

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

**NONE**

**Section II**  
**Proposed Rules**

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NOS.:	RULE TITLES:
6M-8.700	Low-Performing Provider; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation
6M-8.701	Low-Performing Provider; Voluntary Prekindergarten Education Program Second Year Probation
6M-8.702	Low-Performing Provider; Removal From Voluntary Prekindergarten Education Program Eligibility

**PURPOSE AND EFFECT:** The purpose of the proposed rules is to implement the authority of Florida's Office of Early Learning to administer the Voluntary Prekindergarten Education (VPK) Program by establishing the processes by which early learning coalitions and VPK providers who fail to achieve minimum kindergarten readiness rates comply with Section 1002.67, F.S., including submission and implementation of improvement plans and progress reports and removal of providers from eligibility to offer the VPK Program.

**SUMMARY:** The proposed rules establish procedures governing administration of the VPK Program by early learning coalitions and school districts for approving improvement plans, for placing providers on probation and requiring corrective actions, and for removing providers from eligibility to deliver the program.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that 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.

Regarding Rule 6M-8.700, F.A.C., it is estimated that, over the course of five years, this rule will have a total cost impact of approximately \$150,300. This estimate is based on a cost of \$9 an hour for employee time, an estimate that it will take each impacted provider 2 hours to comply with the requirements of the rule and an estimate of 1,670 impacted providers. The cost impact to each provider would be approximately \$18 per provider per year.

Regarding Rule 6M-8.701, F.A.C., it is estimated that, over the course of five years, this rule will have a total cost impact of approximately \$27,900. This estimate is based on a cost of \$9 an hour for employee time, an estimate that it will take each impacted provider 2 hours to comply with the requirements of the rule and an estimate of 310 impacted providers. The cost impact to each provider would be approximately \$18 per provider per year.

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: Regarding Rule 6M-8.702, F.A.C., a SERC is not required because all costs associated with removing a provider from eligibility to offer the VPK Program are imposed by statute rather than the proposed rule.

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:** 1002.79(2) FS.

**LAW IMPLEMENTED:** 1002.67(4)(c)2.-4., 1002.75(3)(a)-(c) FS.

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

**DATE AND TIME:** November 27, 2012, 2:00 p.m. – 3:00 p.m.

**PLACE:** Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, FL 32399 or via WebEx which may be accessed at the following website: <http://www.floridaearlylearning.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: Ed Hoover (850)717-8550. 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:** Stephanie Savestanan, Policy Director, Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

**THE FULL TEXT OF THE PROPOSED RULE IS:**

6M-8.700 Provider on Probation: Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation.

(1) Probation. An early learning coalition or school district, as applicable, shall place on first year probation any Voluntary Prekindergarten Education (VPK) provider which fails to meet the minimum kindergarten readiness rate for a program type (school year or summer) adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S. and require such provider to submit and implement an approved improvement plan designed to improve the provider's kindergarten readiness rate. An improvement plan shall include:

(a) Use of Approved Curriculum or Staff Development Plan. A VPK provider on probation must select either an approved curriculum or a staff development plan as a targeted area in its improvement plan. An early learning coalition or school district, as applicable, shall require a VPK provider on probation to use an approved curriculum or staff development plan in accordance with Section 1002.67(4)(c)2.-3., F.S.

(b) Additional Targeted Areas. A VPK provider on probation must select a minimum of one of the following additional areas as a targeted area in its improvement plan:

1. Administrative and management practices, including training, educational level, and retention of prekindergarten instructors;

2. Classroom learning environment;

3. Child developmental screenings and assessments;

4. Social-emotional interactions among prekindergarten instructors and students;

5. Students' ability to make age appropriate progress in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities;

6. Percentage of students attending seventy (70) percent or more of the instructional hours offered by the VPK provider; and

7. Family involvement in the early childhood program.

(c) Strategies for Improvement. A description of strategies for improvement of the provider's VPK program which includes the following and, at the discretion of the provider, any other additional areas:

1. A list of target areas for the VPK provider's improvement identified under subparagraphs (1)(a) and (b) and any additional areas a provider deems important to its improvement;

2. A list of specific actions already taken, and/or proposed to be taken, by the VPK provider for improvement of targeted areas; and

3. An implementation schedule or timeline for the VPK provider to implement the proposed actions.

(2) Submission and Approval of Improvement Plan.

(a) A VPK provider on probation must submit its improvement plan electronically through the website <https://vpk.fldoe.org/>. The provider must have an approved improvement plan in place for at least 30 days prior to receiving an advance payment and for at least 30 days prior to offering VPK instruction for the program type for which the provider must submit an improvement plan, as applicable. A VPK provider on probation may submit an improvement plan any time after the Department of Education posts the preliminary readiness rates.

(b) An early learning coalition or school district, as applicable, shall approve or disapprove a VPK provider's improvement plan within 14 days following receipt of the improvement plan if the plan is submitted with a list of target areas and specific actions for improvement as described in this rule.

(c) If the improvement plan does not address the criteria established in (1), the early learning coalition or school district, as applicable, shall disapprove the improvement plan and shall return it to the VPK provider with suggestions for revision. The VPK provider on probation shall submit an amended improvement plan within 14 days following the receipt of notification of disapproval of its improvement plan and suggestions for revision. The early learning coalition or school district, as applicable, shall offer to work with the VPK provider on probation to revise a disapproved improvement plan to address the criteria in subsection (1). For each initial disapproved improvement plan that a VPK provider submits, the provider may submit an amended improvement plan no more than two additional times until such time as the State Board of Education adopts the minimum kindergarten readiness rate for the subsequent program year under Rule 6A-1.099821, F.A.C.

(3) Technical Assistance. An early learning coalition or school district, as applicable, shall offer to identify technical assistance opportunities for providers on probation, in a manner and schedule prescribed by the coalition or school district, in developing and implementing an improvement plan to each provider which fails to meet the minimum kindergarten readiness rate. A provider on probation may elect to receive assistance by contacting the coalition or school district, as applicable, in writing. Whether or not a provider elects to receive resources, referrals or technical assistance, improvement of the provider's kindergarten readiness rate is the sole responsibility of the provider. Compliance with technical assistance does not guarantee that the provider will improve its kindergarten readiness rate.

(4) Prior to registering to offer the VPK program, a provider on probation must demonstrate that it is implementing its improvement plan. The VPK provider must demonstrate its implementation of its improvement plan by using an approved curriculum or a staff development plan in accordance with Section 1002.67(4)(c)2.-3., F.S., including all program

materials and professional development elements associated with the approved curriculum or staff development plan, by submitting the following to the early learning coalition or school district, as applicable:

(a) For use of an approved curriculum:

1. A receipt or invoice demonstrating that the VPK provider has purchased an approved curriculum and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum; or

2. An acknowledgement that the VPK provider has received the complete approved curriculum through a donation and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum.

(b) For use of a staff development plan:

1. Copies of certificates evidencing successful training completion for VPK staff consistent with the staff development plan in accordance with Section 1002.67(4)(c)2-3., F.S.; and

2. An acknowledgement that the VPK provider has implemented its staff development plan.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(4)(c)2-3., 1002.75(3)(a)-(b) FS. History—New \_\_\_\_\_.

6M-8.701 Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation.

(1) Probation. An early learning coalition or school district, as applicable, shall place on second or subsequent year probation any Voluntary Prekindergarten Education (VPK) provider which receives kindergarten readiness rates for the same program type (school year or summer) which fail to meet the minimum rates adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S., for two or more consecutive years. For the purpose of this rule, consecutive years means years in which a VPK provider receives kindergarten readiness rates for the same program type (school year or summer). For example, a provider fails to meet the minimum rate for consecutive years if the provider fails to meet the minimum rate in 2012 for the school-year program type, does not offer the school-year program type in 2013 or does not receive a rate for the school-year program type in 2013, and fails to meet the minimum rate in 2014 for the school-year program type.

(2) Second or Subsequent Year Probation Corrective Action. A VPK provider that remains on probation under this rule must submit an annual probation progress report electronically through the website <https://vpk.fldoe.org/>. The annual probation progress report must demonstrate progress toward meeting the specific actions for improvement in the target areas identified in the provider's approved improvement plan. The provider must have an approved probation progress report in place for at least 30 days prior to receiving an advance payment and for at least 30 days prior to offering VPK instruction for the program type for which the provider must

submit a probation progress report, as applicable. A VPK provider may submit a probation progress report any time after the Department of Education posts the preliminary readiness rates. The probation progress report shall provide information regarding the provider's progress in implementing its improvement plan approved under Rule 6M-8.700, F.A.C. The second or subsequent year probation progress report shall contain a description of strategies for improvement of the VPK program that includes the following:

(a) A list of target areas for the VPK provider's improvement per Rule 6M-8.700, F.A.C., and any additional areas a provider deems important to its improvement, including specifically:

1. Identification and description of the provider's use of an approved curriculum or a staff development plan in accordance with Section 1002.67(4)(c)2-3., F.S., including all associated program materials and professional development elements associated with the approved curriculum or staff development plan as described in paragraph 6M-8.700(1)(a) and (4), F.A.C.; and

2. Identification and description of the provider's action steps in the additional targeted area(s) as described in paragraph 6M-8.700(1)(b), F.A.C.

(b) A list of specific actions the VPK provider will take in the future for improvement of the targeted areas; and

(c) An implementation schedule or timeline for the VPK provider to implement any proposed actions.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(4)(c)2-3., 1002.75(3)(b) FS. History—New \_\_\_\_\_.

6M-8.702 Provider on Probation; Removal From Voluntary Prekindergarten Education Program Eligibility.

(1) Removal from Future Eligibility. Except when a provider receives a good cause exemption under Section 1002.69(7), F.S., an early learning coalition or school district, as applicable, shall remove a Voluntary Prekindergarten Education (VPK) Program provider from future eligibility to offer new VPK classes of the program type (school year or summer) for which the provider receives kindergarten readiness rates for the same program type (school year or summer) which fail to meet the minimum kindergarten readiness rates adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S., for three consecutive years. For the purpose of this rule, consecutive years has the same meaning as defined in subsection 6M-8.701(1), F.A.C.

(2) Letter of Removal to Private VPK Providers. Florida's Office of Early Learning shall notify the early learning coalition, in writing, to remove a private VPK provider from future eligibility to offer new VPK classes of the program type. The coalition shall then issue a Letter of Removal to the provider. The Letter of Removal shall be provided in writing, which may include electronic mail, within 30 days after the

decision on an application for good cause exemption by the State Board of Education, or, if no application was filed by the provider, within 30 days after the deadline to file a good cause exemption application has expired, with a copy to Florida's Office of Early Learning, at the following address: 250 Marriott Drive, Tallahassee, Florida 32399. A Letter of Removal shall contain the following provisions:

(a) Notice of the program type (school year or summer) for which the provider is ineligible;

(b) The date upon which the provider was deemed ineligible to offer the program type in the future;

(c) Notice of termination of any provider agreements, if applicable, under which the provider would have begun a new VPK class for the VPK program type for which the provider has been deemed ineligible;

(3) Notification of Removal to Public School VPK Providers. The Florida Department of Education shall notify the school district, in writing, to remove a public school VPK provider from future eligibility to offer new VPK classes of the program type and shall provide a copy of such notification to the early learning coalition.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(4)(c)4., 1002.75(3)(c) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephanie Savestanan, Policy Director, Florida's Office of Early Learning

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mel Jurado

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 2, 2012

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE NOS.:	RULE TITLES:
60L-39.0015	Definitions
60L-39.003	Statewide Steering Committee
60L-39.004	Eligibility Criteria for Participation by Charitable Organizations
60L-39.0041	Eligibility Criteria for Receipt of Tier One Undesignated Funds
60L-39.005	Application Procedures
60L-39.006	Department Duties and Responsibilities
60L-39.007	Appeals
60L-39.008	Local Steering Committees
60L-39.009	Campaign Supported Activities

PURPOSE AND EFFECT: The Department proposes revisions to the rule in order to clarify and align provisions with statutory authority. Chapter 2012-15, Laws of Florida, amends the FSECC statute (Section 110.181, F.S.) to require that all

employees who participate in the campaign must designate the participating charity(ies) which are to receive their donations, and to remove all references to "undesignated funds".

SUMMARY: Chapter 60L-39, F.A.C. needs to be amended to repeal the provisions related to the raising of undesignated funds; the process and form used to determine eligibility for charities to receive undesignated funds; and the allocation of undesignated funds. In its place, the revised rule proposes a uniform method by which agency sponsored events can be used to raise "designated" funds; updates program terminology; and provides for use of new pledge forms.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 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 \$1 million dollars in the aggregate within 5 years after the implementation of the rule. For these reasons, a SERC has not been prepared by the agency and legislative ratification is not required.

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

RULEMAKING AUTHORITY: 110.181(3) FS.

LAW IMPLEMENTED: 110.181 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: Wednesday, November 28, 2012, 9:00 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, 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 48 hours before the workshop/meeting by contacting: Ms. Erin S. Thoresen at (850)922-1274 or by email at Erin.Thoresen@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ms. Erin S. Thoresen at (850)922-1274 or by email at Erin.Thoresen@dms.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

FLORIDA STATE EMPLOYEES' CHARITABLE CAMPAIGN

60L-39.0015 Definitions.

(1) The following definitions apply to this rule chapter:

(a) Activities. For purposes of applying Section 110.181(1)(h)2, F.S., this term means the specific pursuit of actions of by the charitable organization in providing terms of the services provided through its charitable work. This term phrase does not refer to internal structure or membership of the charitable organization.

(b) Campaign. The Florida State Employees' Charitable Campaign, as set forth in Section 110.181, F.S., and Rule Chapter 60L-39, F.A.C.

(c) Campaign Brochure. The compiled listings and descriptions of all approved charitable organizations to which employees may contribute ~~and which may vary in content by fiscal agent area.~~

(d) Campaign Cycle. A time period that begins with the March 1 Form DMS-ADM-100 (rev. 03/10) application deadline for participation in a given fundraising drive and concludes at the end of the following calendar year ~~after one~~ all payroll deductions have been collected and distributed for that drive.

(e) Charitable Organization. A non-profit entity as defined in Section 496.404(1), F.S., that is properly registered as a charitable organization pursuant to Section 496.405, F.S., or an entity that is the umbrella group for such entities.

(f) Completed Application. A Form DMS-ADM-100 (rev. 03/10) Application for Participation, ~~or Form DMS-ADM-102 (rev. 03/10)~~ on which charitable organizations have provided the requested information for every applicable question and data field, including the required supporting documentation.

(g) Designated Funds. Monies contributed by employees in the form of cash, checks, or recurring payroll deductions that, pursuant to Section 110.181(1)(b), Florida Statutes, are designated Those contributions which the employees designates to specific charitable organizations from among the list of charitable organizations approved for participation in the campaign in the FSECC.

~~(h) Direct Services. Specific activities performed by a charitable organization in a the local fiscal agent area that provides an identifiable benefit to one or more residents within the fiscal agent area or to an entity that provides identifiable benefits to the residents of that fiscal agent area.~~

(h)(†) Fiscal Agent. An entity selected by the Department of Management Services through the competitive procurement process and placed under contract to administer the receipt of,

accounting for and distribution of the charitable contributions to the participating charitable organizations and to perform other appropriate administrative services as negotiated through contract.

~~(i)(†) Fiscal Agent Area. A geographic region of the state defined by the Department as designated in Form DMS-ADM-102 (rev. 03/10) for administrative convenience in managing and used to administer the contracted services provided by the through local fiscal agents.~~

~~(j)(†) Fraternal. Relating or belonging to a fraternity or an association of persons formed for mutual aid and benefit, but not for profit.~~

~~(k)(4) Incidentally. Of a minor or subordinate nature to a charitable organization's charitable activities.~~

~~(l)(m) Independent Unaffiliated Agency. A charitable organization which is not an umbrella group or a member of any umbrella group.~~

~~(m)(n) International Service Agency. A charitable organization with any programs outside the United States.~~

~~(o) Local Fiscal Agent. An entity or entities with whom the Fiscal Agent may contract to manage the campaign and receive, account for and distribute charitable contributions among participating charitable organizations in a specific fiscal agent area.~~

~~(n)(p) National Agency. An umbrella group or an affiliated member of an umbrella group serving basic human or environmental needs inside the United States. This definition excludes any charitable organization that is a member or affiliate of the United Way of Florida, Inc.~~

~~(o)(q) Political. Relating to a national or state political party or any organization, explicitly calling for or attempting to influence the election or defeat of a particular candidate or issue within a specific election or relating to an organization engaged in lobbying as defined in Section 11.045(1)(f), F.S.~~

~~(p)(r) Primarily. Chiefly, principally or mainly as it relates to the activities of the charitable organization and not its internal structure or membership.~~

~~(q)(s) Professional. Relating to an occupation requiring considerable training and specialized study which is subject to an association, the purpose of which is to promote a common business interest and to improve business conditions in one or more lines of business, e.g., law, medicine or engineering, not to engage in a regular business of a kind ordinarily carried on for profit.~~

~~(r)(t) Religious. Relating to religion as practiced by any church, ecclesiastical or denominational organization with an established physical place where religious worship is regularly conducted.~~

~~(s)(u) Statewide Steering Committee. The Steering Committee established in Section 110.181(4), F.S.~~

~~(v) Tier One Undesignated Funds. Those contributions for which employees did not designate a specific charitable organization and which are distributed by the Statewide Steering Committee on a pro rata basis pursuant to Section 110.181(2)(e), F.S.~~

~~(w) Tier Two Undesignated Funds. Those monies remaining after Tier One distribution of undesignated funds and which are distributed by the local steering committees, pursuant to Section 110.181(2)(e), F.S.~~

~~(1)(x) Umbrella Group. An entity that is a federated fundraising organization as defined in Section 496.404(10), F.S.~~

(2) All other terms shall have their commonly understood meaning.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-23-07, Amended 5-16-10, \_\_\_\_\_

60L-39.003 Statewide Steering Committee.

(1) through (5) No change.

~~(6) The Statewide Steering Committee shall review all Form DMS-ADM-102 (rev. 03/10) applications for receipt of Tier One undesignated funds before January 31 of each campaign cycle and recommend approval or denial on the basis of compliance with the established criteria, completeness, and timely submission.~~

~~(6)(7)~~ If needed for purposes of recommending an action to the Department, the Statewide Steering Committee may request clarification of any information provided by a charitable organization which has filed a completed application. If requested, umbrella groups shall provide contact information for member organizations with whom the Statewide Steering Committee may wish to correspond directly. In order to be considered, the requested clarification shall be submitted to the Department within five business days of the receipt of the Committee's request. Submitted means electronically submitted or postmarked no later than 11:59 p.m. on the fifth business day.

~~(7)(8)~~ The Statewide Steering Committee shall recommend to the Department approval or denial of any reviewed Form DMS-ADM-100 (rev. 03/10) application ~~and Form DMS-ADM-102 (rev. 03/10) application.~~

~~(8)(9)~~ The Statewide Steering Committee shall ensure that campaign brochures and materials, whether produced by the Department or the fiscal agent, treat all participating charitable organizations equally and fairly and conform to the following:

(a) Campaign brochures shall provide the same type, size, and color print for all participating charitable organizations.

(b) ~~The~~ Campaign brochures in each fiscal agent area shall group charitable organizations by their respective umbrella group into separate sections of the brochure. The order of the umbrella groups shall be alphabetical. The individual charities that comprise an umbrella group shall be listed in alphabetical order within the umbrella group listing,

except that the umbrella group itself will be listed first, if applicable. Independent unaffiliated agencies shall be grouped together alphabetically as one listing and appear as the last section of the brochures. Electronic brochures that provide search functions to allow employees to find specific charities shall use search criteria established by the Department.

~~(c) A campaign brochure that is specific to a geographic area shall not list both the state or national charitable organization and its local affiliate or other subunit.~~

~~(c)(d)~~ In cases where a charitable organization has submitted more than one application, such charitable organization shall be listed under the United Way, if applicable. ~~Otherwise, their listing in the brochure shall be determined on the basis of the approved application which was received by the Department first. In no case shall a charitable organization be given a dual listing in the same campaign brochure~~ except that organizations belonging to more than one umbrella group may apply under each of their umbrella groups and, if approved, shall be listed under each applicable umbrella group. Campaign brochures may include both state or national and local affiliates to ensure that employees have the opportunity to contribute to all levels of the charitable organization that were individually approved to participate in the campaign.

~~(d)(e)~~ Campaign brochures shall include the words Florida State Employees' Charitable Campaign and the official FSECC logo ~~on the front cover.~~

~~(e)(f)~~ Campaign brochures shall exclude any ~~local~~ fiscal agent logo and slogan that is not unique to the campaign. ~~The local fiscal agents shall be identified in their respective campaign brochures only by their designated fiscal agent code, the counties they serve or both.~~

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-6-02, Amended 3-5-04, 1-9-05, 2-13-06, 1-23-07, 5-16-10, \_\_\_\_\_

60L-39.004 Eligibility Criteria for Participation by Charitable Organizations.

(1) For purposes of ensuring compliance with the eligibility criteria of Sections 110.181(1)(c)-(h), F.S., charitable organizations are subject to the following:

(a) Charitable organizations with fundraising and administrative expenses in excess of 25% shall provide justification to demonstrate extraordinary circumstances beyond the charitable organization's control such as unexpected destruction of facilities due to severe weather, fire, or similar events. Such circumstances do not include reduced fundraising or investment revenues, or increased administrative or fundraising expenses that have arisen as a consequence of the organization's operational decisions.

(b) Religious charitable organizations which provide services described in Section 110.181, F.S., shall not be excluded because of religious viewpoint.

(c) Organizations which comply with all applicable state and federal nondiscrimination laws shall be deemed in compliance with Section 110.181(1)(h)3., F.S.

(d) Organizations which are required to register pursuant to the Solicitation of Contributions Act, Chapter 496, F.S., shall have a registration number that is valid on March 1, of the application year.

(e) Organizations which are duly registered under section 501(c)(3), Internal Revenue Code, shall be deemed in compliance with Section 110.181(1)(h)5., F.S.

(2) ~~The Department may disqualify~~ ~~Once approved for participation,~~ any approved charitable organization ~~may be disqualified by majority vote of the Steering Committee~~ for:

(a) Failing to maintain eligibility for participation in the campaign, if such failure occurs prior to publication of the campaign brochure; or,

(b) Filing an application to participate in the FSECC that contains false or misleading information that is material to the applicant's eligibility.

(3) Pursuant to federal law, ~~participating~~ charitable organizations ~~that are shall not be~~ on the list of persons and entities designated under Executive Order 13224, the United States Treasury Department's "master list" of specially designated nationals and blocked persons, ~~or and~~ the United States State Department's list of foreign terrorist organizations ~~shall not be eligible to participate in the campaign~~. In addition, participating charitable organizations shall certify that they are in compliance with all statutes (including prohibitions against terrorism as defined in 18 U.S.C. §2331), Executive orders, and regulations restricting or prohibiting U.S. persons from engaging in transactions and dealings with countries, entities, or individuals subject to economic sanctions administered by the U.S. Department of the Treasury's Office of Foreign Assets Control.

(4) An Independent Unaffiliated Agency shall be deemed to be providing services throughout the year and throughout the state in accordance with Section 110.181(1)(d), F.S., if they demonstrate that their services were provided every month of the calendar year and in every fiscal agent area.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-6-02, Amended 1-23-07, 5-16-10, \_\_\_\_\_.

60L-39.0041 Eligibility Criteria for Receipt of Tier One Undesignated Funds.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 5-16-10, Repealed \_\_\_\_\_.

60L-39.005 Application Procedures.

(1) Application for annual participation in the FSECC shall be submitted no later than March 1 of each year on Form DMS-ADM-100 (rev. 03/10), Application for Participation in the Florida State Employees' Charitable Campaign, effective 5-16-10, which is hereby incorporated by reference. This form

shall be available upon request and on the Department's website: [www.dms.myflorida.com/fsecc](http://www.dms.myflorida.com/fsecc) ~~http://dms.myflorida.com/human\_resource\_support/human\_resource\_management/for\_state\_personnel\_system\_employees/state\_employees\_charitable\_campaign~~ and upon request.

(a) Electronic applications shall be submitted to the electronic address specified by the Department on the application form by 11:59 p.m. (Eastern Time), on March 1.

(b) In the event the application form and supporting documentation are submitted as a paper package, the submission must be postmarked by March 1.

(c) An umbrella group may submit applications on behalf of its members.

(d) Each charitable organization shall document administrative expenses, fundraising expenses and total revenue, as follows:

1. Each charitable organization required to file IRS Form 990 shall submit a copy of the applicable pages of its most recently filed IRS Form 990, in accordance with the instructions for completing the Form DMS-ADM-100 (rev. 03/10) application, provided that such IRS Form 990 is for a fiscal period ending not more than 24 months prior to March 1.

2. Charitable organizations ~~that which~~ are not required to file an IRS Form 990 or ~~that which~~ file an IRS Form 990 EZ or an IRS Form 990 PF shall submit a copy of the applicable pages of an IRS Form 990 ~~and shall submit these pages~~ with their application, in accordance with instructions on the Form DMS-ADM-100 (rev. 03/10).

~~(2) Application for Receipt of Tier One Undesignated Funds, pursuant to Section 110.181(2)(c), F.S., shall be made on Form DMS-ADM-102 (rev. 03/10), Direct Local Services Certification Form, effective 5-16-10, which is hereby incorporated by reference. This form shall be available on the Department's official website: http://dms.myflorida.com/human\_resource\_support/human\_resource\_management/for\_state\_personnel\_system\_employees/state\_employees\_charitable\_campaign~~ and upon request.

~~(a) In order to be considered for the receipt of Tier One undesignated funds, umbrella groups, on behalf of their member agencies, and all independent unaffiliated agencies shall annually submit completed Form DMS-ADM-102 (rev. 03/10) applications to the electronic address specified by the Department on the application form by 11:59 p.m. (Eastern Time), on October 1 of the campaign year for which they have been approved to participate.~~

~~(b) In the event the application and any applicable supporting documentation is submitted as a paper package, the submission must be postmarked by October 1.~~

~~(2)(3) The Statewide Steering Committee shall only consider complete applications for inclusion in the Campaign or for the receipt of Tier One undesignated funds. Incomplete applications shall be deemed denied without further action from the Statewide Steering Committee.~~

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-1-02, Amended 3-5-04, 1-9-05, 2-13-06, 1-23-07, 5-16-10, \_\_\_\_\_

60L-39.006 Department Duties and Responsibilities.

(1) The Department shall be responsible for effectively and efficiently administering the Campaign by procuring, through the competitive bid process, a fiscal agent who, in accordance with a service contract, shall:

(a) Provide state level coordination of the campaign and ~~oversee the activities of local fiscal agents, which~~ receive, account for, and distribute designated funds to the applicable ~~charitable contributions among~~ participating charitable organizations;

(b) Select, train and partner with local steering committees ~~comprised~~ composed of state employees in the fiscal agent area to assist in conducting the campaign ~~and to direct the distribution of Tier Two undesignated funds.~~

(c) Train agency coordinators and volunteers in the methods of non-coercive solicitation;

(d) Honor employee designations;

(e) Help to ensure that no employee is coerced or questioned as to the employee’s designation or its amount, other than for arithmetical inconsistencies;

(f) Respond in a timely and appropriate manner to inquiries from employees, participating charitable organizations, umbrella groups or the Statewide or Local Steering Committees;

~~(g) Distribute Tier One undesignated funds awarded by the Statewide Steering Committee to participating charitable organizations in the same percentage as the designated funds received by those participating charitable organizations.~~

~~(h) Distribute Tier Two undesignated funds awarded by the local steering committees to appropriate charitable organizations in the campaign;~~

~~(g)(i) Distribute campaign funds to participating charitable organizations based on a schedule agreed upon through the fiscal agent contract, but on no less than on at least a quarterly basis. If a local fiscal agent’s prior year’s collections from the FSECC fall below the prior year’s median raised by all local fiscal agents (an amount to be determined by the state fiscal agent by calculating the median amount raised by all local fiscal agents), the local fiscal agent is authorized to make distributions on a less than quarterly basis, so long as all distributions are made within the funding year;~~

~~(h)(i)~~ Withhold the reasonable costs for conducting the campaign and for accounting and distribution to the participating charitable organizations. These costs shall be shared proportionately by the participating charitable organizations based on their percentage share of the gross campaign;

~~(i)(k)~~ In cases where the ~~local~~ fiscal agents ~~hosts~~ events on behalf of the campaign, ensure that an invitation to attend is extended to all charitable organizations approved for

participation in the campaign. ~~Local~~ The fiscal agents may invite charitable organizations that are members of an umbrella group by extending the invitation to their respective umbrella group;

~~(j)(4)~~ Perform other services or duties assigned by the Department.

(2) through (3) No change.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-6-02, Amended 3-5-04, 1-9-05, 2-13-06, 1-23-07, 5-16-10, \_\_\_\_\_

60L-39.007 Appeals.

(1) Charitable organizations that have been notified of their ineligibility to participate in the campaign ~~or to receive pro rata Tier One undesignated funds~~ may appeal within seven working days after the receipt of the notice of ineligibility.

(2) Charitable organizations or their respective umbrella group may not introduce new material designed to complete an application during the appeal process. This provision is established specifically to preclude the use of the appeal process to expand the time available to assemble a complete application by the required deadlines.

(3) All appeals for participation in the campaign shall be concluded by June 30 to allow timely publication of authorized participating charitable organizations in the FSECC brochures.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 1-6-02, Amended 3-5-04, 5-16-10, \_\_\_\_\_

60L-39.008 Local Steering Committees.

(1) By May 1 of each year, the fiscal agent shall forward to the Statewide Steering Committee for approval a list of the names, employing agencies and recommending entities of all state employees nominated for local steering committee membership. If, in the assessment of the fiscal agent, the total number of recommendations in a particular fiscal agent area would make the size of the local steering committee unmanageable, the fiscal agent shall advise the Statewide Steering Committee which of the total number of recommended state employees it wishes to select for local steering committee membership;

(a) If, after the above referenced list has been approved, a local steering committee wishes to add or substitute state employees to carry out its responsibilities, the fiscal agent shall forward to the Statewide Steering Committee such changes for their review and approval.

(b) Resignations of state employees from the local steering committees do not require the approval of the Statewide Steering Committee.

(2) Local steering committees shall, with the assistance of the ~~local~~ fiscal agent, notify participating charitable organizations of the name and contact information of the local steering committee chairperson and members. The local steering committee shall ensure public access to all local steering committee meetings. ~~For meetings during which Tier~~



~~Two undesignated funds will be discussed, the local steering committee shall, with the assistance of the local fiscal agent, ensure a minimum of a two-week notice is provided to participating charitable organizations or their respective umbrella group, if applicable. Such notice shall include a posting on the Department's official website.~~

~~(3) When practicable, charitable organizations seeking a distribution of Tier Two undesignated funds may submit written materials in support of their request to the local steering committee in advance of any meeting at which distribution of Tier Two undesignated funds will be determined. All charitable organizations approved for participation in the current year's campaign are eligible for consideration for the receipt of Tier Two undesignated funds.~~

~~(4) Upon determination of the charitable organizations that will receive Tier Two undesignated funds and the respective amounts to be distributed, each local steering committee shall document the charitable organizations selected, the amount awarded to them and the rationale for those decisions.~~

~~(5) Any local steering committee member shall disclose any affiliation with a participating charitable organization at the onset of any meeting during which distribution of Tier Two undesignated funds will be discussed.~~

~~(6) The decisions of local steering committees regarding distribution of Tier Two undesignated funds may be reviewed by the Statewide Steering Committee for abuse of discretion. Any charitable organization that wishes to request a review by the Statewide Steering Committee shall submit a request in writing to the Department, which outlines the factual basis for review, within seven business days of the local steering committee's determination. The Statewide Steering Committee shall convene to consider any request for review and shall recommend appropriate action to the Department.~~

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 5-16-10, Amended \_\_\_\_\_

#### 60L-39.009 Employee Contributions and Campaign Events Supported Activities.

(1) The FSECC shall be the only workplace charitable fundraising program in state government that receives official state coordination and support at any given time, as provided in Section 110.181(1)(a), Florida Statutes.

(2) Contributions shall be made only by public officials and employees and shall be entirely voluntary and designated to charitable organizations approved for inclusion in the campaign, pursuant to Section 110.181(1)(b), Florida Statutes.

(3) The primary method for employees to contribute designated funds shall be through recurring payroll deductions pledged for a specific calendar year or through a lump sum, one-time cash or check contribution in lieu of payroll deductions. Such pledged payroll deductions or one-time cash or check contribution shall be made on a Form DMS-ADM-103, FSECC Payroll Deduction Authorization or

Lump Sum Gift Designation, effective xx-xx-xxxx, which is hereby incorporated by reference. This form shall be available upon request and on the Department's website: [www.dms.myflorida.com/fsecc](http://www.dms.myflorida.com/fsecc).

~~(4)(2) Agencies are also authorized to sponsor campaign voluntary events during work hours to raise awareness of the campaign, generate funds, and promote use of payroll deductions payroll pledges. The agency head or designee shall approve such activities and shall ensure that:~~

~~(a) No employee is coerced to participate or otherwise singled out for not participating in campaign events or declining to contribute or pledge funds;~~

~~(b) Workplace events benefit the FSECC as a whole and do not target any particular participating charity(ies); and~~

~~(c) In order to be considered work time, the resultant absence of employees from their workstations is not detrimental to operations, does not require travel away from the official worksite and does not impose significant potential for injury. Otherwise, the agency head shall determine if participation in a campaign event. The duration of the employees' absence from their work station, whether or not travel outside of the workplace facilities is necessary, and any significant potential for injury are considered before determining whether participation in a workplace event shall constitute work time, or shall require the use of accrued leave or leave without pay, in accordance with Chapter 60L-34, F.A.C.~~

~~(5) For agency sponsored campaign events used to generate designated funds through cash or check donations for a specified campaign cycle, the agency head or designee shall ensure that:~~

~~(a) Employees contribute their designated cash or check donations at or prior to such events;~~

~~(b) Employees designate their contribution on a Form DMS-ADM-104, FSECC Special Event Designation, effective xx-xx-xxxx, which is hereby incorporated by reference. This form shall be available upon request and on the Department's website: [www.dms.myflorida.com/fsecc](http://www.dms.myflorida.com/fsecc);~~

~~(c) Cash or check donations that are designated funds for the charities are segregated from any payment the employee is required to make to offset the cost of participation in the campaign event such as registration fees, greens fees for golf tournaments, and fees used to cover the cost of supplies or other overhead costs;~~

~~(d) The agency submits to the fiscal agent, pursuant to the timelines established for that year's campaign, all designated cash and check donations received in connection with that particular event, the corresponding Form DMS-ADM-104 for each donation, and a summary of the total funds submitted.~~

~~(6) To minimize administrative costs associated with processing designated donations, the minimum amount that may be designated by an employee to a charity is five dollars (\$5.00).~~

(7) Employees who make contributions by check shall make the check payable to the Florida State Employees' Charitable Campaign or FSECC and not their designated charity(ies).

(8) The agency or agency designee shall ensure that all the lump sum, one-time contributions that are made in lieu of payroll deduction and all the corresponding Forms DMS-ADM-103 completed by employees are collected and submitted to the fiscal agent pursuant to the timelines established for that year's campaign.

(9) Pursuant to Florida Commission on Ethics Opinion CEO 06-15, private entities or individuals not employed by the State of Florida may contribute monies or in-kind donations such as door prizes or meals through the fiscal agent for the express purpose of supporting agency efforts to generate interest and participation in the campaign. Such entities may not make any donation to the charitable organizations approved for inclusion in the campaign, inasmuch as the purpose of the FSECC is to direct charitable fundraising towards state employees, as provided in Section 110.181(1), F.S.

(10)(3) Campaign Workplace events at Department managed facilities shall be pre-authorized by and coordinated with the Division of Real Estate Development and Management, pursuant to Chapter 60H-6, F.A.C.

(11)(4) Time spent by employees who the agency has assigned to coordinate, communicate, or provide training related to the campaign, or who attend training or events held to recognize their role or contribution to the campaign, shall be considered work time.

(12)(5) Participating charities may attend agency sponsored ~~any workplace~~ campaign events; however, agencies ~~charitable organizations~~ shall not permit, plan, or conduct distribution or display of any materials, solicitation, or services of any specific charity within State facilities as part of the campaign.

(13)(6) Charitable organizations are permitted to publicize their activities and solicit employee participation in the FSECC through the news media or other private outlets outside State facilities. Charitable organizations seeking to raise funds shall not contact employees at the work place for any purpose related to fundraising. However, the fiscal agent may contact employees or distribute approved campaign materials solely for the purpose of performing fiscal agent duties.

Rulemaking Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 5-16-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Sharon D. Larson, Director, Division of Human Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Scott Stewart, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 13, 2012

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE NOS.:	RULE TITLES:
64B1-2.001	Biennial Renewal Fee
64B1-2.004	Application Fee
64B1-2.011	Initial Biennial License Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the Biennial Renewal Fee requirements; The Board proposes the rule amendment to modify the fee requirements for the Application Fee; The Board proposes the rule amendment to modify the fee requirements for the Initial Biennial License Fee.

SUMMARY: The rule amendments will reduce the Biennial Renewal Fee; the Initial Biennial License Fee, and the Application Fee.

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: 456.013, 457.104, 457.107, 457.108, 457.1085 FS.

LAW IMPLEMENTED: 456.013, 456.033, 457.107, 457.108, 457.1085, 457.109 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-2.001 Biennial Renewal Fee.

(1) The biennial renewal fee for an active license shall be ~~\$275.00~~ **\$300.00**.

(2) The biennial renewal fee for an inactive license shall be \$150.00.

Rulemaking Specific Authority 456.036(3), 457.104, 457.107(1), 457.108(2) FS. Law Implemented 456.036(3), 457.107(1), 457.108(2) FS. History—New 4-5-84, Amended 11-19-85, Formerly 21AA-2.01, Amended 12-21-87, 7-16-89, Formerly 21AA-2.001, 61F1-2.001, Amended 10-25-95, Formerly 59M-2.001, Amended 5-8-00, 9-23-03, \_\_\_\_\_.

64B1-2.004 Application Fee.

The application fee shall be ~~\$200.00~~ **\$300.00**.

Rulemaking Specific Authority 457.104, 457.105(2)(d) FS. Law Implemented 457.105(2)(d) FS. History—New 8-8-84, Amended 11-19-85, Formerly 21AA-2.04, Amended 12-21-87, Formerly 21AA-2.004, 61F1-2.004, 59M-2.004, Amended \_\_\_\_\_.

64B1-2.011 Initial Biennial License Fee.

The initial biennial license fee shall be ~~\$200.00~~ **\$400.00** for those who are licensed during the first half of the biennial period. For those who are certified during the second half of the biennial period, the initial certification fee shall be \$200.00.

Rulemaking Specific Authority 457.104, 457.105(2)(d) FS. Law Implemented 457.105(2)(d) FS. History—New 5-12-87, Amended 12-21-87, Formerly 21AA-2.011, Amended 10-17-93, Formerly 61F1-2.011, 59M-2.011, Amended 4-7-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Acupuncture

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 10, 2012

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

**DEPARTMENT OF CITRUS**

RULE NO.: 20-82.004  
RULE TITLE: Adjustment of Minimum Total Soluble Solids Requirements

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 34, August 24, 2012 issue of the Florida Administrative Register. The Department published a Notice of Change on October 1, 2012 and inadvertently included Rule 20-82.004 in that notice. Rule

20-82.004 was not included in the proposed rule published on August 24, 2012. On November 1, 2012, a notice of change was published correcting this mistake. However, the wrong rule number was listed in the body of the notice.

**DEPARTMENT OF CORRECTIONS**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 35, August 31, 2012 issue of the Florida Administrative Register.

The correction is in response to comments by the Joint Administrative Procedures Committee in a letter dated September 28, 2012. At subsection (8)(1)3., in the fifth sentence, it should state “on Form DC6-210”.

**DEPARTMENT OF CORRECTIONS**

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

**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. 35, August 31, 2012 issue of the Florida Administrative Register.

The corrections are in response to comments by the Joint Administrative Procedures Committee in a letter dated September 28, 2012. The corrections are as follows:

At subsection (3), the reference to (3)(n)2.e. shall be changed to (8)(n)2.e.

Rule 33-602.210(3)(c) shall read as:

(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. The fact that the footage is taken through a window or at a sufficient distance is to keep communication between the inmate and medical staff confidential and to ensure that only the minimum amount of protected health information, e.g., visible injuries or the lack therefore, etc., is disclosed. 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.

Rule 33-602.210(8)(d) shall read as:

(d) Any accidental or incidental discharge of a chemical agent by a staff member within any institution shall be reported on Form DC6-210, Incident Report.

At subsection (8)(p)8., the reference to subparagraph (3)(a)13. shall be changed to (9)(h).

Rule 33-602.210(8)(p)10.a. shall read as:

a. Form DC4-701C, Emergency Room Record.

At subsection (10), the effective date of Form DC6-232 shall be changed to 9-99.

Rule 33-602.210(11)(d) shall read as:

(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. Requests for extensions for submission of DC6-230s beyond eleven (11) days may be granted if required staff is unavailable for signatures due to extended leave or similar circumstances, e.g., a staff member was injured in the use of force, etc., and major incidents occurring at the institution necessitate an extension, e.g., a riot or other major disturbance, nature disaster evacuation, etc.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.:	RULE TITLE:
61G19-6.0035	Application for Provisional and /or Standard Certification.
61G19-6.015	Inactive Status

**NOTICE OF CORRECTION**

Notice is hereby given that the above-referenced rules were published in the Florida Administrative Register in Vol. 38, No. 49, on October 12, 2012, with the incorrect Summary of Statement of Estimated Regulatory Costs and Legislative Ratification. The correct language should read as follows:

**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 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.

In addition, the Name of the Agency Head Who Approved the Proposed Rule should be corrected to state:

Building Code Administrators and Inspectors Board.

In Rule 61G19-6.015, the Law Implemented citation of Section 468.4338, F.S., shall be corrected to cite Section 455.271(1), F.S.

These changes do not affect the substance of the proposed rule amendments.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.:	RULE TITLE:
61G19-10.001	Application, Examination, Certification and Renewal

**NOTICE OF CORRECTION**

Notice is hereby given that the above-referenced rule was published in the Florida Administrative Register in Vol. 38, No. 41, on October 2, 2012, with the incorrect Summary of Statement of Estimated Regulatory Costs and Legislative Ratification. The correct language should read as follows:

**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 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.

This change does not affect the substance of the proposed rule amendment.

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-138.001               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. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-143.045               Definitions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-149.003               Rate Filing Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-164.030               Application of Rule 690-164.020,  
  F.A.C., to Various Product Designs.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-170.012               Sinkhole Insurance

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
690-198.003               License Required

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Register.

The Date and Time currently reads: October 23, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

The Date and Time should be changed to read: December 11, 2012 at 9:00 a.m., during a regular meeting of the Financial Services Commission.

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On October 15, 2012 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Amazon Forest located in Coral Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Petition for this variance was published in Vol. 38/55 on October 22, 2012. The Order for this Petition was signed on October 29, 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 the wastewater holding tank for the handwash and three-compartment sinks is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks are provided with hot and cold running water under pressure; the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On October 17, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from Ryan's Meat Market & Deli located in St. Petersburg. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within another adjacent establishment for use by customers only.

The Petition for this variance was published in Vol. 38/55 on October 22, 2012. The Order for this Petition was signed on October 29, 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 the bathrooms located within Tutor Works are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Tutor Works changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 30, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Owens Corning. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 8.7.2.11.5, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators door restrictors 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 (VW2012-354).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 30, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from The Kitchen located in Largo. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under the same ownership for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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## Section VI

### Notices of Meetings, Workshops and Public Hearings

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, November 13, 2012, 1:30 p.m. – 2:30 p.m.

PLACE: Please Call: (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

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.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2012, 10:00 a.m.

PLACE: Valencia Community College, Criminal Justice Institute-Auditorium, 8600 Valencia College Lane, Orlando, Florida 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: Lori Morea at 850-410-8625 or e-mail at lorimorea@fdle.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Morea at 850-410-8625 or e-mail at lorimorea@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lori Morea at 850-410-8625 or e-mail at lorimorea@fdle.state.fl.us

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WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2012, 9:00 a.m.

PLACE: Perry Holiday Inn Express Hotel & Suites, 601 Everett Way, Perry, Florida, 32348

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to consider District business and conduct public hearings on regulatory, real estate, and other various matters. A tour of Buckeye Florida L.P will follow the Board meeting.

November 16, 2012, 8:30 a.m. – Governing Board Workshop will be held at Fiddler's Restaurant, 1306 SE Riverside Drive, Steinhatchee, FL, 32359.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at 386-362-1001 or 800-226-1066 (Florida only) or on the District's website at www.mysuwanneeriver.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: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: November 13, 2012, 1:00 p.m.

PLACE: District headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will occur regarding the potential disposition of surplus lands.

A copy of the agenda may be obtained by contacting: Richard Rocco at 386-362-1001

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: Richard Rocco at (386) 362-1001. 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: Pennie Flickinger at (386) 362-1001.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, November 13, 2012; 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Industrial and Public Supply Advisory Committee meeting: To discuss committee business. 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 at 1(800)423-1476 (FL only) or (352)796-7211, x4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Debby.Weeks@watermatters.org 1(800)423-1476 (FL only) or (352)796-7211, x4751 (Ad Order EXE0233)

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, November 13, 2012; 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: FARMS Workgroup Meeting: To discuss potential revisions to contracts related to the Facilitating Agricultural Resource Management System program. 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 at 1(800)423-1476 (FL only) or (352)796-7211, x4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Debby.Weeks@watermatters.org 1(800)423-1476 (FL only) or (352)796-7211, x4751 (Ad Order EXE0234).

#### WATER MANAGEMENT DISTRICTS

##### South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2012, 9:00 a.m.; Regular Business Meeting

PLACE: Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406.

All or part of the meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, 561-682-2087 or at <https://www.swfwmd.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jacki McGorty, 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).

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 at 561-682-2087 or [jmcgorty@swfwmd.gov](mailto:jmcgorty@swfwmd.gov).

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Veterinary Medicine

The Board of Veterinary Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2012, 8:00 a.m.

PLACE: Residence Inn Amelia Island Hotel, 2301 Sadler Road, Fernandina Beach, FL 32034; (904) 277-2440.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850) 717-1399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850) 717-1399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850) 717-1399.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: November 13, 2012, 9:00 a.m.

PLACE: 3900 Commonwealth Blvd, Douglas Building, Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: "The Department will request approval for adoption on its proposed revisions to Chapter 62-302 (Surface Water Quality Standards), which establish numeric nutrient criteria for total nitrogen, total phosphorus, and chlorophyll a for the following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrew Bay, St. Joseph Bay, and Apalachicola Bay. The Division of Environmental Assessment and Restoration will also provide a briefing on the Triennial Review of Florida's water quality standards, which includes revisions to the human health-based water quality criteria and the Dissolved Oxygen criteria."

A copy of the agenda may be obtained by contacting: Kay Buchanan, (850)245-2293, by email: kay.buchanan@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: Kay Buchanan, (850)245-2293, by email: kay.buchanan@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).

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: Kay Buchanan, (850)245-2293.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: November 10, 2012, 11 a.m.

PLACE: Front Street Park, 2210 Front Street, Melbourne, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public presentation of the Central and North Indian River Lagoon Basin Management Action Plans. The presentation is given as part of the Indian River Lagoon Day celebration at Front Street Park in Melbourne under the "Meet the Experts Tent". The presentation will cover the importance of seagrasses in the Indian River Lagoon and how to reduce nutrient loadings to protect them. The Department will also have a booth at the event containing a display about the basin management action plans. Total Maximum Daily Loads for the Central and North Indian River Lagoons were adopted in March 2009 and require reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth limit targets.

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

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

#### DEPARTMENT OF HEALTH

##### Board of Massage

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, November 15, 2012, at 2:45 p.m. EST.

PLACE: (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 at (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 at (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.

#### DEPARTMENT OF HEALTH

##### Board of Medicine

The Board of Medicine – Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012, 9:00 a.m.

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135.

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: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135. 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

Board of Medicine

The Board of Medicine – Finance & Process Accountability Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012, 12:00 noon.

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Rebecca Hewett at [Rebecca\\_Hewett@doh.state.fl.us](mailto:Rebecca_Hewett@doh.state.fl.us) or call (850)245-4131 ext. 3517

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: Rebecca Hewett at [Rebecca\\_Hewett@doh.state.fl.us](mailto:Rebecca_Hewett@doh.state.fl.us) or call (850)245-4131 ext. 3517. 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 HEALTH

Board of Medicine

The Board of Medicine – Physician Assistants Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012, 1:00 p.m.

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the

Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135

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: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135. 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 HEALTH

Board of Medicine

The Board of Medicine – Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012 immediately following the Surgical Care/Quality Assurance Committee

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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 at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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.

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DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Communication, Education & Information Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012 immediately following the Rules/Legislative Committee.

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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 at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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.

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DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 29, 2012, 4:00 p.m.

PLACE: Peabody Orlando, 9801 International Drive, Orlando, Florida 32819. Hotel phone: (407) 352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee

meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850) 245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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 at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (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.

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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: Tuesday, November 13, 2012, 2:00 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 at (727)373-7842

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: Stephanie Allen at (727)373-7842. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2012, 1:30 p.m.

PLACE: Pasco Sheriff's CPID Office, 7601 Little Road, Suite 100, New Port Richey, FL 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pasco Community Alliance Business

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727) 373-7842.

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: Stephanie Allen at (727)373-7842. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services

The Broward Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2012; 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Broward 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: Miriam Rosario at (561) 837-5022 or Taddese Fessehaye at (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: Miriam Rosario at (561) 837-5022 or Taddese Fessehaye at (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: Miriam Rosario at (561) 837-5022 or Taddese Fessehaye at (407) 317-7335.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services

The Palm Beach Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 16, 2012, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (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: Miriam Rosario at (561) 837-5022 or Taddese Fessehaye at (407) 317-7335.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2012, 1:30 p.m. to 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 at (904) 726-1540 or Taddese Fessehaye at (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 at (904)726-1540 or Taddese Fessehaye at (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 at (904) 726-1540 or Taddese Fessehaye at (407) 317-7335.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services

The Department of Children and Family Services, Refugee Services Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2012, 10:00 a.m.  
PLACE: Conference Call: 1-882-670-3525, Participant Code: 8149089794

GENERAL SUBJECT MATTER TO BE CONSIDERED: The solicitation conference call for the Request for Proposal for Customer Survey and Evaluation of Comprehensive Refugee Services in Orange, Osceola, and Seminole Counties (RFP # 10K12BS1), as provided for in Section 2.5 of the RFP published on the Vendor Bid System (VBS) on November 1, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

\*\*There has been a change to the Participation Code that was published in the FAW on November 1, 2012. The NEW Participation Code is listed above. The public meeting has also been changed to a conference call. Vendors wishing to participate should call in.

We apologize for any inconvenience.

A copy of the agenda may be obtained by contacting: Tammie Kuhn at [Tammie\\_Kuhn@dcf.state.fl.us](mailto:Tammie_Kuhn@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: Pamela Thornton, email: [Pamela\\_Thornton@dcf.state.fl.us](mailto:Pamela_Thornton@dcf.state.fl.us) or (850)717-4567. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tammie Kuhn at [Tammie\\_Kuhn@dcf.state.fl.us](mailto:Tammie_Kuhn@dcf.state.fl.us).

MOFFITT CANCER CENTER & RESEARCH INSTITUTE  
The H. Lee Moffitt Cancer Center & Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2012, 11:00 a.m.  
PLACE: Stabile Trustees Boardroom, 12902 Magnolia Drive, Tampa, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, Florida, 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler (813) 745-1888. 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).

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H Lee Moffitt Cancer Center & Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: November 13, 2012, 1:30 p.m.  
PLACE: Moffitt Cancer Center, Stabile Research Building, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lori Payne, 813-745-1798

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: Lori Payne, 813-745-1798. 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).

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2012, 9:30 a.m.  
PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to Board of Supervisors: Ag Lab, MIL, District Reports and projects.

A copy of the agenda may be obtained by contacting: Wendy Lobos, (305)242-1288, [southdadeswcd@southdadeswcd.org](mailto:southdadeswcd@southdadeswcd.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Wendy Lobos, (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Morgan Levy, Administrator, (305)242-1288.

MRGMIAMI

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

DATE AND TIME: Thursday, November 15, 2012, 6:00 p.m. to 8:00 p.m.

PLACE: FDOT District Six Auditorium, 1000 NW 111 Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT will be spending nearly \$3 billion over the next five years to improve transportation infrastructure in Miami-Dade

and Monroe Counties. The Work Program Public Hearing will be held in order to present the District Six Five-Year Transportation Plan and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

A simultaneous virtual public hearing will be held, and the live question and answer portion of the public hearings will begin at 7 p.m. for both live attendees and online participants. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email or by phoning in through a local number provided upon pre-registering at [www.fdotmiamidade.com/work-program](http://www.fdotmiamidade.com/work-program).

Public participation is solicited without regard to race, color, national origin, age, 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 Brian Rick by phone at (305)470-5349, in writing at FDOT, 1000 N.W. 111 Ave., Miami, FL 33172, or via email at [brian.rick@dot.state.fl.us](mailto:brian.rick@dot.state.fl.us) at least seven days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800) 955-8770 (Voice).

For more information, you may contact: Alicia Gonzalez, Project Manager at (786) 280-6645 or via email at [agonzalez@mrgmiami.com](mailto:agonzalez@mrgmiami.com).

A copy of the agenda may be obtained by contacting: Alicia Gonzalez at the contact information listed above.

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

**NONE**

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**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**

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**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

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**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

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**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**SARASOTA MEMORIAL HOSPITAL**  
**REQUEST FOR STATEMENTS OF QUALIFICATIONS for**  
**Architectural and Engineering Services**

The Sarasota County Public Hospital Board of Sarasota County, Sarasota Memorial Hospital, Sarasota, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection, and structural design work for an approximately 12,000 square foot, two-story, Urgent Care Center, to be located at 997 U.S. 41 Bypass South, Venice, FL. Project design must comply with the regulations of the City of Venice, FL, and all other applicable regulatory agencies. This includes, but is not limited to, the Urgent Care Center reflecting a Northern Italian Renaissance architectural style as required by the City of Venice.

Firms to submit include Architectural/Engineering firms or an association of firms under the direction of the Architect. Services required may include architectural design; civil, mechanical, electrical, plumbing, fire protection, and structural design and engineering; and construction administration. Firms interested in being considered are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida Professional and Corporate Registration certificates.
2. Proof of General and Professional Liability Insurability.
3. Whether the firm or any of the associations are a Minority Business Enterprise. If your firm claims WMBE, MBE status, a copy of the current valid certificate is required as part of the submission package.
4. Proposed design team with resumes.
5. At least five client references to include all contact information and the name of the project(s).
6. Past design experience on urgent care centers and associated support functions.
7. Design and permitting experience associated with the City of Venice, FL, and other applicable permitting agencies.
8. Design firm main office location.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals and to discontinue the selection process at any time.
2. The Hospital reserves the right to request information or the submittal of documentation in addition to that set forth above.
3. The basis for selecting candidates includes, but is not limited to, the firm’s experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
4. Questions regarding submissions shall be directed to: Thomas Perigo (941) 917-1804.

Submissions shall be titled  
Statement of Qualifications  
for  
Architectural and Engineering Services  
for  
Sarasota Memorial Hospital  
Venice Urgent Care Center

5. Submittals must be received by the Hospital no later than 3:30 p.m. Tuesday, November 27, 2012. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
7. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, level one, on Thursday, December 20, 2012 from 1:00 p.m. to 4:00 p.m. to discuss and announce the

top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

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**SARASOTA MEMORIAL HOSPITAL  
REQUEST FOR STATEMENTS OF QUALIFICATIONS for  
GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the construction of an approximately 12,000 square foot, two-story, Urgent Care Center, to be located at 997 U.S. 41 Bypass South, Venice, FL. Construction must comply with the regulations of the City of Venice, FL, and all other applicable regulatory agencies. This includes, but is not limited to, the Urgent Care Center reflecting a Northern Italian Renaissance architectural style as required by the City of Venice

Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on this project.
7. Past design experience on urgent care centers and associated support functions.
8. Construction building experience within the City of Venice, FL, and experience constructing buildings in Northern Italian Renaissance style of architecture
9. Location of firm’s main office.

All interested firms are further informed as follows:



1. The Hospital reserves the right to reject any or all submittals at any time during this process.

2. The basis for selecting candidates includes, but is not limited to, the firm's experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, ability to respond, and project approach.

3. The Hospital reserves the right to request additional information beyond the data set forth above.

4. Any general contracting firm previously engaged in phasing, scheduling or pricing on this project is excluded from participating in the selection of or providing general contracting work on this project.

Submissions shall be titled  
Statement of Qualifications  
for  
GENERAL CONTRACTING WORK  
for

The Sarasota Memorial Hospital  
Venice Urgent Care Center

5. Submittals shall not contain pricing information.

6. Submittals must be received by the Hospital no later than 3:30 PM Tuesday, November 27, 2012. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

7. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

8. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, level one, on Thursday, December 20, 2012 from 8:00 a.m. to 12:00 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**Section XII  
Miscellaneous**

AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need

GRACE PERIOD LETTER OF INTENT

The Agency for Health Care Administration received and accepted the following letter of intent for the November 14, 2012 application filing date for Other Beds and Programs batching cycle:

County: Pinellas                      District: 5-2  
Date Filed: 10/15/2012    LOI #: N1210006  
Facility/Project: HP South Pinellas Ave, LLC  
Applicant: HP South Pinellas Ave, LLC  
Project Description: Establish a community nursing home of up to 59 beds through the delicensure of up to 59 beds from an existing facility within the same planning area  
If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after December 19, 2012, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on November 21, 2012.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program  
2012 Methadone Needs Assessment

RULE NO.: RULE TITLE:  
65D-30.014: Standards for Medication and Methadone Maintenance Treatment  
The Department of Children and Families, Substance Abuse Program Office has completed the 2012 Methadone Needs Assessment. The report can be obtained at <http://www.myflfamilies.com/service-programs/substance-abuse/treatment-and-detoxification> or by request to the contact person below. The report will remain available for public comment and feedback until December 31, 2012. After December 31, 2012, the Department will begin accepting applications or proposals for opioid treatment programs in areas identified in the Needs Assessment. Application materials will be made available on the Department's website and through the contact person below. Questions, comments and feedback should be directed to Sheila Barbee, Team Leader for Substance Abuse Program, (850)717-4400 or via email at [Sheila\\_Barbee@dcf.state.fl.us](mailto:Sheila_Barbee@dcf.state.fl.us).

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
DEO Final Order No.: DEO-12-134  
STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
In re:                      POLK COUNTY LAND DEVELOPMENT  
   REGULATIONS ADOPTED BY  
POLK COUNTY ORDINANCE NO. 12-027.

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Polk County Ordinance No. 12-027.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern. § 380.0551, Fla. Stat. Polk County is a local government within the Green Swamp Area.

2. On August 21, 2012, the Polk County Board of County Commissioners adopted Ordinance No. 12-027 (the "Ordinance"), a copy of which was received by the Department on September 18, 2012.

3. The Ordinance amends the following sections of the Polk County Land Development Code: Section 903 Review Procedures, Section 917 Administrative Determinations, Section 918 Administrative Decisions, Section 919 Administrative Interpretations, and Section 921 Procedures for Appealing Decisions. The Ordinance provides:

(a) The decision of the Development Review Committee on a Level 2 review is considered an Administrative Interpretation, and an appeal to the Land Development Division Director should be filed no later than seven (7) calendar days after the Level 2 Review decision is rendered.

(b) An Administrative Interpretation regarding the application of standards to a specific Development Review Committee action must be requested no later than seven (7) calendar days following the final decision of the Development Review Committee.

(c) An Administrative Determination, Administrative Decision, or Administrative Interpretation by the Land Development Division Director, including a determination after review of an Administrative Interpretation regarding a Development Review Committee decision, may be appealed to the Board of County Commissioners within thirty (30) calendar days of the date the determination, decision or interpretation is mailed.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. 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. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

7. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code, and is not inconsistent with any Principle.

8. The Ordinance is consistent with the Polk County Comprehensive Plan and is specifically consistent with Section 4.301(c) of the Plan relating to development regulations.

WHEREFORE, IT IS ORDERED that Polk County Ordinance No. 12-027 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 filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ \_\_\_\_\_  
J. Thomas Beck, AICP

Director, Division of Community Development  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, 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 RULE 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 RULE 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 1st day of November, 2012.

/s/ \_\_\_\_\_  
Miriam Snipes, Agency Clerk

By U.S. Mail:  
Sam Johnson, Chairman  
Polk County Board of County Commissioners  
P.O. Box 9005, Drawer BC01  
Bartow, FL 33831-9005

Richard M. Weiss, Clerk  
Polk County Board of County Commissioners  
P.O. Box 9005, Drawer BC01  
Bartow, FL 33831-9005

Michael F. Craig, Esq.  
Polk County Attorney  
330 West Church Street  
Bartow, FL 33830

Thomas Deardorff, AICP, Director  
Polk County Office of Planning and Development  
P.O. Box 9005, Drawer GM01  
Bartow, FL 33831-9005

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, Community Planning Administrator, DEO Tallahassee  
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-12-133  
STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF KEY WEST,  
FLORIDA, ORDINANCE NO. 12-27

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat. (2012), approving land development regulations adopted by the City of Key West, Florida, Ordinance No. 12-27 (the “Ordinance”).

FINDINGS OF FACT

1. The City of Key West is designated pursuant to § 380.05(1), Fla. Stat. (2012), and Chapter 28-36, Florida Administrative Code, as an area of critical state concern. Land development regulations adopted by the City of Key West do not become effective until approved by the Department by final order. §§ 380.05(6) and (11), Fla. Stat. (2012).
2. The Ordinance was adopted by the City of Key West on July 17, 2012, and rendered to the Department on July 18, 2012.
3. The Ordinance amends Chapter 108 of the Key West Code of Ordinances entitled “Planning and Development” by amending Sections 108-680, 108-681, 108-682 and 108-683, and to add Section 684 to provide for enforcement. The Ordinance eliminates the requirement in a single-family zoning district or Medium Density Residential district that recreational

vehicles, boats, trailers and the like be parked within an enclosed structure, within a carport, or screened so they cannot be seen offsite. A recreational vehicle, boat and/or trailer may not extend into a public right of way or an adjoining property. The Ordinance also removes the restriction in a single-family zoning district or Medium Density Residential district that recreational camping vehicles or equipment be parked forward of the front building line, and provides that recreational vehicles and the like occupied for living quarters be parked in a licensed trailer park.

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. §§ 380.05(6) and (11), Fla. Stat. (2012).

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2012). 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. §§ 380.05(6) and (11), Fla. Stat. (2012). The Principles for Guiding Development for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Florida Administrative Code.

7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principle:

(a) To strengthen local government capabilities for managing land use and development.

8. The Ordinance is consistent with Policy 1-3.10.4 of the City of Key West Comprehensive Plan and with the Plan as a whole.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No. 12-27 is found to be consistent with the Principles for Guiding Development for the City of Key West 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 ECONOMIC OPPORTUNITY 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 GENERAL COUNSEL

107 EAST MADISON STREET, MSC 110

TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 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 RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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\_\_\_\_\_/s/\_\_\_\_\_  
Miriam Snipes, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Craig Cates  
Mayor, City of Key West  
3216 Flagler Avenue  
Key West, FL 33040

Cheryl Smith, City Clerk  
3216 Flagler Avenue  
Key West, FL 33040

Donald Leland Craig, AICP  
City Planner  
3140 Flagler Avenue  
Key West, FL 33040

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, ACSC Administrator, DEO Tallahassee  
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program  
2012 Methadone Needs Assessment

RULE NO.: RULE TITLE:

65D-30.014: Standards for Medication and Methadone Maintenance Treatment

The Department of Children and Families, Substance Abuse Program Office has completed the 2012 Methadone Needs Assessment. The report can be obtained at <http://www.myflfamilies.com/service-programs/substance-abuse/treatment-and-detoxification> or by request to the contact person below. The report will remain available for public comment and feedback until December 31, 2012. After December 31, 2012, the Department will begin accepting applications or proposals for opioid treatment programs in areas identified in the Needs Assessment. Application materials will be made available on the Department's website and through the contact person below. Questions, comments and feedback should be directed to Sheila Barbee, Team Leader for Substance Abuse Program, (850)717-4400 or via email at [Sheila\\_Barbee@dcf.state.fl.us](mailto:Sheila_Barbee@dcf.state.fl.us).

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Section XIII  
Index to Rules Filed During Preceding Week

**NOTE: The above section will be published on Tuesday beginning October 2, 2012.**

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