

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 5B-57.001 | Definitions |
| 5B-57.002 | Purpose |
| 5B-57.004 | Introduction, Possession or Movement of Arthropods, Biological Control Agents, Plant Pests, Noxious Weeds, and Invasive Plants, Regulated by the Department |
| 5B-57.006 | Regulation and Control of Noxious Weeds and Invasive Plants in Florida |
| 5B-57.007 | Noxious Weed List |
| 5B-57.010 | Noxious Weed and Invasive Plant Classification Procedures |
| 5B-57.011 | Biomass Plantings |
| 5B-57.012 | Casuarina Cunninghamiana Windbreaks |

PURPOSE AND EFFECT: The purpose of this amendment is to address the changes to Section 581.083, F.S., regarding the cultivation and transport of non-native plants, algae and blue-green algae in plantings greater than two acres and update forms and other minor editorial revisions within the rule chapter. The effect is to improve the permitting process associated with the introduction or release of plant pests, noxious weeds, arthropods and biological control agents. The reflected changes will reduce regulatory burden without compromising plant protection duties and responsibilities assigned by Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Non-native species plantings permit requirements and exemptions.

RULEMAKING AUTHORITY: 570.07(23), 581.031(4), (5) FS.

LAW IMPLEMENTED: 570.07(13), 581.031(4), (5), (6), (15) 581.083, 581.091 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Richard Gaskalla, Division Director, P. O. Box

147100, Gainesville, Florida 32614-7100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Richard Gaskalla, Division Director, P. O. Box 147100, Gainesville, Florida 32614-7100

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

DEPARTMENT OF EDUCATION

State Board of Education

| RULE NO.: | RULE TITLE: |
|-----------|--|
| 6A-1.0081 | Charter School and Charter Technical Career Center Monthly Financial Statements and Financial Conditions |

PURPOSE AND EFFECT: The purpose of this rule development is to revise the components of required monthly and/or quarterly charter school financial reports.

SUBJECT AREA TO BE ADDRESSED: Monthly financial reports.

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33(9) FS.

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

DATE AND TIME: March 15, 2013, 2:00 p.m. – 3:00 p.m.

PLACE: Via Conference call at: 1(888)670-3525, Participant Code: 9945174164

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, or via email at Adam.Miller@fldoe.org. To submit a comment on this rule development, go to: <https://app1.fldoe.org/rules/default.aspx> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS Available at: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

| RULE NO.: | RULE TITLE: |
|-------------|-----------------------------------|
| 61E14-2.001 | Standards of Professional Conduct |

PURPOSE AND EFFECT: The purpose of this rule amendment is to update language, remove unnecessary or unauthorized language, and to clarify the standards of professional conduct for community association managers.

SUBJECT AREA TO BE ADDRESSED: Outdated unnecessary or unauthorized language and to clarify the standards of professional conduct for community association managers.

RULEMAKING AUTHORITY: 468.4315(2) FS.

LAW IMPLEMENTED: 468.433, 468.436 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, Department of Business and Professional Regulation, 1940 N. Monroe Street, Suite 42, Tallahassee, FL 32399, (850)717-1244

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

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

| | |
|-----------|--|
| RULE NO.: | RULE TITLE: |
| 61-35.012 | Electrical Contractors' Departmental Forms |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals/organizations who want to obtain an Electrical Contractors' departmental form. The following subsections provide information for a person/organization desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.213(1), 455.271(6), 489.511, 489.513, 489.517, 489.519, 489.521, 489.522 FS.

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

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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.012 Electrical Contractors' Departmental Forms.

The following Electrical Contractors' Departmental forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0790, (850) 487-1395:

(1) Any person applying to become a certified electrical, alarm or electrical specialty contractor based exam, shall submit a completed Form DBPR ECLB 1, Application for Initial Certification by Examination, effective July 10, 2012, adopted and incorporated by reference.

(2) Any person applying to become a certified electrical, alarm or electrical specialty contractor based on exam in another state, shall submit a completed Form DBPR ECLB 2, Application for Certification by Endorsement, effective July 10, 2012, adopted and incorporated by reference.

(3) Any registered electrical, alarm system or specialty contractor applying for an initial registered license, transfer a registered license to a new business, qualify an additional business, add a county or reactivate an inactive license shall submit a completed Form DBPR ECLB 3, Application for Registered Electrical, Alarm System or Specialty Contractor Transactions, effective July 10, 2012, adopted and incorporated by reference.

(4) Any certified contractor applying to transfer a license to a new business, qualify an additional business or reactivate an inactive license shall submit a completed Form DBPR ECLB 4, Certified Contractor Application for Transfer, Additional Business or Reactivation, effective July 10, 2012, adopted and incorporated by reference.

(5) Any person or organization desiring to change the designation of primary and secondary qualifying agents shall submit a completed Form DBPR ECLB 5, Designation of Primary and Secondary Qualifying Agents, effective July 10, 2012, adopted and incorporated by reference.

(6) Any electrical contractor applying to change the status of their license, transfer an additional business to primary license or change business name shall submit a completed Form DBPR ECLB 6, Electrical Contractor Change of Status Transactions, effective July 10, 2012, adopted and incorporated by reference.

(7) Any contractor requesting to change their address or personal name shall submit a completed Form DBPR ECLB 7, Request for Address or Personal Name Change, effective July 10, 2012, adopted and incorporated by reference.

(8) Any person applying to take the Certified Electrical Contractor Examination shall submit a completed Form DBPR ECLB 8, Certified Electrical Contractor Exam Application, effective July 10, 2012, adopted and incorporated by reference.

(9) Any person applying to re-take the Certified Electrical Contractor Examination shall submit a completed Form DBPR ECLB 9, Certified Electrical Contractor Retake Exam Application, effective July 10, 2012, adopted and incorporated by reference.

(10) Any person applying to reinstate a certified or registered electrical, alarm or electrical specialty contractor license that in null and void status shall submit a completed Form DBPR ECLB 10, Application to Reinstate Null and Void Certification or Registration, effective October, 2012, adopted and incorporated by reference.

(11) Any person or organization applying to provide continuing education shall submit a completed Form DBPR ECLB 11, Continuing Education Provider Approval Application, effective July 10, 2012, adopted and incorporated by reference.

(12) Any person or organization requesting continuing education course approval shall submit a completed Form DBPR ECLB 12, Education Course Approval Application, effective July 10, 2012, adopted and incorporated by reference.

Rulemaking Authority 455.203, 455.213, 455.2179 FS. Law Implemented 455.213(1), 455.271(6), 489.511, 489.513, 489.517, 489.519, 489.521 and 489.522 FS History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Juanita Chastain, Executive Director, Division of Professions,
Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 10, 2013

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-60.011
RULE TITLE: Non-Binding Interpretations of the Florida Fire Prevention Code

PURPOSE AND EFFECT: The proposed rule amendment modifies and updates the existing rule, which adopts an informal process of rendering nonbinding interpretations of the Florida Fire Prevention Code.

SUMMARY: The proposed rule amends the existing rule to comport with Section 50, 2010-176, Laws of Florida, amending Section 633.026, Florida Statutes. It provides for the adoption of a petition form to be used by a party requesting an informal, nonbinding interpretation of the Florida Fire Prevention Code; amends definitions and makes minor changes to the procedures for an informal process of rendering nonbinding interpretations of the Florida Fire Prevention Code and clarifies certain procedural elements of the process to obtain such an interpretation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 633.01, 633.026 FS.

LAW IMPLEMENTED: 633.026 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: Monday, March 18, 2013, 10:00 a.m.
 PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Charles Frank @ (850)413-3747 or Charles.Frank@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charles Frank, Engineer III, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3747 or Charles.Frank@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-60.011 Informal, Non-Binding Interpretations of the Florida Fire Prevention Code.

(1) Definitions. For purposes of this rule section:

(a) "Code" means the Florida Fire Prevention Code- as described under paragraph 69A-60.002(3)(a), F.A.C.

(b) No change.

(c) "Contractor" "~~Organization~~" means the entity with which the State Fire Marshal enters into a contract to provide administrative services to facilitate the provision of informal, non-binding interpretations of the Code as described in Section 633.026, F.S.

(d) "Fire Code Interpretations Committee," or "FCIC," means the committee established to provide informal, non-binding interpretations of the ~~Florida Fire Prevention Code~~.

(2) Membership of the FCIC Procedures. ~~The following procedures apply to the organization and to the FCIC.~~

(a) The FCIC shall consist of seven members and seven alternate members. ~~Each member and his or her alternate shall represent each representing~~ one of the following seven emergency management regions in the State. ~~Each member shall be a firesafety inspector certified in accordance with Section 633.081(2), F.S. There shall be one alternate for each FCIC member. Each alternate must be a certified firesafety inspector from the same emergency management region as the FCIC member. Each member and each alternate shall have, at a minimum, five years of experience in performing firesafety inspections as a certified firesafety inspector. The seven emergency management regions of the State are described as follows:~~

1. through 5. No change.

6. Emergency Management Region 6 Counties: Hardee, Sarasota, Desoto, Charlotte, Glades, Highland, Okeechobee, Hendry, Lee, and Collier; and

7. No change.

~~(b) At least annually, the Organization shall provide to the Division a list of all certified firesafety inspectors and alternates, who are currently serving on the FCIC, with attendant documentation establishing that these individuals possess at least five years of experience in performing firesafety inspections as a certified firesafety inspector.~~

~~(b)(e)~~ Each person serving on the FCIC must have on file with the Division Form DFS-K3-1673, (rev. 01/06), "Member Application for Fire Code Interpretations Committee," adopted and incorporated herein, and which may be obtained by writing to the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, or by visiting the State Fire Marshal's website located at <http://www.MyFloridaCFO.com/division/SFM>. ~~<http://www.fldfs.com/SFM/index.htm>.~~

The first seven applications received from individuals ~~who that~~ meet the qualifications set forth in Section 633.026(2), Florida Statutes, and the geographic and experience requirements set forth in paragraph (a), and are approved by the Division, shall be appointed as members. The next seven applications received from individuals ~~who that~~ meet the qualifications set forth in Section 633.026(2), Florida Statutes, and the geographic and experience requirements set forth in paragraph (a), and are approved by the Division, shall be appointed alternate members. Applications to serve on the ~~FCIC Committee~~ may be submitted at any time and will be kept on file to fill vacancies as they occur. When a vacancy occurs, the existing alternate will be appointed to serve in the vacant seat. An alternate will be chosen for the seat in the same manner as the original member was chosen.

~~(c)(d)~~ The name of each person to serve on the FCIC must be on file with the Division at least thirty (30) days before that person ~~may is permitted to~~ voice an opinion or cast a vote as a member of the FCIC on a petition request for an informal, a non-binding interpretation.

(3) Procedures.

(a) To obtain an informal, non-binding interpretation of the Code, the Petitioner shall submit to the Contractor a fee of \$110 and a fully completed Petition using Form DFS-K3-2050, "Petition for an Informal, Non-Binding Interpretation of the Florida Fire Prevention Code." Eff. 4/13, adopted and incorporated by reference herein. This form may be obtained by visiting the Division's website located at **** or the Contractor's website located at http://www.ffmia.org/index.php?option=com_content&view=article&id=59&Itemid=68.

(e) Requests for non-binding interpretations of the Code shall be submitted to the Division in accordance with this rule with a fee of \$110.00

~~1. Each request shall cite the specific code and the code section referenced in the question.~~

~~2. The question shall be asked in a format that can be answered with a "Yes" or a "No" response.~~

~~3. The question must be limited to the application of a single Code section.~~

~~4. Any additional question shall be made as a separate request.~~

~~(b)(f) The Contractor Organization, through its designated representative or representatives, shall review each petition request for an informal interpretation. 1. If the petition request for informal interpretation does not qualify for consideration by the FCIC, the Contractor Organization shall notify so advise the petitioner in writing of requestor, giving the reason or reasons why it does not qualify for consideration; and shall take no further action. 2. If the petition request for informal interpretation is proper and the fee of \$110 has been received, the Contractor Organization shall assign the petition it to the FCIC and provide a copy of the petition to the local fire official if the petition requests review of an interpretation of the Code made by a local fire official. The Contractor shall notify the local fire official that he or she may submit a written response to the petition to the FCIC within three (3) business days following the local fire official's receipt of the petition.~~

~~(c)3. If the FCIC deems it appropriate or necessary, it may be permitted to initiate a review process which solicits comments for development of a response.~~

~~(g) The FCIC shall is not permitted to consider any comment unless the comment includes the name, employer (if any), and contact information of the submitter. Anonymous comments shall not be presented to or considered by the FCIC.~~

~~(d) A meeting to consider the petition shall be held if requested by two or more FCIC members. The meeting may be conducted in person or electronically.~~

~~(e)(h) Each FCIC member participating in an informal, non-binding interpretation shall submit his or her individual response to the Contractor within eight (8) business days after the Contractor's receipt of the petition. The FCIC shall prepare a response that is the result of a vote of at least a majority of the members of persons on the FCIC; and each member of (i) Each person on the FCIC who reviewed the petition that reviews a request must be identified in the response.~~

~~(f) The Contractor shall forward the majority FCIC response without comment or amendment by the Contractor to the petitioner via electronic transmission or regular mail within 10 business days after the Contractor's receipt of the petition, unless that time period has been waived in compliance with Section 633.026(3), F.S. The FCIC response must include the notice required by Section 633.026(8), F.S., concerning the petitioner's right to request a formal interpretation from the State Fire Marshal pursuant to Section 633.01(6), F.S.~~

~~(g)(i) The Contractor shall send an electronic A copy of all documentation received or produced in conjunction with any informal, non-binding interpretation to the Division at the e-mail address specified in shall be retained in accordance with the contract between the Division State Fire Marshal and Contractor the Organization.~~

~~(h) The Division shall publish on its Internet website each petition that is assigned to the FCIC by the Contractor, any response to the petition submitted by the local fire official, and the majority FCIC response to the petition. The Division shall also publish the majority FCIC response to the petition in the Florida Administrative Register.~~

~~(k) A meeting shall be held to consider the request at the behest of at least two FCIC members. The meeting may be conducted in person or electronically.~~

~~(j)1. Each member participating in an informal interpretation shall submit his or her individual response to the organization within five (5) calendar days of the Organization having received the written request, and the fee of \$110.00. The Organization should forward the majority FCIC response, either "Yes" or "No", without comment or amendment to the requestor via electronic transmission or regular mail within four (4) calendar days of receipt of the majority responses from the individual FCIC members. In no event shall the FCIC response be sent later than thirty (30) days from the date the Organization receives the request for informal interpretation.~~

~~2. The Organization shall send an electronic copy of each final FCIC response to the Division of State Fire Marshal at the email address in the contract.~~

~~(m) Each final FCIC response, together with the written request, shall be posted on the Organization's website.~~

~~(i)(n) Each majority FCIC response is nonbinding; and constitutes the opinion of the FCIC, rendering the opinion, and not the opinion of the Department, the State Fire Marshal, or the Contractor Organization.~~

~~(j)(3)(a) No person serving on the FCIC is permitted to participate in the consideration of any matter involving such person's own jurisdiction, if he or she is the firesafety inspector for that jurisdiction whose duties by statute, rule, ordinance, or code require or permit him or her to inspect any building or structure which is the subject of the petition provided request to the FCIC, or if that person has provided input on the matter for the building or structure that is the subject of the petition request.~~

~~(k)(b) Each person serving on the FCIC shall serve at the pleasure of the State Fire Marshal, and may be removed without cause.~~

Rulemaking Specific Authority 633.01, 633.026 FS. Law Implemented 633.026 FS. History--New 4-26-07, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles Frank, Engineer III, Bureau of Fire Prevention,
Division of State Fire Marshal, Department of Financial
Services

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Jeff Atwater, Chief of Financial Officer,
Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 15, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: May 20, 2011

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.: RULE TITLES:
69B-228.180 Forms
69B-228.220 Licensee Compliance; Requirements;
 Penalties for Non-Compliance

PURPOSE AND EFFECT: The purpose of the proposed amendments is to implement changes made by Chapter 2012-209, Laws of Florida, to Section 626.2815, F.S. Effective October 1, 2014, licensees will be required to complete a 5-hour update course every 2 years which is specific to the license held by the licensee and cover insurance law updates, premium discounts, ethics, disciplinary trends, industry trends, and suitability of insurance products. Since all licensees have 24 months to complete their continuing education requirements, the new law will affect those licensees who began their continuing education cycle on November 1, 2012 and will complete the cycle in October, 2014.

SUMMARY: The proposed rule amendments will allow continuing education providers to develop appropriate course materials, submit them for approval by the Department, and then offer the courses to licensees. The proposed amendment will implement these legislative changes by:

- (1) adopting a curriculum outline form;
- (2) approving courses for the following lines of insurance: life and variable annuity; life, health, and variable annuity; health; general lines; adjuster; public adjuster; and bail bonds; and
- (3) requiring that the course include a discussion of the following subject areas: regulatory awareness; insurance law and updates; ethical requirements; and trends.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed changes and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 624.308, 648.26(1)(a) FS.
LAW IMPLEMENTED: 624.307(1), 624.501, 626.221(2)(d), 626.2815, 626.611, 626.621, 626.681, 626.691, 626.8419, 626.869(5), 627.952(1)(b), 648.385, 648.386 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: March 13, 2013, 2:00 p.m..
PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jean Jeune at (850)413-5411 or Jean.Jeune@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jean Jeune, Senior Management Analyst Supervisor, Bureau of Licensing, Room 419, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0318 Phone (850)413-5411 or Jean.Jeune @MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-228.180 Forms.

(1) The following forms are hereby adopted and incorporated by reference:

| FORM | TITLE | REVISED |
|-----------------|-------------------------------|------------|
| (a) DFS-H2-397 | Schedule of Course Offerings | rev. 1/01 |
| (b) DFS-H2-398 | Certification of Instructor | rev. 1/01 |
| (c) DFS-H2-399 | Certificate of Completion | rev. 4/98 |
| (d) DFS-H2-400 | Roster | rev. 2/01 |
| (e) DFS-H2-460 | Request for Extension of Time | rev. 2/99 |
| (f) DFS-H2-463 | Nonresident Agent | rev. 11/00 |
| | Certification | |
| (g) DFS-H2-464 | Application for Course | rev. 11/00 |
| | Provider Approval | |
| (h) DFS-H2-465 | Course Provider Information | rev. 11/00 |
| | Update | |
| (i) DFS-H2-501 | Appointment Form | rev. 6/00 |
| (j) DFS-H2-1106 | Statement of Government | rev. 12/96 |
| | Status | |
| (k) DFS-H2-1108 | Statement of Adjuster Status | rev. 8/98 |

- (l) DFS-H2-1109 Application forrev. 4/98
CLU/CPCU/College Degree
+ Experience Status
- (m) DFS-H2-1111 Computer Transmittal Form rev. 4/98
- (n) DFS-H2-1137 Application for School Official rev. 11/00
Appointment
- (o) DFS-H2-1268 Application for Course Approvalrev. 11/00
- (p) DFS-H2-1269 Application for Supervising rev. 11/00
Instructor Approval
- (q) DFS-H2-2081 5-Hour Law and Ethics Update eff. 12/12

(2)(a) All forms in subsection (1) above may be obtained from and shall be submitted to the Bureau of Agent and Agency Licensing, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0319, or the current contract vendor for the specific process for which the form is needed, and may be reproduced at will. The forms are also available on the Department’s website at <http://www.myfloridacfo.com/Division/Agents>.

- (b) No change.
- (3) No change.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.8419(1), 626.869(5), 627.952(1)(b), 648.386 FS. History--New 8-17-93, Amended 4-29-01, Formerly 4-228.180, Amended _____.

69B-228.220 Licensee Compliance; Requirements; Penalties for Non-Compliance.

- (1) through (12) No change.

(13) A curriculum outline for a 5-hour law and ethics update course shall be approved by the Department on Form DFS-H2-2081, “5-hour Law and Ethics Update.” which is incorporated by reference in Rule 69B-228.180, F.A.C.

(a) A 5-hour law and ethics update course shall be approved in any of the following authorities:

1. Life and Variable Annuity.
2. Life Health and Variable Annuity.
3. Health.
4. General Lines.
5. Adjuster.
6. Public Adjuster.
7. Bail Bonds.

(b) The course shall not be approved for less than 5 hours and 5 hours of the course must follow the curriculum outline approved by the Department including discussion on the following subjects:

1. Regulatory Awareness.
2. Insurance Law and Updates.
3. Ethical Requirements.
4. Trends.

(c) The course shall only apply to a compliance cycle if the 5-hour course is:

1. Specific to a license held by the licensee when the compliance cycle began; and

2. Not completed earlier than the compliance cycle immediately preceding.

(d) An approved 5-hour course shall expire two years after its approval date.

Rulemaking Authority 624.308, 648.26(1)(a) FS. Law Implemented 624.307(1), 626.221(2)(d), 626.2815, 626.611, 626.621, 626.681, 626.691, 626.869(5), 648.385 FS. History--New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.220, Amended 1-17-05, 8-3-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jean Jeune, Senior Management Analyst Supervisor,
Department of Financial Services
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer,
Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 27, 2012

Section III Notices of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 22, June 1, 2012 issue of the Florida Administrative Register.

The following additional changes have been made to the notice of change, published in the Vol. 38, No. 36, September 7, 2012 issue of the Florida Administrative Register:

59G-4.002 Medicaid Provider Reimbursement Schedules.

(1) Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with all applicable fee schedules incorporated below the provisions of the Florida Medicaid Provider Reimbursement Schedule for the following services: advanced registered nurse practitioner, birth center, chiropractic, general dental, hearing, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, registered nurse first assistant, and visual.

- (2) No change.

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

**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-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on February 14, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Trinity Town Center, LLLP. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-049).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On February 14, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Gator Trace Greens Bldg. 1, filed January 31, 2013, and advertised in Vol. 39, No. 26, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the

Petitioner a variance from Rule 2.2.2.5 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators sump pump because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-035).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2013, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Indian River State College announces a public meeting to which all persons are invited.

DATE AND TIME: March 20, 2013, 10:00 a.m.

PLACE: Treasure Coast Public Safety Training Complex, 4600 Kirby Loop Road, Fort Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting for the Region XI Council will provide updates on training classes and any other issues involving the Region.

A copy of the agenda may be obtained by contacting: Larry Lawson.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2013, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2013, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting

by contacting: (352)955.2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 6, 2013, 10:30 a.m.

PLACE: Hendry County Administrative Offices, 640 South Main Street, Conference Room #2, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular quarterly meeting of the Glades-Hendry Joint Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239) 338-2550 #232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The SWFRPC's offices at (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Local Emergency Planning Committee – District XI announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2013, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY12-13.

A copy of the agenda may be obtained by contacting: By writing to the South Florida Regional Planning Council, at 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, via email request to Manny Cela (celam@sfrpc.com), visiting the LEPC website (www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or (800)985-4416 toll-free statewide.

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: Manny Cela (celam@sfrpc.com), visiting the LEPC website (www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or (800)985-4416 toll-free statewide. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Manny Cela (celam@sfrpc.com), or by calling (954) 985-4416 in Broward or (800)985-4416 toll-free statewide.

METROPOLITAN PLANNING ORGANIZATIONS

Collier Metropolitan Planning Organization

The Collier Metropolitan Planning Organization announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, March 6, 2013, 2:00 p.m.

PLACE: Collier County Government Center, County Administration Building F, Information Technology Training Room, 5th Floor, 3299 East Tamiami Trail, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Coordinating Board (LCB) for the Transportation Disadvantaged meeting.

A copy of the agenda may be obtained by contacting: Ms. Lorraine Lantz at (239)252-8192. The LCB agenda will be posted on the MPO's web site approximately two weeks prior to the meeting. To access the LCB's agenda, go to: www.colliermmpo.net, select the calendar and then select the meeting date.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Lorraine Lantz, MPO principle planner at (239)252-8192. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Ms. Lucilla Ayer, MPO executive director at (239)252-8192.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Ecosystem Restoration Working Group announces a workshop to which all persons are invited.

DATE AND TIME: February 25, 2013, 1:00 p.m. – 5:00 p.m.

South Florida Ecosystem Restoration Working Group sponsored Public Workshop on the Central Everglades Planning Project

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The next in a series of public workshops for the Central Everglades Planning Project (CEPP) is being sponsored by the South Florida Ecosystem Restoration Working Group to engage the public. The CEPP is a fast-track planning effort for the next generation of Everglades restoration projects being conducted by the U.S. Army Corps of Engineers and the South Florida Water Management District (SFWMD) as part of the Comprehensive Everglades Restoration Plan. The Working Group is sponsoring public workshops to facilitate public participation in the CEPP. The public is advised that it is possible that one or more members of the Water Resources Advisory Commission and Governing Board of the SFWMD may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: www.sfrestore.org on February 18, 2013.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk's office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Allyn Childress at (786)350-9403 or Sandy Soto at (954)377-5969.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-780.100: Referenced Guidelines

62-780.600: Site Assessment

62-780.610: Fate and Transport Model and Statistical Method Requirements

62-780.650: Risk Assessment

62-780.680: No Further Action and No Further Action with Controls

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

DATE AND TIME: Tuesday, March 5, 2013, 9:00 a.m. - 5:00 p.m.

PLACE: Room 170, Carr Building, 3900 Commonwealth Blvd, Tallahassee; or Via Webinar: <https://www2.gotomeeting.com/register/199690602>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss proposed amendments to the rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites in Florida. These proposed amendments were drafted in response to a Petition to Initiate Rulemaking on Chapters 62-780 and 62-777, F.A.C., filed by Associated Industries of Florida (AIF) pursuant to Section 120.54(7), F.S.

The proposed revisions to Chapter 62-780, F.A.C., clarify that the "Referenced Guidelines" are guidance and not enforceable, add a hierarchy of information sources for reference when developing alternative cleanup target levels, specify the information needed when performing a probabilistic risk assessment and establish criteria for supporting a Site Rehabilitation Completion Order based on alternative cleanup target levels, but without institutional or engineering controls.

Copies of the AIF Petition and the proposed draft rule language are available at www.dep.state.fl.us/waste/.

A copy of the agenda may be obtained by contacting: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-777.100: Referenced Guidelines

62-777.150: Applicability

62-777.170: Derivation of Cleanup Target Levels

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

DATE AND TIME: Tuesday, March 5, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Room 170, Carr Building, 3900 Commonwealth Blvd, Tallahassee; or Via Webinar: <https://www2.gotomeeting.com/register/199690602>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss proposed amendments to the rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites and the rules that govern the derivation of Cleanup Target Levels in Florida. This chapter was opened for rulemaking and this workshop is being held in response to a Petition to Initiate Rulemaking filed by Associated Industries of Florida (AIF) pursuant to Section 120.54(7), F.S., which proposed changes to Chapters 62-780 and 62-777, F.A.C. However, the Department is not proposing changes to the Chapter 62-777 rule text at this time. Copies of the existing Chapter 62-777, F.A.C., and the AIF Petition are available at: www.dep.state.fl.us/waste/ for discussion purposes during the rule workshop.

A copy of the agenda may be obtained by contacting: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Brian Dougherty at (850)245-7503 or by e-mail at Brian.Dougherty@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Infant, Maternal, and Reproductive Health Unit announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 7, 2013, 10:00 a.m.

PLACE: Meeting Number: 629 832 979, Meeting Password: journey

Go to <https://rcg.webex.com/rcg/j.php?ED=225232057&UID=0&PW=NOWU0OTkyMWMz&RT=MmMxMg%3D%3D>

Call-in toll number (US/Canada): (650) 479-3208, Access code: 629 832 979

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Healthy Start Redesign Subject Matter Expert Committee will meet to discuss the redesign of the Healthy Start Program.

A copy of the agenda may be obtained by contacting: Nita Harrelle, Bureau of Family Health Services, (850) 245-4444 ext. 2969, or email, Nita_Harrelle@doh.state.fl.us.

For more information, you may contact: Nita Harrelle, Bureau of Family Health Services, (850)245-4444 ext. 2969, or email, Nita_Harrelle@doh.state.fl.us, or visit the Healthy Start website at: <http://www.doh.state.fl.us/family/mch/hs/hs.html>.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 22, 2013 10:00 am EST.

PLACE: Department of Health, Tallahassee at Meet Me Number (888)670-3525, code 4764781998

GENERAL SUBJECT MATTER TO BE CONSIDERED: Centennial Committee Planning Discussion.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Psychology

The Department of Health, Board of Psychology announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 11, 2013, 8:00 a.m. E.S.T. or soon thereafter

PLACE: Conference Call: (888)670-3525. After dialing the meet me number, when prompted, insert the 4389078941 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board's Continuing Education Committee: Review of Continuing Education Guidelines.

A copy of the agenda may be obtained by contacting: the Board of Psychology, 4052 Bald Cypress Way, 4052 Bald Cypress Way, BIN C-05, Tallahassee, FL 32399-3255, by visiting our website at: <http://doh.state.fl.us/mqa/psychology/index.html>, or by calling the board office at (850)245-4373 ext. 3468.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board/council office at (850)488-0595. If you

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

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

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Children's Medical Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 25, 2013, 6:00 p.m. – 8:00 p.m. EST.

PLACE: Conference call number: (888)670-3525, conference code: 538 249 6242

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Children's Medical Services Cardiac Subcommittee.

A copy of the agenda may be obtained by contacting: Kelli Stannard, RN, BSN at (850)245-4200, ext 2228.

DEPARTMENT OF HEALTH

Office of Statewide Research

The Florida Department of Health-Institutional Review Board-Committee II announces a public meeting to which all persons are invited.

DATE AND TIME: March 6, 2013, 8:30 a.m.

PLACE: Capital Circle Office Complex, Building 2585, Conference Room 320P, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034.

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: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Donna West, Assistant Administrator, Institutional Review Board (850)245-4034.

ATKINS – BARTOW

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District One, is holding a public meeting, and all members of the public are invited to attend.

DATE AND TIME: Tuesday, February 26, 2013, 6:00 p.m. – 7:30 p.m.

PLACE: Brookside Bluff Clubhouse, 7750 Golf Boulevard, Zolfo Springs, FL

General Subject Matter to Be Considered: FDOT is hosting the public meeting to update interested people about a traffic noise evaluation for the Brookside Bluff community associated with the widening of US 17 from the DeSoto County line to Sweetwater Road (County Road 634) in Hardee County. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

People who require special accommodations at the meeting under the Americans with Disabilities Act or who require translation services (free of charge) should contact FDOT project manager, Jeffrey James, Florida Department of Transportation, P.O. Box 1249, Bartow, FL 33831, (863)519-2625 or e-mail jeffreyw.james@dot.state.fl.us at least seven days before the meeting.

If you are hearing or speech impaired, please contact FDOT using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information or a copy of the meeting agenda, please contact Mr. James at the above phone number or e-mail address.

THE CORRADINO GROUP, INC.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT), District Six, announces a Public Workshop to which all persons are invited.

DATE AND TIME: Wednesday, February 27, 2013, 6:00 p.m. - 8:00 p.m. (open house format).

PLACE: Shula's Hotel and Golf Club, Grand Slam Ballroom, 6842 Main Street, Miami Lakes, Florida 33014

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, will conduct a Public Workshop for the proposed interstate improvements to I-75 (SR 93) in Miami-Dade County, Florida. Project Limits: From State Road 826 (SR-826)/Palmetto Expressway to North of N.W. 170th Street in Miami-Dade County, Florida. Financial Project Number: 420669-1-22-01; Efficient Transportation Decision-Making Number: 6111. This public workshop is being conducted to give interested persons an opportunity to express their views concerning the location,

conceptual design, and social, economic, and environmental effects of the proposed improvements. The proposed roadway improvements consist of:

I-75 – Between SR 826 and NW 170th Street

Add one tolled express lane in each direction in the center of the corridor (median).

Provide a set of access points to enter and exit the express lanes system. Access points along I-75, within the reevaluation limits, will be constructed at the following locations:

Northbound exit just south of NW 170th Street

Southbound entrance just south of NW 170th Street

Northbound exit just north of NW 154th Street

Southbound entrance just south of NW 154th Street

The I-75 express lanes system will continue north of NW 170th Street beyond the Miami-Dade/Broward County Line. As part of the District Four I-75 express lanes project, the express lanes system north of NW 170th Street will have a seamless connection to the planned express lanes system that will continue to I-595 in Broward County.

Maintain the existing number of general purpose lanes.

Noise barrier walls parallel to I-75, within FDOT right away, and adjacent to some properties as identified by the environmental studies.

Landscaping enhancements at several locations within the FDOT right of way.

SR 826 – Between North of NW 103rd Street and South of NW 154th Street

Replace the proposed HOV lane, now operating as a general use lane, with a tolled express lane.

Add one tolled express lane south of I-75 for a total of two express lanes in each direction in the center of the corridor (median). As part of the SR 826 North/South PD&E Study, the two express lanes south of NW 103rd Street will connect to the planned express lanes system that will continue to south of SR 836. As part of the SR 826 East/West PD&E Study, the single express lane north of NW 154th Street will connect to the planned express lanes system that will continue to the Golden Glades Interchange.

I-75/SR 826 Interchange – Two proposed SR 826 express lanes in the northbound direction, one express lane transitions westward becoming the I-75 westbound/northbound express lanes and the second express lane continues north on SR 826. In the southbound direction, one express lane will come from SR 826 north of the Interchange and the second one from the I-75 eastbound/southbound express lane system becoming two southbound express lanes along SR 826.

SR 826/NW 103rd Street – Reconstruct the southbound off-ramp from one to two lanes.

Department representatives will be on hand during the workshop hours to discuss the project and to answer questions. Residents are encouraged to come in and review this

transportation improvement proposal. This letter is being sent to all property owners within at least 300 feet on either side of the proposed alignment.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop or persons who require translation services (free of charge) is asked to advise the agency at least 7 days before the workshop by contacting: Mr. Nicholas Danu, P.E., at (305)470-5219, in writing at 1000 NW 111th Ave., Room 6111-A, Miami, FL 33172 or by e-mail at nicholas.danu@dot.state.fl.us at least seven days prior to the meeting.

If you have questions about the project or scheduled Public Workshop, contact Ms. Judy Solaun-Gonzalez, P.E. directly at (305)470-5207 or via e-mail at judy.solaun@dot.state.fl.us.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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:

Hoa Vuong, on behalf of himself and other Palm Beach County DUI defendants vs. Department of Law Enforcement; Case No.: 12-3898RX; Rule Nos.: 11D-8.003, 11D-8.004, 11D-8.006, 11D-8.017

Carolyn L. Stutt, Orin R. Smith, Stephanie Smith, and E. Garrett Bewkes vs. Department of Environmental Protection; Case No.: 12-3653RX; Rule No.: 62-330.200(2)

Last Stand, Inc., and George Halloran vs. Department of Environmental Protection; Case No.: 12-3821RX; Rule No.: 62-330.200(4)

Robert Graham, by his next friend Carol Graham vs. Agency for Persons With Disabilities; Case No.: 13-0046RP; Rule Nos.: 65G-4.0201, 65G-4.0210, 65G-4.0211, 65G-4.0212, 65G-4.022, 65G-4.024, 65G-4.027

All Seasons Landscape Contractors, Inc. vs. Florida Department of Transportation; Case No.: 13-0362RU

Abbie V. Woodard vs. Agency for Health Care Administration; Case No.: 13-0191RU

Florida Manufactured Housing Association, Inc. vs. Florida Department of Business and Professional Regulation, Manufactured AR) Building Program and Florida Building Commission; Case No.: 13-0363RU

Martin Memorial Health Systems, Inc.; North Broward Hospital District, d/b/a Broward General Medical Center; Broward Health North; Broward Health Imperial Point and Broward Health Coral Springs vs. Agency for Health Care Administration; Case No.: 12-3596RU

Gulfstream Park Racing Thoroughbred After Racing Program, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 12-3848RU

Florida Wildlife Federation, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc.; Sierra Club and Conservancy of Southwest Florida vs. Department of Environmental Protection; Case No.: 12-3605RU

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

Raymond Colantonio, et al. vs. Department of Law Enforcement; Case No.: 12-3282RX; Rule No.: 11D-8.003(2); Dismissed

Carolyn L. Stutt, Orin R. Smith, Stephanie Smith, and E. Garrett Bewkes vs. Department of Environmental Protection; Case No.: 12-3653RX; Rule No.: 62-330.200(2); Voluntarily Dismissed

Last Stand, Inc., and George Halloran vs. Department of Environmental Protection; Case No.: 12-3821RX; Rule No.: 62-330.200(4); Voluntarily Dismissed

Florida Institute for Neurologic Rehabilitation vs. Department of Health; Case No.: 12-3463RX; Rule No.: 64I-1.005; Invalid

Bayfront Medical Center, Inc., Cape Memorial Hospital, Inc., d/b/a Cape Coral Hospital; CGH Hospital, Ltd., d/b/a Coral Gables Hospital; Delray Medical Center, Inc., d/b/a Delray

Medical Center; Lee Memorial Health System; et al vs. Agency for Health Care Administration; Case No.: 12-2757RU; Invalid

C.B. and Z.H. vs. Agency for Persons with Disabilities; Case No.: 12-3247RU; Dismissed

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MILITARY AFFAIRS
 211082 St. Petersburg NGA Renovation
 PUBLIC ANNOUNCEMENT
 INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered, qualified and licensed Contractors for the following projects located at N. Worth Gable Florida National Guard Armory, St. Petersburg, FL:

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT NUMBER: 211082, N. Worth Gable FNG Armory Renovation.

BID OPENING DATE: As stated in the advertisement on the Vendor Bid System.

MANDATORY SITE VISIT DATE: As stated in the advertisement on the Vendor Bid System.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contracting Branch (904)823-0255, 823-0256, 827-8544 or e-mail ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil.

DEPARTMENT OF MILITARY AFFAIRS
 211082 St. Petersburg NGA Renovation
 STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PUBLIC ANNOUNCEMENT

Invitation to Bid

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered, qualified and licensed Contractors for the following projects located at N. Worth Gable Florida National Guard Armory, St. Petersburg, FL:

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT http://vbs.dms.state.fl.us/vbs/main_menu on or after February 22, 2013.

PROJECT NUMBER: 211082, N. Worth Gable FNG Armory Renovation.

BID OPENING DATE: As stated in the advertisement on the Vendor Bid System.

MANDATORY SITE VISIT DATE: As stated in the advertisement on the Vendor Bid System.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contracting Branch (904)823-0255, 823-0256, 827-8544 or e-mail ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil.

CITY OF DEFUNIAK SPRINGS
CONSTRUCT A MULTI-UNIT T-HANGAR BUILDING AT
DEFUNIAK SPRINGS MUNICIPAL AIRPORT

Sealed proposals, in duplicate, will be received by the City of DeFuniak Springs in the Office of the City Manager, at City Hall, located at 71 US Highway 90 West, DeFuniak Springs, Florida 32435 until 2:00 p.m. on March 13, 2013, CDT, at which time, in the City Council Chambers all proposals received will be publicly opened and read aloud. Bidders are invited to submit proposals for this work on the Proposal Forms provided. Other proposal forms will not be accepted.

The complete examination and understanding of the Contract Documents consisting of the Plans and Specifications, and all addenda or other revisions, and Site of the proposed work is necessary to properly submit a Proposal. Contract Documents consisting of the Plans and Specifications, and all addenda or other revisions are available for examination or may be obtained from the offices of the URS Corporation, 7650 West Courtney Campbell Causeway, Tampa, Florida 33607, phone (813)636-2139, fax (813)636-2400. There is a \$100.00 charge

for each hard copy set (half-size) of Contract Documents, or \$50.00 for each electronic copy set (PDF) of the Contract Documents. Return of the Contract Documents is not required and the amount paid for the Contract Documents is non-refundable.

A Bid Bond in the form as bound in the Contract Documents or Certified Check in the amount of not less than five percent (5%) of the total amount bid must accompany each Bid.

**Section XII
Miscellaneous**

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-009-A
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS
In re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
LAKE COUNTY ORDINANCE NO. 2012-71

CORRECTED FINAL ORDER
APPROVING IN PART AND REJECTING IN PART
LAKE COUNTY ORDINANCE NO. 2012-71

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving portions of Lake County Ordinance No. 2012-71 (“Ordinance”) and rejecting portions of the Ordinance as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern.

§ 380.0551, Fla. Stat. Lake County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by the Lake County Board of County Commissioners on November 20, 2012, was rendered to the Department on December 10, 2012.

3. The Ordinance amends provisions in the County’s Land Development Regulations, Lake County Code, Appendix E, regarding floodplain management. These amendments update the Land Development Regulations to be consistent with revisions to the Florida Building Code provisions related to buildings and structures in flood hazard areas and are necessary in order for the County to continue to be eligible for the National Flood Insurance Program. Specifically, the Ordinance

- a. amends definitions in Chapter II;
- b. amends Chapter III, Sections R322.2.1 and 1612.4, Florida Building Code;

c. amends Chapter VI, Sections 6.06.01, 6.06.02, 6.06.03, 6-22, and 6-45, and creates Section 6-9 entitled “Variances to the Flood Resistant Construction Requirements of the Florida Building Code”;

d. amends Chapter VII, Section 7.00.05, Wekiva River Regulations;

e. amends Chapter VIII, Sections 8.00.04 and 8.00.05.B.1, Development Guidelines for the Green Swamp Area of Critical State Concern;

f. amends Chapter IX, Section 9.06.05, Stormwater Management Performance Criteria, and repeals and replaces Section 9.07.00, Floodplain Management and Lot Grading; and

g. amends Chapter XIV, Sections 14.00.03, 14.07.04, 14.09.01, and 14.15.00, and creates Sections 14.10.1 and 14.20.00, Site Improvements, Utilities and Limitations.

4. The Ordinance also amends Chapter VIII, Section 8.00.05, Development Review Criteria in the Green Swamp Area of Critical State Concern, subsections 8.00.05.A.1 and A.11, by changing the term “flood detention,” which includes flood water drainage within a drainage basin, to “stormwater detention” which is a less encompassing term.

CONCLUSIONS OF LAW

5. 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.

6. Lake County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.

7. “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.

8. 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”).

9. The portions of the Ordinance described in paragraph 3 above are consistent with the Principles in Rule 28-26.003(b), (c), (e) and (j), Fla. Admin. Code, and with the Principles as a whole, and are not inconsistent with any Principle. Further, the portions of the Ordinance described in paragraph 3 above are consistent with the Lake County Comprehensive Plan, specifically Objective III-2.4 and Policies I-4.4.8, I-7.5.4, III-2.4.1, III-2.4.3, III-2.4.5 and III-2.4.7.

10. The portions of the Ordinance described in paragraph 4 above – the amendments to subsections 8.00.05.A.1 and 8.00.05.A.11 of the Land Development Regulations – are not

consistent with the Principles in Rule 28-26.003(a) and (k), Fla. Admin. Code, that require protection of flood detention areas, and are not consistent with the Principles as a whole. Further, the amendments to subsections 8.00.05.A.1 and 8.00.05.A.11 of the Land Development Regulations, described in paragraph 4 above, are not consistent with the Lake County Comprehensive Plan, specifically Policies I-4.1.4 and I-4.3.12.

WHEREFORE, IT IS ORDERED that:

A. The land development regulations in Ordinance No. 2012-71, except for the amendments to subsections 8.00.05.A.1 and 8.00.05.A.11, are found to be consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby APPROVED.

B. The land development regulations in Ordinance No. 2012-71 described in paragraph 4 above – the amendments to subsections 8.00.05.A.1 and 8.00.05.A.11 and 8.00.05.B.1 – are found to be inconsistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Register 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 CORRECTED FINAL 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'S CORRECTED FINAL ORDER, 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 AFTER PUBLICATION OF THIS CORRECTED FINAL ORDER. 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
 FAX (850)921-3230

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

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
