BIG MONEY.

(1) Name of Game. Instant Game Number 1149, “BIG MONEY.”

(2) Price. BIG MONEY lottery tickets sell for \$5.00 per ticket.

(3) BIG MONEY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BIG MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	30 THIRTY
31 THYONE	32 THYTWO	33 THYTHR	34 THYFOR	WIN 5X STIMES	WIN\$100	WINALL		

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	30 THIRTY
31 THYONE	32 THYTWO	33 THYTHR	34 THYFOR					

(6) The prize symbols and prize symbol captions are as follows:

\$2.00 THO \$50.00 FIFTY	\$5.00 FIVE \$100 ONE HUN	\$10.00 TEN \$200 TWO HUN	\$15.00 FIFTEEN \$400 FOUR HUN	\$20.00 TWENTY \$1,000 ONE THOU	\$25.00 TWY FIVE \$2,000 TWO THOU	\$30.00 THIRTY \$10,000 TEN THOU	\$250,000 THOHUNTY THOU
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(7) The legends are as follows:

YOUR NUMBERS	WINNING NUMBERS	PRIZE
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A



ticket having a "WIN" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket having

5x

a "5 TIMES" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to five times



the prize shown for that symbol. A ticket having a "WIN \$100" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100. A ticket



having a "WIN ALL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$400, \$1,000, \$2,000, \$10,000 and \$250,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1149 are as follows:

\$5 x 5	\$25	1,200.00	6,000
\$5 (5X)	\$25	1,200.00	6,000
\$5 + (\$10 x 2)	\$25	1,200.00	6,000
\$10 + \$15	\$25	1,200.00	6,000
\$25	\$25	1,200.00	6,000
(\$2 x 10) + (\$5 x 2) (STAR)	\$30	600.00	12,000
\$5 x 6	\$30	1,200.00	6,000
\$5 + \$5 (5X)	\$30	1,200.00	6,000
\$10 x 3	\$30	1,500.00	4,800
\$30	\$30	1,500.00	4,800
(\$2 x 5) + (\$5 x 6) + \$10 (STAR)	\$50	1,200.00	6,000
(\$5 x 5) + \$5 (5X)	\$50	1,250.00	5,760
\$5 x 10	\$50	1,500.00	4,800
\$25 x 2	\$50	1,500.00	4,800
\$50	\$50	1,500.00	4,800
(\$5 x 10) + (\$25 x 2) (STAR)	\$100	1,200.00	6,000
\$10 x 10	\$100	1,500.00	4,800
\$20 (5X)	\$100	1,500.00	4,800
\$100 (\$100 STARBURST)	\$100	1,200.00	6,000
\$100	\$100	1,500.00	4,800
(\$10 x 10) + (\$50 x 2) (STAR)	\$200	15,000.00	480
(\$10 x 10) + (\$50 x 2)	\$200	15,000.00	480
\$25 x 8	\$200	15,000.00	480
(\$20 x 5) + \$20 (5X)	\$200	15,000.00	480
\$200	\$200	15,000.00	480
(\$30 x 10) + (\$50 x 2) (STAR)	\$400	20,000.00	360
(\$30 x 10) + (\$50 x 2)	\$400	20,000.00	360
(\$50 x 2)	\$400	20,000.00	360
\$100 x 4	\$400	20,000.00	360
\$200 x 2	\$400	20,000.00	360
\$400	\$400	20,000.00	360
(\$50 x 4) + (\$100 x 8) (STAR)	\$1,000	40,000.00	180
(\$100 x 6) + (\$200 x 2)	\$1,000	40,000.00	180
\$100 x 10	\$1,000	60,000.00	120
\$200 (5X)	\$1,000	40,000.00	180
\$1,000	\$1,000	60,000.00	120
(\$100 x 4) + (\$200 x 8) (STAR)	\$2,000	120,000.00	60
\$200 x 10	\$2,000	120,000.00	60
\$400 (5X)	\$2,000	120,000.00	60
\$1,000 x 2	\$2,000	120,000.00	60
\$2,000	\$2,000	120,000.00	60
\$10,000	\$10,000	120,000.00	60
\$250,000	\$250,000	1,200,000.00	6

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 60 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	720,000
\$2 (5X)	\$10	30.00	240,000
\$2 x 5	\$10	60.00	120,000
\$5 x 2	\$10	30.00	240,000
\$10	\$10	60.00	120,000
\$2 (5X) + \$5	\$15	300.00	24,000
\$5 x 3	\$15	150.00	48,000
\$5 + \$10	\$15	300.00	24,000
\$15	\$15	300.00	24,000
\$2 x 10	\$20	300.00	24,000
\$2 (5X) + \$10	\$20	300.00	24,000
\$5 x 4	\$20	300.00	24,000
\$5 + \$15	\$20	300.00	24,000
\$20	\$20	300.00	24,000

(10) The estimated overall odds of winning some prize in Instant Game Number 1149 are 1 in 4.00. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1149, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for BIG MONEY lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-17-12.

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: August 17, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-57
RULE TITLE: Instant Game Number 1163, \$100 CASH FRENZY.

SUMMARY: This emergency rule describes Instant Game Number 1163, "\$100 CASH FRENZY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-57 Instant Game Number 1163, \$100 CASH FRENZY.

(1) Name of Game. Instant Game Number 1163, "\$100 CASH FRENZY."

(2) Price. \$100 CASH FRENZY lottery tickets sell for \$2.00 per ticket.

(3) \$100 CASH FRENZY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$100 CASH FRENZY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



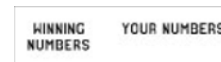
(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize play symbols and play symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a "WIN" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to

the prize shown for that symbol. A ticket having a "WIN\$100" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100. A ticket

having a "WINALL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$1,000 and \$20,000.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 1163 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF
			WINNERS IN 84 POOLS OF 180,000 TICKETS
	1 IN		PER POOL
\$2	\$2	10.71	1,411,200
\$1 x 4	\$4	50.00	302,400
(\$1 x 2) + \$2	\$4	50.00	302,400

\$2 x 2	\$4	50.00	302,400
\$4	\$4	50.00	302,400
\$1 x 5	\$5	150.00	100,800
(\$1 x 3) + \$2	\$5	250.00	60,480
(\$2 x 2) + \$1	\$5	375.00	40,320
\$1 + \$4	\$5	250.00	60,480
\$5	\$5	375.00	40,320
\$1 x 10	\$10	250.00	60,480
(MONEYBAG)			
\$1 x 10	\$10	250.00	60,480
\$2 x 5	\$10	250.00	60,480
\$5 x 2	\$10	250.00	60,480
\$10	\$10	250.00	60,480
\$2 x 10	\$20	750.00	20,160
(MONEYBAG)			
\$2 x 10	\$20	750.00	20,160
\$4 x 5	\$20	750.00	20,160
\$10 x 2	\$20	750.00	20,160
\$20	\$20	750.00	20,160
(\$2 x 8) + \$4 + \$5	\$25	900.00	16,800
(MONEYBAG)			
(\$2 x 8) + \$4 + \$5	\$25	900.00	16,800
(\$5 x 3) + \$10	\$25	900.00	16,800
\$5 + (\$10 x 2)	\$25	900.00	16,800
\$25	\$25	900.00	16,800
\$10 x 10	\$100	2,571.43	5,880
(MONEYBAG)			
\$10 x 10	\$100	2,571.43	5,880
\$20 x 5	\$100	2,571.43	5,880
\$50 x 2	\$100	2,571.43	5,880
\$100 (\$100 BURST)	\$100	2,000.00	7,560
\$20 x 10	\$200	18,000.00	840
(MONEYBAG)			
\$20 x 10	\$200	18,000.00	840
(\$10 x 6) + (\$20 x 2) + \$100	\$200	18,000.00	840
(\$100 BURST)			
(\$20 x 5) + (\$50 x 2)	\$200	18,000.00	840
\$200	\$200	18,000.00	840
\$100 x 10	\$1,000	90,000.00	168
(MONEYBAG)			
(\$100 x 6) + (\$200 x 2)	\$1,000	90,000.00	168
\$1,000	\$1,000	90,000.00	168
\$20,000	\$20,000	1,080,000.00	14

(10) The estimated overall odds of winning some prize in Instant Game Number 1163 are 1 in 4.39. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1163, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for \$100 CASH FRENZY lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-17-12.

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: August 17, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on August 9, 2012, the Criminal Justice Standards and Training Commission has issued an order. On June 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C. (Petitioner originally erroneously requested a waiver of subsection 11B-35.002(2), by Vincent Krestalude. Subsection 11B-27.002(4), F.A.C., requires officers to become employed within four years of beginning basic recruit training. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 38, No. 28, on July 13, 2012.

On August 9, 2012, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, FL, the Commission found that the Petitioner’s situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner’s four years to become employed expired April 7, 2012, which was over two months before he filed his request for a waiver of subsection 11B-27.002(4), F.A.C. The Commission found that the purposes of the underlying statute, Section 943.1395(1), F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would not be addressed in an alternative method by granting this rule waiver. The Commission denied the Petitioner’s waiver request because the Petitioner did not request an extension prior to the expiry of his four year window and the Petitioner was not in the process of being hired by an agency that supported his request.

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that on August 10, 2012, the Florida Prepaid College Board (Board), received a petition for Variance or Waiver from Chapter 19B-12, F.A.C., from Mr. Theodore S. Forman, Esq. The above referenced rule addresses, among other things, the required context of a petition, the authority of the Chairman of the Board, point of entry requirements, and description of hardship consideration for waiver or variance from the application of a rule. The Petitioner is requesting that the provisions regarding grievance petitions as it may relate to the imposition of tuition differential plan rates be waived and allow Petitioner to purchase the tuition differential plan at the rate of when its prepaid college plan contract was submitted to the Board. On July 31, 2012, the Board denied the Petitioner's Special Petition requesting Board's consideration to allow the Petitioner to secure the tuition differential rates that were effective five years prior, on October 2007, when its prepaid college plan contract application was submitted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: José Lorenzo, Chief Legal Counsel, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on August 21, 2012, the Agency for Health Care Administration ("AHCA") issued an Amended Final Order Denying Petition for Variance from Rule 59G-4.250, Florida Administrative Code. The Amended Final Order was entered in response to the Petitioner's document entitled, "Petition for Variance from or Waiver of Rule 59G-4.250, Florida Administrative Code," which was treated as a Petition for Variance from Rule 59G-4.250, Florida Administrative Code (the "Petition"). On May 14, 2012, AHCA received the Petition from Walgreen Co. Walgreen Co. seeks variance or waiver from the current version of Rule 59G-4.250, Florida Administrative Code (amended June 19, 2012), as well as the previous version (amended November 3, 2008) of the rule.

Rule 59G-4.250, Florida Administrative Code, 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 and June 2012. 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. The Notice of the Petition was published in the Florida Administrative Weekly on June 8, 2012.

On August 13, 2012, AHCA issued a Final Order denying the Petition. On August 21, 2012, AHCA issued an Amended Final Order denying the Petition. AHCA determined that the Petition failed to provide facts that constitute competent, substantial evidence, pursuant to Section 120.542, Florida Statutes, to support a variance or waiver of Rule 59G-4.250, Florida Administrative Code.

A copy of the Final Order may be obtained by writing: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Station #3, Tallahassee, Florida 32308.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracie Hardin, Esquire, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #3, Tallahassee, Florida 32308.

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 August 21, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Boardwalk Caper V, Bldg. 6 & 7, filed July 30, 2012, and advertised on August 10, 2012 in Vol. 38, No. 32, 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(u) ASME A17.3, 1996 edition, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators emergency stop switch 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 2012-248).

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.

NOTICE IS HEREBY GIVEN that on August 17, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lakeland Regional Medical Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.8.1, and 2.8.2, as adopted by subsection

61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators equipment in hoistways, machinery spaces, machine rooms, control spaces, and control rooms 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 2012-270).

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 August 17, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for La Playa East Condominium Association, Inc. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators 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 2012-271).

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 August 20, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Garden Office Building. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators 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 2012-272).

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 August 16, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Spring Lake Towers Mgmt. Inc., filed July 13, 2012, and advertised in Vol. 38, No. 30, 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 3.3.2, ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida

Administrative Code, that requires upgrading the elevators platform guards because inspections may be conducted without a variance and any violation cited corrected within 90 days and 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 2011-226).

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.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on August 16, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Shalimar Condo, filed July 16, 2012, and advertised in Vol. 38, No. 30, 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 subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until elevator is replaced or undergoes major modification 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 2012-227).

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 August 16, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from 5000 Tower Center, filed July 11, 2012, and advertised in Vol. 38, No. 30, 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, and 2.20.1 ASME A17.1b, 2009 edition, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with 6mm governor ropes and non-circular elastomeric coated steel suspension members 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 2012-220).

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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 30, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, and Paragraph 4-301.11, 2001 FDA Food Code from Cargo Bay Cafe located in Orlando, FL. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an adequate number of facilities to maintain all potentially hazardous food at proper temperatures. They are requesting to utilize the mopsink, dishwashing and additional cold holding facilities located within another licensed establishment under a different ownership.

The Petition for this variance was published in Vol. 38, No. 32 on August 10, 2012. The Order for this Petition was signed on August 16, 2012 and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the mop sink and dishwashing areas within Orlando Metropolitan Resort & Cargo Bay (aka Cargo Bay Bar & Grill, SEA5803844) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and available during all hours of operation. The Petitioner shall also ensure that the walk-in cooler in Orlando Metropolitan Resort & Cargo Bay (aka Cargo Bay Bar & Grill, SEA5803844) is maintained in a clean and sanitary manner and capable of keeping potentially hazardous food at the proper temperatures. If the ownership of Orlando Metropolitan Resort & Cargo Bay (aka Cargo Bay Bar & Grill, SEA5803844) changes, an updated written agreement must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Lyndia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Construction Industry Licensing Board hereby gives notice:

Issuance of an Order regarding the Petition for Variance and Waiver filed by Jeremy Hauff, on June 1, 2012. The Notice of Petition for Variance and Waiver was published in Vol. 38, No. 27, of the July 6, 2012, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on July 13, 2012. The Petitioner is seeking a permanent

waiver or variance of Rule 61G4-16.005, F.A.C., limiting the period a passing grade is valid for purposes of certification to 4 years.

The Board's Order, filed on August 14, 2012, denies the Petition for Waiver and Variance of Rule 61G4-16.005, Florida Administrative Code. The Petitioner has not shown a substantial hardship or that application of the rule would violate principles of fairness, the Board did not further consider the Petition.

A copy of the Order or additional information may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Board of Accountancy hereby gives notice of an Order regarding the Petition for Waiver or Variance, filed on January 27, 2012, by William Douglass. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 7, of the February 17, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61H1-27.0041(2), F.A.C., entitled "One Year of Work Experience," which requires that the supervisor, in his or his report to the Department, shall certify that the applicant rendered such services as are customarily performed by full-time, regularly employed staff employees. The Board considered the instant Petition at a duly-noticed public meeting, held April 27, 2012, in Tampa, Florida.

The Board's Order, filed on July 16, 2012, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(4), Florida Statutes, would be met by granting a variance or waiver from the rule. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 24, 2012, by Jacob Finkelshteyn. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 13, of the March 30, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61H1-27.0041(2), F.A.C., entitled "One Year of Work Experience," which requires that the supervisor, in his or his report to the Department, shall certify that the applicant rendered such services as are customarily performed by full-time, regularly employed staff employees. Petitioner also sought a waiver or variance of paragraphs 61H1-27.002(2)(a) and (b), F.A.C., entitled, "Concentrations in Accounting and

Business,” which requires that an applicant have at least 150 semester hours of college education, including a baccalaureate degree or higher conferred by an accredited college or university with a major in accounting, or its equivalent. The applicant’s total education program shall include a concentration in accounting and business as follows: 36 semester or 54 quarter hours in accounting education at the upper division level which shall include coverage of auditing, cost and managerial accounting, financial accounting, accounting information systems, and taxation; 39 semester or 58 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which shall include coverage of the uniform commercial code, contracts and torts. The Board considered the instant Petition at a duly-noticed public meeting, held April 27, 2012, in Tampa, Florida.

The Board’s Order, filed on July 16, 2012, granted the petition in part finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(4), Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.0041(2), F.A.C. The Board denied the petition in part finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.002(2), F.A.C. The Board found that Petitioner established that applying the requirements of subsection 61H1-27.0041(2), F.A.C. to his circumstances would violate principles of fairness and impose substantial hardship. The Board found that Petitioner failed to establish that applying the requirements of paragraphs 61H1-27.002(2)(a) and (b), F.A.C., to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 27, 2012, by Raquel Kopetman. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 13, of the March 30, 2012, Florida Administrative Weekly. The Petitioner sought a waiver or variance of subsection 61H1-33.003(6), F.A.C., entitled “Continuing Professional Education” which requires that each Florida certified public accountant, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, report on forms prescribed by the Board, compliance with continuing professional education requirements completed during the applicable reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting held April 27, 2012, in Tampa, Florida.

The Board’s Order, filed July 16, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-33.003(6), F.A.C. The Board further found that Petitioner established that the Board’s full application of the aforementioned rules to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice that on August 17, 2012, the Department of Environmental Protection issued a Final Order granting a petition for variance to CRP/HLV Highlands Ranch, LLC. The petition for variance was received on July 16, 2012, seeking a variance from subsections 62-342.700(1)(a), (2), (3) and (4), F.A.C., to waive the requirement that Petitioner provide proof of financial responsibility for the construction and implementation phase of a proposed mitigation bank and the release of mitigation credits. The petition was assigned OGC File No.: 12-1338. Notice of receipt of this petition was published in the Florida Administrative Weekly on July 27, 2012. One public comment was received. The Final Order granted a variance because information provided by Petitioner demonstrates that Petitioner would incur substantial hardship if required to comply with the current financial responsibility requirements for the construction and implementation of the Highlands Ranch Mitigation Bank permit, and the literal application of the rule would affect Petitioner in a manner significantly different from the way it affects other mitigation bankers because the proposed permit requires that work generating the ecological value reflected in the award of credits be successfully completed before the Department releases mitigation credits. The conditions require that financial responsibility for the perpetual management of each phase of the bank shall be provided as required in Rule 62-342.700, F.A.C., and the permit, at the start of each phase along with the conservation easement and security. The variance is permanent.

A copy of the Order or additional information may be obtained by contacting: Mary VanTassel, Florida Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS #2500, Tallahassee, Florida 32399-2400, (850)245-8486; e-mail: Mary.VanTassel@dep.state.fl.us or Facsimile: (850)245-8499.

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that on August 16, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Scott B. Bauer, Psy.D., on May 10, 2012, seeking a waiver or variance from subsection 64B19-11.0075(2), F.A.C., with regard to closing the application file after 24 months if the applicant is unable to document successful completion of the Examination for Professional Practice in Psychology. The Notice was published in Vol. 38, No. 24, of the Florida Administrative Weekly, on June 15, 2012. The Board, at its meeting held on July 20, 2012, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

The Board of Psychology hereby gives notice that on August 15, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Suchithra Hirode, on May 10, 2012, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements of the rule regarding appropriate supervised experience. The Notice was published in Vol. 38, No. 24, of the Florida Administrative Weekly, on June 15, 2012. The Board, at its meeting held on July 20, 2012, voted to deny the Petition for Waiver or Variance finding that the Petitioner failed to demonstrate a substantial hardship; that application of the rule would violate the principles of fairness; and that she has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The Department of Economic Opportunity hereby gives notice: NAME OF PETITIONER: City of Chiefland DATE PETITION WAS FILED: June 20, 2012. It was assigned the number DEO-12-081.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C., which was transferred to paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: Vol. 38, No. 27, July 6, 2012, issue of the Florida Administrative Weekly.

THE DATE OF THE ORDER APPROVING THE VARIANCE OR WAIVER: August 15, 2012.

THE GENERAL BASIS FOR THE AGENCY DECISION: Because the statutory basis for the cap was repealed, there was no authority to enforce the rule. Waiving the limit to allow greater grant amounts encourages economic development and the underlying purpose of the statute.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, FL 32399-4128, e-mail: miriam.snipes@deo.myflorida.com.

The Department of Economic Opportunity hereby gives notice: NAME OF PETITIONER: City of Fellsmere

DATE PETITION WAS FILED: June 20, 2012. It was assigned the number DEO-12-080.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C., which was transferred to paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: Vol. 38, No. 27, July 6, 2012, issue of the Florida Administrative Weekly.

THE DATE OF THE ORDER APPROVING THE VARIANCE OR WAIVER: August 15, 2012.

THE GENERAL BASIS FOR THE AGENCY DECISION: Because the statutory basis for the cap was repealed, there was no authority to enforce the rule. Waiving the limit to allow greater grant amounts encourages economic development and the underlying purpose of the statute.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, FL 32399-4128, e-mail: miriam.snipes@deo.myflorida.com.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Department of State, Office of the General Counsel announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, September 13, 2012; Tuesday, September 18, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Please call: (850)245-6270 to receive instructions for on-line registration

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Webinar will discuss implementation of Chapter 2012-63, Laws of Florida, which replaces the Florida Administrative Weekly with the Florida Administrative Register, created by that chapter. It will describe the manner and timing of filing material to be noticed in the online Florida Administrative Register, which will be published daily.

A copy of the agenda may be obtained by contacting: Liz Cloud, Program Administrator, Administrative Code and Weekly, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6271.

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: Ernie Reddick, elreddick@dos.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: Liz Cloud, Program Administrator, Administrative Code and Weekly, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6271.

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2012, 6:00 p.m.

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The board will discuss fundraising, endowment activities, finances and other board business.

A copy of the agenda may be obtained by contacting: Cookie.Stevens@dos.myflorida.com, (850)245-6388.

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.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 11, 2012, 3:00 p.m. – 5:00 p.m.

PLACE: Please Call: (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131. 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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

The **Florida Commission on the Status of Women** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, September 15, 2012 9:00 a.m. – 12:00 Noon

PLACE: Port St. Lucie, Florida; Please Call: (850)414-3300, For Exact Meeting Location

GENERAL SUBJECT MATTER TO BE CONSIDERED: 3rd Quarterly Meeting.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131. 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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

The **Florida Commission on the Status of Women** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 18, 2012, 1:30 p.m. – 2:30 p.m.

PLACE: Please Call: (850)414-3300, for instructions on participation. NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee Meeting.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131. 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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys, announces the following telephone conference meetings:

Chair and Elected Officials Teleconferences

DATE AND TIME: September 17, 2012, 10:30 a.m. – 11:00 a.m.

PLACE: Toll Free Conference Call: 1(888)670-3525, Participant Code: 5652593223 (Please be advised that meetings & meeting rooms maybe subject to change. For updates please visit <http://www.cssbmb.com>)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting: Bureau of Criminal Justice Programs, (850)414-3300. 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, contact the Bureau of Criminal Justice Programs, (850)414-3300.

The **Florida Elections Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 20, 2012, 1:30 p.m. – 4:30 p.m.

PLACE: Conference Call: 1(888)670-3525, Conference Code: 5652593223

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Elections Commission has formed a committee to review applications for the Executive Director position with the Florida Elections Commission. This committee will review applications during the scheduled meeting and make a recommendation to the Commission regarding candidate interviews.

A copy of the agenda may be obtained by contacting: Donna Ann Malphurs, Agency Clerk, (850)922-4539, ext. 102, donna.malphurs@myfloridalegal.com or by visiting the website: www.fec.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: Donna Ann Malphurs, Agency Clerk, (850)922-4539, ext. 102, donna.malphurs@myfloridalegal.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: Donna Ann Malphurs, Agency Clerk, (850)922-4539, ext. 102, donna.malphurs@myfloridalegal.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE OF CORRECTION – The **Pesticide Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2012, 10:00 a.m.

PLACE: NOTICE OF CORRECTION – Notice published in the August 17, 2012 (Vol. 38, No. 33) edition of the Florida Administrative Weekly. The referenced meeting will now also be available by TELECONFERENCE-WEBEX as follows: Conference Call: 1(888)808-6959, Conference Code: 921-4145#; WebEx Information: <https://suncom.webex.com/suncom/j.php?ED=169641237&UID=0&PW=NOTU5MmU4ZTVk&RT=MmMxMQ%3D%3D>; Meeting Password: PRC.; Alachua Regional Service Center, Florida Agency for Health Care Administration, 14101 N.W. Hwy. 441, Suite 800, Alachua, FL 32615-5669, (386)418-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Council during which there will be a review of pertinent pesticide issues impacting on human health and the environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail Station #L6, Tallahassee, Florida 32399-1650, (850)617-7917.

DEPARTMENT OF EDUCATION

The **Blind Services Foundation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 12, 2012, 3:00 p.m.

PLACE: Teleconference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee will develop agenda for the September 27, 2012 Board Meeting.

For more information, you may contact: Craig Kiser, 256 Cocoa Lane, Venice, FL 34293, (850)345-9122.

The **Florida Rehabilitation Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 19, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: (850)2459823)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Committee, General Council Business.

A copy of the agenda may be obtained by contacting: The FRC, (850)245-3317.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The FRC, (850)245-3317. 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: Roy Cosgrove, FRC Program Administrator, (850)245-3317 or at the Council's address, 2002-A Old St. Augustine Rd., Tallahassee, Florida 32301-4862 or email: roy.cosgrove@vr.fldoe.org.

The **State Board of Education** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 7, 2012, 8:30 a.m.

PLACE: Conference Call: 1(866)372-5781, Conference Code: 22784440

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to approve the Commissioner of Education candidate profile and related contract, as well as action related to the transition of the Chair of the State Board of Education.

A copy of the agenda may be obtained by contacting: Lynn Abbott, (850)245-9661 or lynn.abbott@fldoe.org or by visiting the Department's website: <http://www.fldoe.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 7 days before the workshop/meeting by contacting: Lynn Abbott, (850)245-9661 or email: lynn.abbott@fldoe.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: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail: lynn.abbott@fldoe.org.

The **Charter School Appeal Commission** announces a hearing to which all persons are invited.

DATE AND TIME: September 13, 2012, 10:00 a.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will hear the Application denial for the following school:

Cornerstone Academy for High Standards, Inc. vs. Palm Beach County School Board

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399, (850)245-0502. 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 Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399, (850)245-0502.

The **Gulf Coast State College District, Board of Trustees** announces a public meeting to which all persons are invited.

DATE AND TIME: September 6, 2012, 10:00 a.m.

PLACE: William C. Cramer Jr. Seminar Room (Room 306), SUW, Gulf Coast State College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold a meeting. Contact person for the meeting is Dr. Jim Kerley, President, Gulf Coast State College.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College.

The **Indian River State College** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 10:00 a.m.

PLACE: 4600 Kirby Loop Road, Fort Pierce, FL 34950

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.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: September 13, 2012, 8:30 a.m.

PLACE: Embassy Suites, 8250 Jamaican Court, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights or to violations of safety regulations. A copy of the agenda may be obtained by contacting: Sharon Day, Executive Assistant, Commercial Vehicle Review Board, Rhyne Building, Traffic Engineering and Operations Office, 2740 Centerview Drive, Tallahassee, Florida 32301.

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: 1(800)955-8771 or 1(800)955-8770 (Voice). If you are hearing impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Scenic Highways Program Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 10, 2012, 1:30 p.m. – 3:00 p.m.

PLACE: Lafayette Room, Haydon Burns Building, 605 Suwannee Street, Tallahassee, FL 32399; Via Teleconference: Local: (850)414-4976, Toll Free: 1(866)374-3368, Extension 4976.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Scenic Highway Advisory Committee meeting. The purpose of the meeting is to review projects and initiatives currently being pursued by the Florida Scenic Highways Program.

A copy of the agenda may be obtained by contacting: Mr. Jeff Caster, State Scenic Highways Coordinator at the Environmental Management Office, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)414-5267, email: Jeff.Caster@dot.state.fl.us or Fax: (850)414-4443.

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. Jeff Caster, State Scenic Highways Coordinator at the Environmental Management Office, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)414-5267, email: Jeff.Caster@dot.state.fl.us or Fax: (850)414-4443. 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).

STATE BOARD OF ADMINISTRATION

The **State Board of Administration (SBA)**, Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 17, 2012, 1:00 p.m. – until conclusion of business

PLACE: Hermitage Centre, 1801 Hermitage Boulevard, 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 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. 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 Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 10:00 a.m. or soon thereafter – until completion

PLACE: The Hilton Garden Inn Tallahassee Central, Seminole Room, 1330 Blairstone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Prepaid College Board Audit Committee.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/> or (850)488-8514.

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 Faxing a written request to: Florida Prepaid College Board, (850)488-3555. 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 Prepaid College Board** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 1:30 p.m. or soon thereafter – until completion

PLACE: The Hilton Garden Inn Tallahassee Central, Seminole Room, 1330 Blairstone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop on the Florida Prepaid College Plans.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

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 Faxing a written request to: Florida Prepaid College Board, (850)488-3555. 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 Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2012, 8:30 a.m. or soon thereafter – until completion

PLACE: The Hilton Garden Inn Tallahassee Central, Seminole Room, 1330 Blairstone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board Investment Committee.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

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 Faxing a written request to: Florida Prepaid College Board, (850)488-3555. 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 Prepaid College Foundation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2012, following the adjournment of the Florida Prepaid College Board Meeting on September 20, 2012, at the same location – until completion.

PLACE: The Hilton Garden Inn Tallahassee Central, Seminole Room, 1330 Blairstone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Foundation Board.

A copy of the agenda may be obtained by contacting: www.myfloridaprepaid.com/, (850)488-8514.

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 Faxing a written request to: Florida Prepaid College Board, (850)488-3555. 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 Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2012, following the adjournment of the Investment Committee of the Florida Prepaid College Board meeting on September 20, 2012, at the same location – until completion.

PLACE: The Hilton Garden Inn Tallahassee Central, Seminole Room, 1330 Blairstone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board.

A copy of the agenda may be obtained by contacting: www.myfloridaprepaid.com/, (850)488-8514.

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 Faxing a written request to: Florida Prepaid College Board, (850)488-3555. 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 CITRUS

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

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

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, issues pertaining to Chapter 601, F.S., rulemaking; and any other matters addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, FL 33831 or email: hfacey@citrus.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, email: dscrews@citrus.state.fl.us or (863)537-3984. 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: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, FL 33831 or email: hfacey@citrus.state.fl.us.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: September 18, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The agenda, recommendations, vote sheet, transcript and minutes may be obtained from the Commission's Web site: www.floridapsc.com or by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at the address or telephone number above, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's Web site.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: September 18, 2012, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas may be obtained from the Commission's Web site: www.floridapsc.com or by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 (850)413-6770.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at the address or telephone number above, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2012, 9:30 a.m. – 5:00 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed – Smart Meters Workshop.

The purpose of this workshop is to provide a forum for Florida electric utilities and any other interested party to provide the Commission and Commission staff information concerning technical and policy issues surrounding the design, installation and use of Smart Meters in the State of Florida. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this workshop.

For questions, contact: Commission Staff, Mark Futrell, (850)413-6692 or Mike Lawson, (850)413-6076.

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 the General Counsel, (850)413-6199.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Jobs for Floridians with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2012, 10:00 a.m.

PLACE: 3700 Golden Eagle Drive, Tallahassee, FL 32312 (Room location to be determined)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business of the Governor's Commission on Jobs for Floridians with Disabilities pursuant to Executive Order 11-161.

A copy of the agenda may be obtained by contacting: David Darm, (850)717-9433 or David.Darm@laspbs.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: David Darm, (850)717-9433 or David.Darm@laspbs.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: David Darm, (850)717-9433 or David.Darm@laspbs.state.fl.us.

The **Governor's Commission on Community Service, Volunteer Florida** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 9:00 a.m. – until business is complete

PLACE: Conference Call: 1(888)670-3525, Pass Code: 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Committee meetings at times noted below:

9:00 a.m. Communications

10:00 a.m. Emergency Management & Volunteer Services

11:00 a.m. Finance & Audit

1:00 p.m. Legislative

2:00 p.m. National Service Programs

3:00 p.m. Executive

A copy of the agenda may be obtained by contacting: Kristin Mullikin, kristin@volunteerflorida.org or (850)414-7400.

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: Kristin Mullikin, kristin@volunteerflorida.org or (850)414-7400. 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: Kristin Mullikin, kristin@volunteerflorida.org or (850)414-7400.

REGIONAL PLANNING COUNCILS

The **Tampa Bay Regional Planning Council, Executive Budget Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2012, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Budget Committee.

A copy of the agenda may be obtained by contacting: wren@tbrpc.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 4 days before the workshop/meeting by contacting: wren@tbrpc.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: wren@tbrpc.org.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2012, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.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 4 days before the workshop/meeting by contacting: wren@tbrpc.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: wren@tbrpc.org.

The **Tampa Bay Regional Planning Council, Agency on Bay Management** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: suzanne@tbrpc.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 4 days before the workshop/meeting by

contacting: wren@tbrpc.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: suzanne@tbrpc.org.

The **South Florida Regional Planning Council** announces a public Alternative Fuel Road Show and Educational Tour to which all persons are invited.

DATE AND TIME: Tuesday, September 18, 2012, 10:00 a.m.

PLACE: Old School Square Cultural Arts Center, 51 North Swinton Avenue, Delray Beach, Florida 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Florida Gold Coast Clean Cities Coalition.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact: South Florida Regional Planning Council, (954)967-4152, ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact: The Council, (954) 985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces a public Alternative Fuel Road Show and Educational Tour to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 10:00 a.m.

PLACE: Overtown Transit Village, 701 Northwest 1st Court, Miami, Florida 33136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Florida Gold Coast Clean Cities Coalition.

A copy of the agenda may be obtained by writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact: South Florida Regional Planning Council, (954)967-4152, ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact: The Council, (954)985-4416 at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 21, 2012, 9:30 a.m.
 PLACE: Indian River State College, Wolf High Technology Center, 2400 S.E. Salerno Road, Stuart, FL 34997
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its regular meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick, (772)221-4060.

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: Liz Gulick, (772)221-4060. 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: Liz Gulick, (772)221-4060.

METROPOLITAN PLANNING ORGANIZATIONS

The **Miami-Dade County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 11, 2012, 1:30 p.m.
 PLACE: Stephen P. Clark Center, CITT Conference Room, 10th Floor, 111 N.W. 1st Street, Miami, FL 33128
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 ACTION ITEMS:

- A. BY-LAWS REVIEW AND ADOPTION
 - B. TD GRIEVANCE PROCEDURES ADOPTION
 - C. TD GRIEVANCE COMMITTEE APPOINTMENTS
 - D. ANNUAL OPERATING REPORT (AOR)
 - E. ANNUAL EXPENDITURES REPORT (AER)
- INFORMATION ITEMS:
- A. TD PROGRAM UPDATE
 - B. MEDICAID NON-EMERGENCY TRANSPORTATION (MNET) UPDATE
 - C. 2012-13 TD PLANNING GRANT TASKS

A copy of the agenda may be obtained by contacting: Elizabeth Rockwell, (305)375-1881.

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 Rockwell, (305)375-1881. 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 Rockwell, (305)375-1881.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 5:05 p.m. (Central Time)

PLACE: Crestview Field Office, 800 Hospital Drive, Crestview, Florida 32539, (850)683-5044

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Adoption of Proposed Millage Rate for Fiscal Year 2012-2013 and Consideration of the District's Fiscal Year 2012-2013 Tentative Budget.

A copy of the agenda may be obtained by contacting: April Murray, (850)539-5999, email: april.murray@nwfwmd.state.fl.us or Internet: www.nwfwmd.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 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. 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 **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 11, 2012, 2:00 p.m.

PLACE: District Headquarters, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 2:00 p.m. Governing Board Workshop.
- 3:00 p.m. Governing Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters.
- 5:30 p.m. First Public Hearing on FY 2012-2013 Budget.

A copy of the agenda may be obtained by contacting: Lisa Cheshire, (386)362-1001 or lmc@srwmd.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: Lisa Cheshire, (386)362-1001 or lmc@srwmd.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).

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 **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, September 10, 2012 1:00 p.m., Projects and Land Committee site visit; 5:00 p.m., Projects and Land Committee business meeting

PLACE: Starting location of site visit: Ray Wayside Park, 9560 N.E. 28th Lane, Silver Springs, FL. The location of the site visit may be changed due to inclement weather or other unforeseen circumstances. Notice of such changes will be available by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, Florida 32177, via email: hbarnes@sjrwmd.com or by phone: (386)329-4347, (386)937-9717. Projects and Land business meeting will be held at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee site visit topics are water quality, habitat and development of minimum flows and levels of the Silver River and Silver Springs in Marion County, FL.

The Projects and Land Committee business meeting will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board. NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, September 11, 2012, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, via email: hbarnes@sjrwmd.com, by phone: (386)329-4347 or by visiting the District's website: www.floridaswater.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: The District Clerk, (386)329-4500. 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: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, via email: hbarnes@sjrwmd.com, by phone: (386)329-4347 or by visiting the District's website: www.floridaswater.com.

The **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2012, 9:30 a.m. (EDT)

PLACE: St. Johns River Water Management District, District Headquarters, Governing Board, 4049 Reid Street, Palatka, Florida 32177. Persons can attend the workshop in person or register to attend by webinar. Webinar registration information is available on the District's website: <http://www.floridaswater.com> or can be obtained from Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or email: wgaylord@sjrwmd.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 373.4131, Florida Statutes, became effective on July 1, 2012, and requires the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. These rules are to rely primarily upon existing rules of the DEP and WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the State's ERP program. To implement Section 373.4131(1), F.S., DEP has initiated rulemaking to revise rule chapter 62-330, F.A.C. The revisions to this rule chapter will necessitate amendments to St. Johns River Water Management District (SJRWMD) Rule Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C. As part of its rulemaking, DEP also intends to incorporate by reference an applicant's handbook. At least two volumes of the applicant's handbook will apply in each WMD: (1) one volume that will include general and environmental procedures and forms that will apply statewide, and (2) a second volume specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity and include basin designations and basin-specific rules within the WMD. These volumes will replace and/or amend the SJRWMD's current applicant's handbooks. Comments will be solicited regarding amendments to Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C., and a document to be known as "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District," which is based on existing provisions contained in the SJRWMD's current applicant's handbooks.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or wgaylord@sjrwmd.com.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

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: Sandy Bertram, District Clerk, (386)329-4127. 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2012, 9:30 a.m. (EDT)

PLACE: St. Johns River Water Management District, District Headquarters, Governing Board, 4049 Reid Street, Palatka, Florida 32177. Persons can attend the workshop in person or register to attend by webinar. Webinar registration information is available on the District's website: <http://www.floridaswater.com> or can be obtained from Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or email: wgaylord@sjrwmd.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 373.4131, Florida Statutes, became effective on July 1, 2012, and requires the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. These rules are to rely primarily upon existing rules of the DEP and WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the State's ERP program. To implement Section 373.4131(1), F.S., DEP has initiated rulemaking to revise Rule Chapter 62-330, F.A.C. The revisions to this rule chapter will necessitate amendments to St. Johns River Water Management District (SJRWMD) rule Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C. As part of its rulemaking, DEP also intends to incorporate by reference an applicant's handbook. At least two volumes of the applicant's handbook will apply in each WMD: (1) one volume that will include general and environmental procedures and forms that will apply statewide, and (2) a second volume specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity and include basin designations and basin-specific rules within the WMD. These volumes will replace and/or amend the SJRWMD's current applicant's handbooks. Comments will be solicited regarding amendments to Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C., and a document to be known as "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District," which is based on existing provisions contained in the SJRWMD's current applicant's handbooks.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or wgaylord@sjrwmd.com.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

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: Sandy Bertram, District Clerk, (386)329-4127. 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2012, 9:30 a.m. (EDT)

PLACE: St. Johns River Water Management District, District Headquarters, Governing Board, 4049 Reid Street, Palatka, Florida 32177. Persons can attend the workshop in person or register to attend by webinar. Webinar registration information is available on the District's website: <http://www.floridaswater.com> or can be obtained from Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or email: wgaylord@sjrwmd.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 373.4131, Florida Statutes, became effective on July 1, 2012, and requires the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. These rules are to rely primarily upon existing rules of the DEP and WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the State's ERP program. To implement Section 373.4131(1), F.S., DEP has initiated rulemaking to revise rule Chapter 62-330, F.A.C. The revisions to this rule chapter will necessitate amendments to St. Johns River Water Management District (SJRWMD) Rule Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C. As part of its rulemaking, DEP also intends to incorporate by reference an applicant's handbook. At least two volumes of the applicant's handbook will apply in each WMD: (1) one volume that will include general and environmental procedures and forms that will apply statewide, and (2) a second volume specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity and include basin designations and basin-specific rules within the WMD. These volumes will replace and/or amend the SJRWMD's current applicant's handbooks. Comments will be solicited regarding amendments to Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C., and a document to be known as "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits

of the St. Johns River Water Management District,” which is based on existing provisions contained in the SJRWMD’s current applicant’s handbooks.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or wgaylord@sjrwmd.com.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

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: Sandy Bertram, District Clerk, (386)329-4127. 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 St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2012, 9:30 a.m. (EDT)

PLACE: St. Johns River Water Management District, District Headquarters, Governing Board, 4049 Reid Street, Palatka, Florida 32177. Persons can attend the workshop in person or register to attend by webinar. Webinar registration information is available on the District’s website: <http://www.floridawater.com> or can be obtained from Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or email: wgaylord@sjrwmd.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 373.4131, Florida Statutes, became effective on July 1, 2012, and requires the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. These rules are to rely primarily upon existing rules of the DEP and WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the State’s ERP program. To implement Section 373.4131(1), F.S., DEP has initiated rulemaking to revise rule Chapter 62-330, F.A.C. The revisions to this rule chapter will necessitate amendments to St. Johns River Water Management District (SJRWMD) Rule Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C. As part of its rulemaking, DEP also intends to incorporate by reference an applicant’s handbook. At least two volumes of the applicant’s handbook will apply in each WMD: (1) one volume that will include general and environmental procedures and forms that will apply statewide, and (2) a second volume specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity and include basin designations and basin-specific rules within the WMD. These volumes will replace and/or amend the SJRWMD’s current applicant’s handbooks. Comments will be solicited regarding amendments to Chapters 40C-1, 40C-4,

40C-41, 40C-42 and 40C-44, F.A.C., and a document to be known as “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District,” which is based on existing provisions contained in the SJRWMD’s current applicant’s handbooks.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or wgaylord@sjrwmd.com.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

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: Sandy Bertram, District Clerk, (386)329-4127. 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 St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2012, 9:30 a.m. (EDT)

PLACE: St. Johns River Water Management District, District Headquarters, Governing Board, 4049 Reid Street, Palatka, Florida 32177. Persons can attend the workshop in person or register to attend by webinar. Webinar registration information is available on the District’s website: <http://www.floridawater.com> or can be obtained from Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or email: wgaylord@sjrwmd.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 373.4131, Florida Statutes, became effective on July 1, 2012, and requires the Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permitting (ERP) rules. These rules are to rely primarily upon existing rules of the DEP and WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the State’s ERP program. To implement Section 373.4131(1), F.S., DEP has initiated rulemaking to revise Rule Chapter 62-330, F.A.C. The revisions to this rule chapter will necessitate amendments to St. Johns River Water Management District (SJRWMD) rule Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C. As part of its rulemaking, DEP also intends to incorporate by reference an applicant’s handbook. At least two volumes of the applicant’s handbook will apply in each WMD: (1) one volume that will include general and environmental procedures and forms that will apply statewide, and (2) a second volume specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity and include basin designations and basin-specific rules within

the WMD. These volumes will replace and/or amend the SJRWMD's current applicant's handbooks. Comments will be solicited regarding amendments to Chapters 40C-1, 40C-4, 40C-41, 40C-42 and 40C-44, F.A.C., and a document to be known as "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District," which is based on existing provisions contained in the SJRWMD's current applicant's handbooks.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, (386)326-3026 or wgaylord@sjrwmd.com.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

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: Sandy Bertram, District Clerk, (386)329-4127. 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 25, 2012, 5:05 p.m.

PLACE: This is a meeting conducted by means of communications media technology at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meeting via telephone or web conferencing technology. Public should attend in person at the District Headquarters.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation of the fiscal year (FY) 2012-2013 final millage rate and final budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, (386)329-4101 or by visiting the District's website: floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4500. 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 **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2012, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 280, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4378 or online at www.watermatters.org/waterways.

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: (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4702, TDD (Florida Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Tuesday, September 11, 2012, 5:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bartow Service Office Governing Board Subcommittee Meeting: Discuss subcommittee business including potential sale of the facility, options regarding Bartow staff, and facility rehabilitation. Governing Board members may attend.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources, Bureau Chief, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@

swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: LuAnne.Stout@watermatters.org 1(800)492-7862 (FL Only) or (863)534-1448, ext. 4605 (Ad Order EXE0226).

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

DATE AND TIME: Tuesday, September 11, 2012, 6:00 p.m. (this is a change of time from the published calendar)

PLACE: SWFWMD, Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting and Tentative Budget Hearing: Consider SWFWMD business including adoption of District tentative millage rate and budget for Fiscal Year 2012-13. The Board may also consider action relative to the ranking, negotiations and final selection of an independent financial auditor. Some Board members may participate in the meeting via communications media technology.

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

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

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

For more information, you may contact: LuAnne.Stout@Watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0225).

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

DATE AND TIME: Thursday, September 13, 2012, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agricultural and Green Industry Joint Advisory Committee meeting: To discuss committee business. SWFWMD Governing Board Members may attend.

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

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

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

For more information, you may contact: Debby.Weeks@watermatters.org; 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0227).

The Big Cypress Basin announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2012, 8:00 a.m.

PLACE: Big Cypress Basin Service Center, 2660 Horseshoe Drive N., Naples, FL 34104

GENERAL SUBJECT MATTER TO BE CONSIDERED: At these meetings the Basin Board will discuss and consider Basin business.

A copy of the agenda may be obtained by contacting: Kathleen Tetrault, (239)263-7615 or ktetraul@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 48 hours before the workshop/meeting by contacting: Kathleen Tetrault, (239)263-7615 or ktetraul@sfwmd.gov. 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: Kathleen Tetrault, (239)263-7615 or ktetrault@sfwmd.gov.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Governing Board Committee, Workshop and Regular Business Meetings

DATE AND TIME: September 13, 2012 (See meeting agendas for specific start times)

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action on any item appearing on the agendas for the meetings and on any item that is added to the agendas for any of the meetings as a result of a change to the agendas approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: At these meetings the Governing Board will discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: www.sfwmd.gov or by contacting: Jacki McGorty, (561)682-2087 or jmcgorty@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 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087, email: jmcgorty@sfwmd.gov. 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: Jacki McGorty, (561)682-2087 or jmcgorty@sfwmd.gov.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 5:15 p.m.

TENTATIVE BUDGET PUBLIC HEARING

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive and consider public comment and vote on the tentative FY12/13 millage rates and budget.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action on any item appearing on the agenda for the meeting and on any item that is added to the agenda for the meeting as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: www.sfwmd.gov or by contacting: Jacki McGorty, (561)682-2087 or jmcgorty@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 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087 or email: jmcgorty@sfwmd.gov. 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: Jacki McGorty, (561)682-2087 or jmcgorty@sfwmd.gov.

The **Water Resources Advisory Commission (WRAC)** announces a workshop to which all persons are invited.

Water Resources Advisory Commission (WRAC), Recreation Issues Meeting

DATE AND TIME: September 17, 2012, 5:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Paul Millar, (561)682-6335 or our website: <http://my.sfwmd.gov/wrac>.

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, (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).

For more information, you may contact: Paul Millar, (561)682-6335 or pmillar@sfwmd.gov.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

FINAL BUDGET PUBLIC HEARING

DATE AND TIME: Tuesday, September 25, 2012, 5:15 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment and vote on the final FY 12/13 millage rates and budget.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action on any item appearing on the agenda for the meeting and on any item that is added to the agenda for the meeting as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: www.sfwmd.gov or by contacting: Jacki McGorty, (561)682-2087 or jmcgorty@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 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087 or jmcgorty@sfwmd.gov. 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: Jacki McGorty, (561)682-2087 or jmcgorty@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2012, 8:30 a.m. – 4:00 p.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819. Any person interested in participating by telephone may dial: 1(888)670-3525, Participant Code: 625 643 6859. If you have any difficulty accessing the teleconference, please call: Isabelle Ashe, (850)412-4339.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Assisted Living Workgroup members for examination of the regulation and oversight of assisted living in Florida and develop recommendations to improve the state's ability to monitor quality and safety in assisted living and ensure the well-being of their residents.

A copy of the agenda may be obtained by contacting: Ron Heredia, by phone: (850)412-4304, email: Ronald.Heredia@ahca.myflorida.com. The agenda will also be posted at: <http://ahca.myflorida.com/SCHS/CommitteesCouncils/ALWG/index.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: Isabelle Ashe, Bureau of Health Facility Regulation, (850)412-4339. 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: Isabelle Ashe, Bureau of Health Facility Regulation, (850)412-4339.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 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 Conference Call: 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, Florida 32308-5407. The agenda will also be posted at the Agency website: <http://ahca.myflorida.com/SCHS/CommitteesCouncils/chis.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, Elizabeth.Jenkins@ahca.my

florida.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.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2012, 2:00 p.m.

PLACE: 4050 Esplanade Way, Conference Room 101, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a Evaluation Team Meeting (non-mandatory) is hereby noticed within the timeline for the Invitation to Negotiate (Number: 02-973-000-A) for Management Consulting and Auditing Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly (FAW). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Joel Atkinson, (850)487-4196, joel.atkinson@dms.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 48 hours before the workshop/meeting by contacting: Joel Atkinson, (850)487-4196, joel.atkinson@dms.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: Joel Atkinson, (850)487-4196, joel.atkinson@dms.myflorida.com.

The **Florida E911 Board Legislative Subcommittee Taskforce** announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2012, 1:30 p.m. – until conclusion of business

PLACE: Rosen Shingle Creek Hotel, 9939 Universal Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss potential legislative issues to be presented in the 2013 legislative session.

A copy of the agenda may be obtained by contacting: Penney Taylor, (850)414-9636.

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: Penney Taylor, (850)414-9636. 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: Penney Taylor, (850)414-9636.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Barbers' Board** announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2012, 9:00 a.m.

PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, Florida 33602, (813)225-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (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 Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

NOTICE OF RESCHEDULING – The Florida **Board of Professional Engineers**, Application & Educational Advisory, Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2012, 8:30 a.m. (EST) or soon thereafter (This a rescheduled meeting from the meeting previously scheduled for September 18, 2012 which has been cancelled.)

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.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).

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: Rebecca Sammons, rsammons@fbpe.org.

NOTICE OF RESCHEDULING – The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2012, 1:00 p.m. (EST) or soon thereafter (This a rescheduled meeting from the meeting previously scheduled for September 18, 2012 at 1:00 p.m. which has been cancelled.)

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing: 1(888)392-4560; participant code 1188973. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact: Sandee Maige at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by contacting: Sandee Maige.

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: Rebecca Sammons, rsammons@fbpe.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).

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: Rebecca Sammons, rsammons@fbpe.org.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: September 17, 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: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

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: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. 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 Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, September 18, 2012; Wednesday, September 19, 2012, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Chapter 61J2, F.A.C., rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford at email: lori.crawford@dbpr.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: 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).

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

For more information, you may contact: Lori Crawford, email: lori.crawford@dbpr.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: September 20, 2012, 10:00 a.m. (EDT)

PLACE: This workshop will be broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://www2.gotomeeting.com/register/249668090>.

Alternatively, persons may view the webinar at the following location where staff also will be available to accept comments.

Department of Environmental Protection, Bob Martinez Bldg., Rm. 609, 2600 Blair Stone Rd., Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 373.4131, Florida Statutes, the Department of Environmental Protection (DEP), in coordination with the five Water Management Districts (WMDs), is developing statewide environmental resource permitting (ERP) rules governing the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, or works, or combinations thereof, to implement Part IV of Chapter 373, F.S. This rulemaking will rely primarily upon existing rules of DEP and WMDs, revised as necessary to achieve a more consistent, effective, and streamlined approach to implement the ERP program. This is the fourth workshop to solicit comments on the proposed Chapter 62-330, F.A.C., including forms, fees, and Applicant's Handbook Volumes I and II that will be incorporated by reference.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection by 2600 Blair Stone Rd., MS #2500, Tallahassee, FL 32399-2400, (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. The

agenda and workshop information will be posted on the DEP Public Notice Calendar: http://www.dep.state.fl.us/public_notices/default.htm (OGC #12-1058).

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: Mary VanTassel, (850)245-8486. 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: For questions about the webinar Alice Heathcock, (850)245-8483. DEP has established an Internet site (<http://www.dep.state.fl.us/water/wetlands/swerp/index.htm>) to provide information about the rulemaking, including a link to a forum to accept comments from the public. A link to that site also exists on the draft rules site: http://www.dep.state.fl.us/water/rules_dr.htm#erp.

Comments also may be submitted to Mary VanTassel at the above mailing or email address.

The **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: September 12, 2012, 4:00 p.m. – 7:00 p.m.

PLACE: Florida Department of Transportation Headquarters Auditorium, 605 Suwannee Street, Tallahassee, FL 32301

DATE AND TIME: September 22, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Central Florida Zoo and Botanical Gardens, 3755 N.W. US-17-92, Sanford, FL 32771

DATE AND TIME: September 25, 2012, 4:00 p.m. – 7:00 p.m.

PLACE: Sarasota County Public Works, 1001 Sarasota Center Blvd., Sarasota, FL 34240

DATE AND TIME: September 26, 2012, 4:00 p.m. – 7:00 p.m.

PLACE: Sugar Sand Park Community Center, 300 S. Military Trail, Boca Raton, FL 33433

GENERAL SUBJECT MATTER TO BE CONSIDERED: A new Statewide Comprehensive Outdoor Recreation Plan (SCORP) is being developed by the Department of Environmental Protection's Office of Park Planning, in coordination with an inter-agency workgroup, other agency and non-profit partners, and citizens. The Office of Park Planning is seeking comments from the public during these workshops. There is no set schedule. Interested individuals may drop in at anytime during these workshops to learn more about the plan and to provide comments.

Materials will be available at each workshop location. For more information on how to obtain the meeting materials contact: Adam Straubinger, Office of Park Planning, Division of Recreation and Parks, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #525, Tallahassee,

Florida 32399-3000. Mr. Straubinger may also be reached by telephone: (850)245-3051 or by email: Adam.Straubinger@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Adam Straubinger, Office of Park Planning, Division of Recreation and Parks, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #525, Tallahassee, Florida 32399-3000, (850)245-3051, Adam.Straubinger@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Adam Straubinger, Office of Park Planning, Division of Recreation and Parks, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #525, Tallahassee, Florida 32399-3000, (850)245-3051, Adam.Straubinger@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).

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: September 4, 2012, 3:00 p.m.

PLACE: Meeting Number: 628 390 931, Meeting Password: journey; Go to: <https://rcg.webex.com/rcg/j.php?ED=185935102&UID=498365452&PW=NYzM3NmEwNDlh&RT=MmMxMg%3D%3D>; Conference Call: (US/Canada): +1(408)600-3600, Access Code: 628 390 931

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.

For more information, you may contact: Javier_Vazquez@doh.state.fl.us or visit the Florida Healthy Start website at: <http://www.doh.state.fl.us/family/mch/hs/hs.html>.

The **Department of Health, Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 17, 2012, 9:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, when prompted, insert the 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special General Business Meeting.

A copy of the agenda may be obtained by contacting: Board of Physical Therapy, 4052 Bald Cypress Way, BIN #C-05, Tallahassee, FL 32399-3255, or by visiting our website: <http://doh.state.fl.us/mqa/physical/index.html> or by calling: Board Office, (850)245-4373, ext. 3467.

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/Council Office, (850)488-0595. 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 **Department of Health**, Electrolysis Council, under the **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 3, 2012, 9:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, when prompted, insert the 4389078941 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Electrolysis Council, 4052 Bald Cypress Way, BIN #C-05, Tallahassee, FL 32399-3255, by visiting our website: <http://www.doh.state.fl.us/mqa/electrolysis/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

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/Council Office, (850)488-0595. 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 **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 2:45 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask, (850)245-4161. 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 **Board of Medicine**, Expert Witness Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2012, 12:00 Noon

PLACE: Meet-Me #: 1(888)670-3525, Participation Code: 584 870 0386

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us, (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us or call: (850)245-4131. 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 **Board of Medicine**, Electrology/Dietetics & Nutrition Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2012, 12:30 p.m.

PLACE: Meet-Me #: 1(888)670-3525, Participation Code: 584 870 0386

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us, (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us or call: (850)245-4131. 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 **Board of Medicine**, Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 21, 2012, 2:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Participation Code: 794 062 0467

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase, (850)245-4640, ext. 8145 or email: susan_chase@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 10 days before the workshop/meeting by contacting: Susan Chase, (850)245-4640, ext. 8145 or email: susan_chase@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).

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**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 11, 2012, 10:30 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)670-3525, Code: 6126445695

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.

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, September 10, 2012, 3:00 p.m.

PLACE: Mary Grizzle Building, 11351 Ulmerton Road, Suite 418D, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pinellas Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Allen, (727)518-3242.

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: Stephanie Allen, (727)518-3242. 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 Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: 1317 Winewood Blvd., Building 1, Secretary's Large Conference Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independent Living Services Advisory Council members will review the current status of the implementation and operation of the independent living transition services and discuss action steps for redesigning the system of care for youth and young adults.

A copy of the agenda may be obtained by contacting: Cyndee Odom, (850)922-0185 or email: cyndee_odom@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cyndee Odom, (850)922-0185 or email: cyndee_odom@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).

For more information, you may contact: Cyndee Odom, (850)922-0185 or email: cyndee_odom@dcf.state.fl.us.

The **Tallahassee Area Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 11, 2012, 10:30 a.m. – 12:30 p.m.

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tallahassee Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Theresa Leslie, (850)921-7944 or Taddese Fessehay, (407)317-7335.

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: Theresa Leslie, (850)921-7944 or Taddese Fessehay, (407)317-7335. 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: Theresa Leslie, (850)921-7944 or Taddese Fessehay, (407)317-7335.

The **Jacksonville Area Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, 5920 Arlington Expressway, Jacksonville, FL 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Debbie Ansbacher, (904)726-1540 or Taddese Fessehaye, (407)317-7335.

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: Debbie Ansbacher, (904)726-1540 or Taddese Fessehaye, (407)317-7335. 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: Debbie Ansbacher, (904)726-1540 or Taddese Fessehaye, (407)317-7335.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 14, 2012, 4:00 p.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Avenue, Venice, FL 34285

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.

BOARD OF GOVERNORS

The Strategic Planning Committee and the Academic and Student Affairs Committee of the **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2012, 2:00 p.m.

PLACE: Florida Gulf Coast University, Cohen Center Ballroom, 10501 FGCU Boulevard South, Ft. Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2012-13 University Work Plan Follow-Up; FAMU Plan Regarding Retention, Graduation, and Student Debt; Proposal to Approve Special Purpose Center, Jewish Museum, FIU; Public Notice of Intent to Amend Regulation 6.002 Admission of Undergraduate First-Time-in-College, Degree Seeking Freshmen; Public Notice of Proposed New Regulation 6.008 Postsecondary College-Level Preparatory Testing, Placement, and Instruction for State Universities; Public Notice of Proposed New Regulation 6.013 Military Veterans and Active Duty; Update, Student Affairs and SUS Student Health Insurance Consortium; Update, Implementation of HB 7135; 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 Street, 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 Street, 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 Street, Tallahassee, FL 32399-0400.

The Facilities Committee and the Budget and Finance Committee of the **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012, 8:30 a.m.

PLACE: Florida Gulf Coast University, Cohen Center Ballroom, 10501 FGCU Boulevard South, Ft. Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2013-14 SUS Fixed Capital Outlay Legislative Budget Request; Renaming, Academic Building 5, FGCU; Resolution of the Board of Governors Authorizing the Issuance of Debt by the Florida Gulf Coast University Financing Corporation to Finance the Construction of a Student Residence Facility on the Ft. Myers Campus, FGCU; Update, Facility Task Force; Public Notice of Intent to Amend Regulation 7.003 Fees, Fines, and Penalties; Public Notice of Intent to Amend Regulation 7.015 Florida National Guard Educational Assistance Program; Public Notice of Intent to Amend Regulation 7.008 Waiver of Tuition and Fees; State University Optional Retirement Program; 2012-13 Operating Budgets, State University System and Board General Office; 2013-14 Legislative Budget Requests, State University System and Board General Office; 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 Street, 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 Street, 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 Street, Tallahassee, FL 32399-0400.

The **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012, 12:30 p.m. or upon adjournment of committee meetings

PLACE: Florida Gulf Coast University, Cohen Center Ballroom, 10501 FGCU Boulevard South, Ft. Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Report, Blue Ribbon Task Force on State Higher Education; Confirmation, Interim President, FAMU; Public Notice of Proposed New Regulation 3.001 Penalties for Failure to Report Child Abuse; Discussion, Process for Board to Appear as Amicus in Litigation Relating to Postsecondary Legal Issues; 2012-13 University Work Plan Follow-Up; FAMU Plan Regarding Retention, Graduation, and Student Debt; Proposal to Approve Special Purpose Center, Jewish Museum, FIU; Public Notice of Intent to Amend Regulation 6.002 Admission of Undergraduate First-Time-in-College, Degree Seeking Freshmen; Public Notice of Proposed New Regulation 6.008 Postsecondary College-Level Preparatory Testing, Placement, and Instruction for State Universities; Public Notice of Proposed New Regulation 6.013 Military Veterans and Active Duty; 2013-14 SUS Fixed Capital Outlay Legislative Budget Request; Renaming, Academic Building 5, FGCU; Resolution of the Board of Governors Authorizing the Issuance of Debt by the Florida Gulf Coast University Financing Corporation to Finance the Construction of a Student Residence Facility on the Ft. Myers Campus, FGCU; Public Notice of Intent to Amend Regulation 7.003 Fees, Fines, and Penalties; Public Notice of Intent to Amend Regulation 7.015 Florida National Guard Educational Assistance Program; Public Notice of Intent to Amend Regulation 7.008 Waiver of Tuition and Fees; State University Optional Retirement Program; 2012-13 Operating Budgets, State University System and Board General Office; 2013-14 Legislative Budget Requests, State University System and Board General Office; Report, Trustee

Nominating and Development Committee; Report, Select Committee on Florida Polytechnic University; 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 Street, 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 Street, 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 Street, Tallahassee, FL 32399-0400.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The **Department of Economic Opportunity (f/k/a the Agency for Workforce Innovation)**, Reemployment Assistance Claims and Benefits Information System, Executive Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399; Conference Call: 1(888)670-3525, Passcode: 1188081993 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/calendar>.

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: Dawn Spath, (850)617-0833. 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 Economic Opportunity (f/k/a the Agency for Workforce Innovation)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 1:30 p.m. – 4:30 p.m.

PLACE: Tampa Bay WorkForce Alliance Corporate Office, 5100 W. Kennedy Blvd., Suite 300, Tampa, FL 33609; Conference Call: 1(888)670-3525, Passcode: 6974438117 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the third meeting of the work group created by the 2012 Legislature to study Florida's reemployment assistance contribution calculation as specified in Section 443.131, Florida Statutes.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/calendar>.

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: Monique Manns, (850)921-3870. 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).

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2012, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1706, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

If any person decides to appeal any decision made by the Board [or Committee] 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.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, email: rick.mitchell@ssrc.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: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 3:00 p.m.

PLACE: SSRC, Administrative Offices, Conference Room 101, 2002 Old St. Augustine Road, Building C, Tallahassee, FL; Conference Call: 1(888)670-3525, Participant Passcode: 7934058106#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Finance and Budget Workgroup.

If any person decides to appeal any decision made by the Board [or Committee] 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.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.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: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

The **Florida Developmental Disabilities Council, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 13, 2012, 8:00 a.m.; September 14, 2012, 8:30 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: September 13, 2012-FDDC Committees-General Business.

September 14, 2012-FDDC Full Council-General Business.

Agendas and meeting materials are available for viewing on the FDDC's website: www.fddc.org.

A copy of the agenda may be obtained by contacting: To receive a copy of the agenda or request accommodations for participation in the meetings, please contact: Vanda Bowman or Debra Dowds, 124 Marriott Drive, Tallahassee, FL, by phone: 1(800)580-7801.

For more information, you may contact: Debra Dowds or Vanda Bowman.

FLORIDA COLLEGE SYSTEM RISK MANAGEMENT CONSORTIUM

The **Florida College System Risk Management Consortium** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 7, 2012, 9:00 a.m.

PLACE: Renaissance Hotel & Resort Orlando Airport, 5445 Forbes Place, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: 4500 N.W. 27th Avenue, Bldg. D2, Gainesville, FL 32606.

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: 4500 N.W. 27th Avenue, Bldg. D2, Gainesville, FL 32606. 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 College System Risk Management Consortium, 4500 N.W. 27th Avenue, Bldg. D2, Gainesville, FL 32606.

HEALTH COUNCIL OF SOUTH FLORIDA, INC.

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, September 14, 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 at the Health Council of South Florida via email: sglasgow@healthcouncil.org.

For more information, you may contact: Shelley-Anne Glasgow-Wilson, Senior Planning & Evaluation Specialist, Health Council of South Florida, email: sglasgow@healthcouncil.org or call: (305)592-1425.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION, INC.

NOTICE OF CHANGE – The **Florida Workers' Compensation Insurance Guaranty Association, Inc.**, Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: September 5, 2012, 2:00 p.m.

PLACE: ****NEW LOCATION**** Hyatt Regency Orlando Airport Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup will meet to discuss issues and concerns resulting from recent insolvencies, including large deductible policies, collateral and employee leasing policies.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida College System Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2012, 6:00 p.m.

PLACE: Innisbrook, 36750 US Highway 19 North, Palm Harbor, FL 34684

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingram, (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

The **Florida College System Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012, 8:00 a.m.

PLACE: Innisbrook, 36750 US Highway 19 North, Palm Harbor, FL 34684

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingram, (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

MRGMIAMI

The Florida **Department of Transportation**, District Four announces a workshop to which all persons are invited.

DATE AND TIME: September 13, 2012, 5:30 p.m. – 7:30 p.m.

PLACE: Hilton Garden Inn PGA Village, Persimmon Room, 8540 Commerce Centre Drive, Port St. Lucie, Florida 34986

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Alternatives Public Workshop is being held for the proposed improvements to I-95/SR 9 in St. Lucie County, Florida (Financial Project Number: 422681-2-22-01; Efficient Transportation Decision Making Number: 12982). The workshop will be an open-house forum where all viable alternatives that have been developed will be on display. The goal of the workshop is to collect and evaluate the public's comments on these alternatives before selecting a preferred

alternative. The proposed improvement involves I-95 from north of Becker Road to south of Okeechobee Road (State Road 70) for a distance of approximately 14 miles. Your participation is encouraged and appreciated. In the event that the workshop cannot be held on September 13, 2012 due to severe weather or unforeseen conditions, it will be held on the alternate date of October 11, 2012 at the same time and place.

Public participation is solicited without regard to race, color, national origin, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: The FDOT, Project Manager, Mr. Patrick R. Glass, P.E., (954)777-4681 or Toll Free: 1(866)336-8435, ext. 4681, at least seven (7) days prior to the meeting. Mr. Glass may also be contacted via e-mail at patrick.glass@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Mr. Patrick R. Glass, P.E., at the contact information listed above. For further information, please visit the project website: www.I95StLuciePDE.com.

The Florida **Department of Transportation**, District Six announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Iglesia Bautista Resurrección, 2323 S.W. 27 Avenue, Miami, FL 33145

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearing will be held as an open house. Attendees are welcome to arrive any time between 6:00 p.m. and 8:00 p.m. Project displays and a looping presentation will be shown. FDOT representatives will be available to discuss the project and answer questions.

FDOT is developing the design for a repaving project to improve the roadway along State Road 972/Coral Way in Miami-Dade County. The limits for the proposed project extend from S.W. 37 Avenue to S.W. 13 Avenue. The project is located in the City of Miami.

The proposed work for this project includes: closing the median at the intersection of Coral Way and S.W. 34 Avenue; modifying access so drivers cannot make right turns from Coral Way onto S.W. 34 Avenue; repaving the roadway to extend the life of the road; reducing the posted speed from 40 mph to 35 mph; widening the sidewalks in certain areas; installing new pedestrian crossings and signals along the corridor; adding new signs, pavement markings and shared lane markings (sharrows); extending the southbound left-turn lane at S.W. 37 Avenue; and removing five parking spaces to stripe a bus bay for the existing bus stop at S.W. 27 Avenue. Construction for the project is expected to begin in October 2013 and last approximately 240 days.

FDOT encourages public participation without regard to race, color, national origin, age, gender, religion, disability or family status. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this public hearing is asked to advise the agency at least seven days before by contacting: Brian Rick, (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Ave., Miami, FL 33172 or by email: 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).

For more information, you may contact: Jorge Gomez, FDOT, Project Manager, (305)470-5183 or via email: jorge.gomez@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Jorge Gomez, FDOT, Project Manager at the contact information listed above.

PARSONS BRINCKERHOFF

The Florida **Department of Transportation**, District One announces a workshop to which all persons are invited.

DATES AND TIME: September 10, 2012, 5:00 p.m. – 7:00 p.m. (Presentation: 6:00 p.m.)

PLACE: The Lakeland Center, 701 West Lime Street, Lakeland Florida 33815

DATE AND TIME: September 11, 2012, 5:00 p.m. – 7:00 p.m. (Presentation: 6:00 p.m.)

PLACE: Fantasy of Flight, 1400 Broadway Boulevard, S.E., Polk City, Florida 33868

DATE AND TIME: September 13, 2012, 5:00 p.m. – 7:00 p.m. (Presentation: 6:00 p.m.)

PLACE: Bartow Civic Center, 2250 South Floral Avenue, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation has initiated the Polk Rail Study to identify the best solutions for regional freight movement through Polk County while minimizing community and environmental impacts. These public workshops are an initial step in the process of seeking input from interested stakeholders. All workshops will be held from 5:00 p.m. – 7:00 p.m., in an open house format allowing an opportunity to view the displays and discuss the project with project team representatives. A brief presentation will begin at 6:00 p.m. each evening. All workshops will be identical, including the schedule, format, presentation, and displays. During the workshops, attendees can also visit interactive exhibits such as a noise booth to listen to sound level samples of trains, motorcycles, and other similar examples. Participants can also stop by a computer lab to access the project's website and virtual town hall and join the discussion online.

Financial Project ID No: 430103-1-22-01.

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: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, (863)519-2675 or email: robin.parrish@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cindy Clemmons, Public Information Director, at the address listed above or by phone, (863)519-2362 or Brian Bollas, Project Information Liaison, (727)946-1869. You can also visit the project website: www.polkrail.com or join the conversation at the virtual town hall: <http://ideas.polkrail.com/>.

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: Tuesday, September 11, 2012, 5:30 p.m. – 6:30 p.m. (EDT)

PLACE: William A. McGill Library, 732 Pat Thomas Parkway, Quincy, FL 32351

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Recommendations Meeting is being held to present proposed updates to the I-10 Master Plan in Gadsden, Leon and Jefferson counties. The final recommendations to address current and future needs of the I-10 corridor will be discussed. After a brief presentation, FDOT and project staff will be available to discuss the project, answer questions, and address any concerns.

A copy of the agenda may be obtained by contacting: Ray Kirkland, FDOT, Project Manager, Toll Free: 1(888)638-0250, extension 590 or Ray.Kirkland@dot.state.fl.us.

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

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

DATE AND TIME: Thursday, September 13, 2012, 5:30 p.m. – 6:30 p.m. (EDT)

PLACE: Renaissance Center, Second Floor (Growth Management), Conference Room, 435 North Macomb Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Recommendations Meeting is being held to present proposed updates to the I-10 Master Plan in Gadsden, Leon and Jefferson counties. The final recommendations to address current and future needs of the I-10 corridor will be discussed. After a brief presentation, FDOT and project staff will be available to discuss the project, answer questions, and address any concerns.

A copy of the agenda may be obtained by contacting: Ray Kirkland, FDOT, Project Manager, Toll Free: 1(888)638-0250, extension 590 or Ray.Kirkland@dot.state.fl.us.

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

INFINITE SOURCE

The Florida **Department of Transportation (FDOT)**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 5:00 p.m. – 7:00 p.m.

PLACE: Key Largo Public Library, 101485 Overseas Highway, Trade Winds Shopping Center, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public information meeting for roadway projects along SR 5/US 1/Overseas Highway from Mile Marker (MM) 90.74 to MM 106.3, in Monroe County, to update the public on the status of the projects' design. The project identification numbers are 419859-1, 419846-1, 425600-8, 425600-9 and 419848-1.

The public meeting will follow an informal, open house format allowing the public to arrive at any time from 5:00 p.m. – 7:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas, (305)470-5349 or by email: amparo.vargas@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, in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172 or by email:

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).

For more information, you may contact: Public Information Specialist, Amparo Vargas, (305)470-5349 or by email: amparo.vargas@dot.state.fl.us.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

NOTICE IS HEREBY GIVEN that the Department of Highway Safety and Motor Vehicles has issued an order disposing of the petition for declaratory statement filed by Sparkman Chevrolet, LLC on May 15, 2012. The following is a summary of the agency's disposition of the petition:

The Department has issued a statement determining that Sparkman Chevrolet, LLC is exempt from the notice requirements pursuant to Section 320.642, Florida Statutes, as a successor dealer and Sparkman Chevrolet, LLC is exempt from the construction timeframe and application timeframe requirements pursuant to paragraph 15C-7.004(7)(d), F.A.C.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: James K. Fisher, Assistant General Counsel, Office of the General Counsel, 2900 Apalachee Parkway, A432, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Construction Industry Licensing Board hereby gives notice that the petition filed by BK Seal Coating and Striping, on April 23, 2012, seeking a declaratory statement of Section 489.113(3)(a), Florida Statutes, has been orally withdrawn at the July 13, 2012 meeting. The Notice of Petition was published in Vol. 38, No. 27, of the July 6, 2012, issue of the Florida Administrative Weekly.

A copy of the Board's Notice may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by J. Ronald Blount/JRB Associates, Inc. on May 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. 25, of the June 22, 2012, Florida Administrative Weekly. The Board considered the Petition at a

duly-noticed public meeting held on July 13, 2012. The Petitioner did not state in his request which statute the Petitioner was seeking the Board to interpret. However, Petitioner appeared to be requesting an interpretation of Section 489.105, Florida Statutes, and whether a license is required for "Program Management" in advising owners on the best way to secure, and assist in monitoring, the actual design or construction of their facilities. The Board's Order, filed on August 14, 2012, denies the Petition for Declaratory Statement of Section 489.105, Florida Statutes. There is insufficient information in the petition to establish that petitioner has standing.

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.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Bruce Lebedun on March 19, 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. 24, of the June 15, 2012, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on May 11, 2012. The Petitioner was seeking the Board's interpretation of Section 489.103(9), Florida Statutes, and whether licensure as a Plumbing Contractor is required to change and replace plumbing fixtures such as toilets when Petitioner does not advertise as a contractor and the total cost of the fee does not exceed \$1,000.00. The Board's Order, filed on August 14, 2012, denies the Petition for Declaratory Statement of Section 489.103(9), Florida Statutes. The petition references prior disciplinary actions by local government entities, contrary to Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

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.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from William A. Wagner,

III, Petitioner, filed on August 14, 2012. The petition seeks the agency’s opinion as to the applicability of Sections 633.121, 633.161, 633.025, 509.013, 553.895, 509.242, Florida Statutes; and Rules 69A-43.019, 69A-3.012, Chapter 69A-43, F.A.C.; FL Fire Prevention Code LSC-101 sections 3.3.143; 3.3.42; 3.3.83; 3.3.83.1; 3.3.267; and Florida Fire Prevention Code NFPA-1 sections 1.3.4; 4.5.7; 4.5.7.1 as it applies to the petitioner.

This petition concerns a structure located at 84791 Overseas Hwy., Islamorada, FL. The Village Fire Official has determined, by fire safety inspection, that a portion of the structure is being utilized as a bed and breakfast. The Village Fire Official believes a bed and breakfast use is a “transient public lodging establishment,” within the meaning of Section 509.242(1), F.S., Chapter 69A, F.A.C., Rule 43.003, subsection 43.004(2), F.A.C., and NFPA 101, Life Safety Code, section 28.1.1.3.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mandy O’Callaghan, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4150, Fax: (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request: Mandy.O’Callaghan@myfloridacfo.com.

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 TRANSPORTATION

Burns Building First Floor

Asbestos Abatement and Renovation

Sealed bids will be received by the Florida Department of Transportation on October 25, 2012, 2:00 p.m., in the Contracts Administration Office, Room B-1, 605 Suwannee St., Tallahassee, FL 32399-0450.

Firms must prequalify by September 14, 2012 to bid. Prequalification requirements include: Company has been in business for at least five years; Project Manager and Superintendent has minimum five years experience; Firm has completed at least three projects in the past five years exceeding \$500,000 where work included HVAC asbestos abatement, security and fire alarm systems in an occupied building; Reviewed or audited financial statement that shows a positive net worth; Florida General Contractor’s license.

A Mandatory Pre-Bid Meeting will be held for prequalified firms on September 28, 2012. Site visits will be available October 1-5, 2012.

Visit: www.dot.state.fl.us/cc-admin or call: (850)414-4000, for more information.

DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: Friday, September 10, 2012, 3:00 p.m.

PLACE: Conference Room #101, 4050 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a Pre-Bid Vendor Conference (non mandatory) is hereby noticed within the timeline for the Invitation to Bid (Number: 01-071-000-C) for Motor Vehicles. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the Vendor Bid System (VBS) in accordance with Section

287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly (F.A.W.). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Charles Day, (850)410-2426, Charles.Day@dms.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 48 hours before the workshop/meeting by contacting: Charles Day, (850)410-2426 email: Charles.Day@dms.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: Charles Day, (850)410-2436, Charles.Day@dms.myflorida.com.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

REQUEST FOR PROPOSALS (FDDC 2012-SA-10300)

Florida Self-Advocates Network'D (FL SAND)
and Local Grassroots Groups

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2012-SA-10300) is released to secure a Coordinator who will provide support and strengthening of local self-advocate groups and the statewide Florida Self-Advocates Network'D (FL SAND) Board. This will allow members of local groups and the statewide board to increasingly and successfully participate in their communities through their own efforts and self-determination. The Coordinator will also provide training for the Advisors of local groups and coordinate statewide Board meetings.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$80,000-\$100,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free: 1(800)580-7801 or TDD Toll Free: 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is September 14, 2012, by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during

the week of September 24, 2012. The deadline for submitting proposals for this RFP to FDDC is October 8, 2012, by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fddc.org) ON August 31, 2012.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

VISIT FLORIDA

VISIT FLORIDA seeks a video production company to produce a total of twelve (12) videos to promote Florida's rich Spanish Colonial heritage through the Viva Florida initiative.

For more information pertaining to this Request for Proposal please visit: <http://www.visitflorida.org/rfp> for a complete packet, including deadlines and project contacts.

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 Alliance-sym, Inc., intends to allow the establishment of Faulkner Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (line-make SANY) at 4237 US Highway 19, New Port Richey (Pasco County), Florida 34652, on or after October 1, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Faulkner Motorsports, Inc., are dealer operator(s): John T. Faulkner, 4237 US Highway 19, New Port Richey, Florida 34652; principal investor(s): John T. Faulkner, 4237 US Highway 19, New Port Richey, Florida 34652.

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: Gene Chang, Alliance-sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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 Puma Cycles Corporation, intends to allow the establishment of Palm Beach Car & Truck Brokers, Inc., d/b/a Dream Machines USA as a dealership for the sale of motorcycles manufactured by Foshan City Fosti Motorcycle Manufacturing Co. Ltd. (line-make FSTI) at 570 South Dixie Highway, Lantana (Palm Beach County), Florida 33462, on or after October 1, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Palm Beach Car & Truck Brokers, Inc. are dealer operator(s): Harley E. Nosker, 5317 Winchester Woods Drive, Lake Worth, Florida 33463; principal investor(s): Timo Pajamaki, 511 North 5th Street, Lantana, Florida 33462.

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: Josef Stutz, Puma Cycles Corporation, 1550 South Sinclair Street, Anaheim, California 92806.

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 Sunny Powersports, Inc., intends to allow the establishment of Von Baron Motor Company, LLC, as a dealership for the sale of motorcycles manufactured by Cixi Kingring Motorcycle Co. Ltd. (line-make CIXI) at 16770 Link Court, #101, Fort Myers (Lee County), Florida 33912, on or after October 1, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Von Baron Motor Company, LLC, are dealer operator(s): Christopher Kehl, 16770 Link Court, #101, Fort Myers, Florida 33912; principal investor(s): Christopher Kehl, 16770 Link Court, #101, Fort Myers, Florida 33912.

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: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

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 Sunny Powersports, Inc., intends to allow the establishment of Von Baron Motor Company, LLC, as a dealership for the sale of motorcycles manufactured by Ningbo

Dongfang Lingyun Vehicle Made Co. Ltd. (line-make DONF) at 16770 Link Court, #101, Fort Myers (Lee County), Florida 33912, on or after October 1, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Von Baron Motor Company, LLC, are dealer operator(s): Christopher Kehl, 16770 Link Court, #101, Fort Myers, Florida 33912; principal investor(s): Christopher Kehl, 16770 Link Court, #101, Fort Myers, Florida 33912.

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: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 16, 2012:

County: Lake Service District: 3
 CON # 10140 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Compassionate Care Hospice of Lake and Sumter, Inc.
 Applicant: Compassionate Care Hospice of Lake and Sumter, Inc.
 Project Description: Establish a new hospice program
 Approved Cost: \$142,965.00
 County: Lake Service District: 3
 CON # 10141 Decision Date: 8/17/2012 Decision: D
 Facility/Project: Harbor Light Hospice of Florida, Inc.
 Applicant: Harbor Light Hospice of Florida, Inc.
 Project Description: Establish a new hospice program

Approved Cost: \$0
 County: Lake Service District: 3
 CON # 10142 Decision Date: 8/17/2012 Decision: D
 Facility/Project: Hospice of Marion County, Inc.
 Applicant: Hospice of Marion County, Inc.
 Project Description: Establish a new hospice program
 Approved Cost: \$0
 County: Lake Service District: 3
 CON # 10144 Decision Date: 8/17/2012 Decision: D
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a new hospice program
 Approved Cost: \$0
 County: Palm Beach Service District: 9
 CON # 10145 Decision Date: 8/17/2012 Decision: D
 Facility/Project: Sara's Hospice
 Applicant: Sara's Hospice, Inc.
 Project Description: Establish a new hospice program
 Approved Cost: \$0
 County: Broward Service District: 10
 CON # 10148 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult heart transplantation program
 Approved Cost: \$764,615.00
 County: Broward Service District: 10
 CON # 10149 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Establish an adult heart transplantation program
 Approved Cost: \$253,600.00
 County: Broward Service District: 10
 CON # 10151 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult kidney transplantation program
 Approved Cost: \$795,118.00
 County: Broward Service District: 10
 CON # 10152 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Broward Health Broward General Medical Center
 Applicant: North Broward Hospital District
 Project Description: Establish an adult kidney transplantation program
 Approved Cost: \$172,400.00

County: Broward Service District: 10
 CON # 10154 Decision Date: 8/17/2012 Decision: A
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult liver transplantation program
 Approved Cost: \$1,140,486.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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.

COASTAL PARTNERSHIP INITIATIVE REQUEST FOR GRANT APPLICATIONS, FY 2013-2014

The Florida Coastal Management Program (FCMP) announces the availability of federal grant funds for innovative coastal projects under its COASTAL PARTNERSHIP INITIATIVE (CPI) for Fiscal Year 2013-2014. Eligible applicants include Florida's 35 coastal counties and the local governments within their boundaries that are required to include a coastal element in their comprehensive plan. Florida public colleges and universities, regional planning councils, national estuary programs and nonprofit groups may also apply for CPI funds as long as an eligible local government is a partner in the project. Applications must be submitted on the CPI APPLICATION FORM, available from the FCMP website: <http://www.dep.state.fl.us/cmp/grants/index.htm>.

Applications must be received no later than 4:00 p.m. (EDT), October 31, 2012. Mail CPI applications to:

Florida Coastal Management Program
 ATTN: CPI Applications
 Department of Environmental Protection
 3900 Commonwealth Blvd., MS #47
 Tallahassee, FL 32399-3000.

Electronic and faxed grant applications will not be accepted.

The purpose of the COASTAL PARTNERSHIP INITIATIVE is to promote the protection and effective management of Florida's coastal resources in four priority areas: RESILIENT COMMUNITIES, COASTAL

RESOURCE STEWARDSHIP, ACCESS TO COASTAL RESOURCES AND WORKING WATERFRONTS. Chapter 62S-4, F.A.C., describes the priority areas, and includes information on the CPI grant program, CPI Application Form, submittal requirements, and the criteria by which applications are scored and ranked. The CPI Application Form and Chapter 62S-4, F.A.C., are available from the FCMP grants website: <http://www.dep.state.fl.us/cmp/grants/index.htm>. Please note the following important details regarding the CPI grant process for FY 2013-2014:

1. Applicants must submit one originally signed application, four (4) copies of the application, and one copy of the application on CD or DVD.
2. Projects must be completed within one year. The funding cycle begins July 1, 2013, and ends June 30, 2014. Selected projects will be included in the FCMP application to the National Oceanic & Atmospheric Administration (NOAA) for fiscal year 2013-14.
3. PLEASE NOTE: Due to current budget restraints, financial assistance for CPI projects (available as reimbursement grants) will be limited in the FY 13-14 grant cycle to:
 - a. NO MORE THAN \$30,000 AND NO LESS THAN \$10,000 for construction projects, habitat restoration, invasive exotic plant removal, and land acquisition. These projects cannot involve planning and coordination activities as stated in 2.b., below, and described in subparagraph 62S-4.004(2)(a)1., F.A.C.
 - b. NO MORE THAN \$15,000 AND NO LESS THAN \$10,000 for planning, design and coordination activities.
4. Recipients are required to provide 100 percent matching contributions (cash or in-kind) in the form of goods and services that directly benefit the specific grant project. No more than one-half (50%) of match can be provided by a third party.
5. There are additional requirements for applications involving construction, invasive exotic plant removal, habitat restoration, and land acquisition, including:
 - a. Applicants proposing construction, invasive exotic plant removal and habitat restoration must conduct a preliminary consultation with appropriate local, state, and federal regulatory agencies to ensure that there are no environmental concerns that would delay or prevent project start-up. A summary of the consultation must be included in the CPI application, or the application will be considered incomplete and will not be processed.
 - b. Non-profit organizations (NPOs) are not eligible to receive FCMP funds for construction, invasive exotic plant removal, habitat restoration or land acquisition. Applications submitted by NPOs that propose these activities will be disqualified.

- c. Shoreline hardening projects are not eligible for FCMP funds.
- d. Infrastructure projects should have a clear coastal management component.
- e. Construction and land acquisition activities occurring in designated Coastal Barrier Resource Act units are subject to additional review and approval by NOAA and/or the U.S. Fish & Wildlife Service.

For questions or to request a copy of Chapter 62S-4, F.A.C. or the CPI Application Form, please contact Ms. Dornecia Allen at the address above or call: (850)245-2161, or send an email: Dornecia.Allen@dep.state.fl.us.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On August 16, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Carlos J. Lopez, L.M.T., License #MA 57224. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 16, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Shawn Burford, C.N.A., License #CNA 188939. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ty Canaday, R.N., License #RN 9199822. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 20, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Robert Coffman, C.N.A., License #CNA 218606. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Susan Marie Cummings, R.N., License #RN 9219485. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cynthia Lynn Gibbons, R.N., License #RN 9227419. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 21, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Samantha J. Mendola, R.N., License #RN 9311363. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kim Karen Stewart, R.N., License #RN 3095142. This Emergency Suspension Order was predicated upon the

State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 21, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lisandra M. Aguilera, C.N.A., License #CNA 29697. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On August 21, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Paulette Denise Williams, C.N.A., License #CNA 64081. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Proposed Moratorium on Vendor Applications

NOTICE IS HEREBY GIVEN THAT the Florida Department of Health (Department) has placed a moratorium on applications for WIC vendor authorization consistent with 7 CFR §246.12(g)(9) setting its baseline for implementation of WIC electronic benefits transfer (EBT). The State has limited the periods for application and shall accept applications at least once every three years until the moratorium has been lifted. The last major application cycle was completed January 2012. The next application period will begin no later than January 2015. The Department will begin accepting applications after statewide WIC-EBT implementation. At that time stores applying for WIC vendor authorization will be required to demonstrate the ability to accept WIC-EBT transactions and will also be subject to competitive price and other appropriate criteria. Inquiries may be provided to the Agency Clerk for the Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, FL 32399-1703, Fax: (850)410-1448.

Notice of the Availability of

The 2012 Trauma Center Letter of Intent

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent
 PURPOSE AND EFFECT: The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes. Rule 64J-2.012, Florida Administrative Code.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, mail, or visit the Office of Trauma’s website at: <http://doh.state.fl.us/demo/Trauma/index.html> “Letter of Intent 2012”.

Telephone: (850)245-4444, ext. 2756 or Suncom: 205-4440.

Fax: (850)488-2512.

Mail request to: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18 Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2012, and midnight, October 1, 2012.

CONTACTS: Bernadette Behmke, (850)245-4444, ext. 2756, or Susan McDevitt, (850)245-4444, ext. 2760, Suncom: 205-4440.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Final Order No. DEO-12-117

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY ISLAMORADA, VILLAGE OF
 ISLANDS, FLORIDA, ORDINANCE NO.: 12-06

FINAL ORDER

APPROVING ISLAMORADA ORDINANCE NO.: 12-06

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2012), approving land development regulations adopted by Islamorada, Village of Islands, Florida, Ordinance No.: 12-06 (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. Islamorada, Village of Islands, is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Islamorada, Village of Islands, on June 28, 2012, and rendered to the Department on July 31, 2012.
3. The Ordinance amends Chapter 30, Article IV, Division 16 “Affordable Housing Standards” of the Village Code. Section 30-631 of the Village Code is amended to revise the definition of “affordable housing trust account” to be

consistent with Section 30-641(a)(4). Sections 30-633 and 30-639 are amended to temporarily reduce the nonresidential in-lieu fees by 50 percent for a period of two years beginning October 1, 2012, in order to provide economic relief to property owners and developers to stimulate the local economy during the current nationwide economic downturn.

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) To strengthen 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.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
8. The Ordinance is consistent with Objective 3-1.1 and Policies 3-1.1.1 and 3-1.1.4 of the Islamorada, Village of Islands, Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Islamorada, Village of Islands, Ordinance No. 12-06 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 timely filed as described in the Notice of Administrative Rights 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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF 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:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE 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 below by the methods indicated this 20th day of August, 2012.

_____/s/_____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128
Telephone: (850)717-8531

By U.S. Mail:
Honorable Michael Reckwerdt
Mayor, Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Edward Koconis, Director
Planning and Development Services
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Debra E. Eastman, MMC
Village Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO, Tallahassee, FL

Final Order No. DEO-12-114
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY HAINES CITY, FLORIDA,
ORDINANCE NO.: 12-1424

FINAL ORDER
APPROVING HAINES CITY ORDINANCE NO.: 12-1424

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2012), approving land development regulations adopted by Haines City, Florida, Ordinance No.: 12-1424 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by Section 380.0551, Florida Statutes, as an area of critical state concern. Haines City is a local government within the Green Swamp Area.
2. The Ordinance was adopted by Haines City on July 5, 2012, and rendered to the Department on July 11, 2012.
3. The Ordinance amends Chapter 4 of the City’s land development regulations to add definitions; amends Chapter 5 to allow limited agricultural conditional uses in residential zoning districts; amends Chapter 6 to allow certain transitional uses in the Green Swamp pursuant to an annexation agreement between the City and Polk County; and amends Chapter 7 to provide new criteria for decorative signs and TO exempt certain signs from permitting.

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), 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 (11), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-27.002, Florida Administrative Code.
7. The Ordinance is consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern individually and as a whole.
8. The Ordinance is consistent with Objective 1.1.10, Policy 1.1.10.1, Objective 1.1.9, and Policies 1.1.9.1 and 12.5 of the Haines City Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Haines City Ordinance No. 12-1424 is found to be consistent with the Principles for Guiding Development for the Green Swamp 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 timely filed as described in the Notice of Administrative Rights 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, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF 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:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY

OFFICE OF THE 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 20th day of August, 2012.

Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC #110
Tallahassee, FL 32399-4128
Telephone: (850)717-8531

By U.S. Mail:
The Honorable Joanna Wilkinson
Mayor, Haines City
502 Hinson Avenue
Haines City, FL 33844

Vanessa Castillo, City Clerk
502 Hinson Avenue
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By Hand Delivery or Interagency Mail:
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Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN August 13, 2012
 and August 17, 2012**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

State Board of Education

6A-1.09441	8/16/12	9/5/12	38/24	
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COMMISSION ON ETHICS

34-5.006	8/15/12	9/4/12	38/26	
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34-5.0291	8/15/12	9/4/12	38/26	
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DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.002	8/13/12	9/2/12	38/25	
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60FF1-5.003	8/13/12	9/2/12	38/26	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

61G5-17.006	8/14/12	9/3/12	38/27	
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61G5-17.009	8/14/12	9/3/12	38/27	
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61G5-17.010	8/14/12	9/3/12	38/27	
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61G5-17.011	8/14/12	9/3/12	38/27	
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61G5-17.013	8/14/12	9/3/12	38/27	
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61G5-17.020	8/14/12	9/3/12	38/27	
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61G5-17.0201	8/14/12	9/3/12	38/27	
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61G5-17.021	8/14/12	9/3/12	38/27	
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61G5-17.023	8/14/12	9/3/12	38/27	
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61G5-18.002	8/14/12	9/3/12	38/27	
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61G5-18.005	8/14/12	9/3/12	38/27	
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61G5-18.0055	8/14/12	9/3/12	38/27	
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61G5-20.006	8/14/12	9/3/12	38/27	
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61G5-22.001	8/14/12	9/3/12	38/27	
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61G5-24.001	8/14/12	9/3/12	38/27	
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61G5-24.018	8/14/12	9/3/12	38/27	
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61G5-25.003	8/14/12	9/3/12	38/27	
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61G5-29.002	8/14/12	9/3/12	38/27	
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61G5-29.003	8/14/12	9/3/12	38/27	
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61G5-29.012	8/14/12	9/3/12	38/27	
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61G5-31.002	8/14/12	9/3/12	38/27	
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61G5-31.003	8/14/12	9/3/12	38/27	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-621.500	8/17/12	9/6/12	38/22	
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DEPARTMENT OF HEALTH

Board of Massage

64B7-32.001	8/14/12	9/3/12	38/20	
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Board of Psychology

64B19-11.010	8/14/12	9/3/12	38/11	38/29
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Division of Environmental Health

64E-28.001	8/16/12	9/5/12	38/4	38/17
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64E-28.002	8/16/12	9/5/12	38/4	38/17
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64E-28.003	8/16/12	9/5/12	38/4	38/25
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64E-28.003	8/16/12	9/5/12	38/4	38/29
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64E-28.004	8/16/12	9/5/12	38/4	38/17
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64E-28.005	8/16/12	9/5/12	38/4	38/25
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64E-28.005	8/16/12	9/5/12	38/4	38/29
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64E-28.007	8/16/12	9/5/12	38/4	38/17
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64E-28.007	8/16/12	9/5/12	38/4	38/25
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64E-28.008	8/16/12	9/5/12	38/4	38/17
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64E-28.008	8/16/12	9/5/12	38/4	38/25
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64E-28.009	8/16/12	9/5/12	38/4	38/17
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64E-28.009	8/16/12	9/5/12	38/4	38/25
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DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery and Consumer Service

69K-17.0036	8/16/12	9/5/12	38/21	
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**LIST OF RULES AWAITING LEGISLATIVE APPROVAL
 PURSUANT TO (CHAPTER 2010-279, LAWS OF
 FLORIDA)**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.300	3/2/11	*****	38/3	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/3
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