

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Division of Hotels and Restaurants

RULE NO.: 61C-5.0085
 RULE TITLE: Continuing Education Requirements
 PURPOSE AND EFFECT: To expand continuing education credit to course instructors, streamline course identification numbers, specify course changes requiring department notification, and records retention and submission requirements.

SUMMARY: Provides process for continuing education course instructors to obtain credit for teaching a course, specifies course identification numbers are assigned by the department upon approval, specifies changes that require department notification, creates consistency with statutory requirements, provides registration records requirements for interactive distance learning courses, requires course providers to submit course records to the department, and adopts an updated form to reflect changes to the rule.

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

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

The proposed rule impacts continuing education providers for elevator professionals and continuing education instructors licensed by the Division of Hotels and Restaurants. The proposed rule has the potential to reduce personal income for elevator continuing education providers by up to \$1,800 annually, or \$9,000 over five years, while saving the continuing education instructors an equal amount by claiming credit for teaching rather than paying to attend the continuing education courses required to maintain their license. The rule is not expected to adversely impact business competitiveness. Increased regulatory costs on small business over five years are estimated at \$149.70 for six continuing education providers to submit course records. By adopting requirements for the

documentation that must be submitted, the rule may reduce the amount of documentation the continuing education providers submit voluntarily and save the providers an estimated \$1,287 per year. These savings may help offset the potential income lost resulting in a net impact of \$512.54 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: 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: 399.01, 399.02, 399.10 FS.

LAW IMPLEMENTED: 399.01(16), 399.17 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; (850)488-1133; dhr.rules@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.0085 Continuing Education Requirements.

(1) Continuing Education Requirements.

(a) through (d) No change.

(e) Continuing education credit shall be granted to course instructors for the first presentation of a specific approved continuing education course or portion thereof, on an hour for hour basis, each annual licensure period. To obtain continuing education credit as a course instructor, the instructor must provide proof of completion of the course, must be identified as the instructor of the course on the sign-in sheet described in subparagraph (5)(a)5. and the certificate described in paragraph (5)(b), and must be listed on the sign-in sheet as an attendee.

(2) Course Provider Registration.

(a) Each course provider must register with the department to conduct courses that satisfy continuing education requirements of Chapter 399, F.S., by submitting DBPR Form HR 5023-017 APPLICATION FOR COURSE PROVIDER REGISTRATION AND COURSE APPROVAL (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04376> ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-03447>~~), incorporated herein by reference and effective 2014 March 25 ~~2013 November 22~~. Copies of this form are available from the Division of Hotels and Restaurants Internet website at

www.MyFloridaLicense.com/dbpr/hr; by e-mail to dh.elevators@myfloridalicense.com; or upon written request to the Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. Each application for course provider registration must include application for approval of at least one course.

(b) No change.

(c) A course provider must provide the department written notice of any ~~material~~ changes to information contained in its most recent application for, or renewal of, course provider registration no later than 30 days after such a change.

(d) through (e) No change.

(f) The department shall deny, suspend, or revoke the registration of any course provider based on any of the following:

1. through 9. No change.

10. Failure to include the course identification number assigned by the department in any advertisement, brochure, course completion certificate, or other marketing or instructional material.

(g) through (h) No change.

(3) Continuing Education Course Approval.

(a) through (b) No change.

(c) Continuing education courses will only be considered for approval when a registered course provider submits DBPR Form HR 5023-017 APPLICATION FOR COURSE PROVIDER REGISTRATION AND COURSE APPROVAL to the department no less than 30 days prior to date the first session of the course is scheduled to be conducted. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the name and qualifications of all instructors known at the time of the application; a sample roster; and a sample of the certificate provided upon completion of the course; ~~and the course identification number, if known. If the course provider does not submit a unique course identification number with the application, the department shall assign each approved course a unique identification number.~~ The department may request additional information as necessary to consider the course for approval.

(d) The department shall assign each approved course a unique course identification number. Any course denied approval may be modified and resubmitted for approval.

(e) through (f) No change.

(g) Continuing education courses may be conducted through interactive distance learning so long as the course has been approved by the department and complies with all requirements in this subsection.

1. through 2. No change.

3. Each course provider must notify the department in writing that it will provide the training program through interactive distance learning. Such notification must include the course provider name; ~~the course identification number assigned by the department;~~ the form of interactive electronic media utilized; ~~the internet address for the course, if applicable;~~ and the name and qualifications of the course instructor responsible for ensuring the course material remains relevant.

(h) The course provider must notify the department in writing of any ~~material~~ changes to the information required by paragraphs (c) and (g) of this subsection within 30 days of such change.

(i) No change.

(4) Course Instructor Qualifications.

~~(a)~~ Course instructors must be affiliated with a registered course provider and possess education and experience that qualifies the instructor to teach the course or parts of the course to which he or she is assigned. The course provider is responsible for verifying course instructors' qualifications.

(a) Course instructors must possess five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a certificate of competency ~~Certificate of Competency~~ issued by and in good standing with the division;

2. Current certification in good standing under the American Society of Mechanical Engineers standards as a qualified elevator inspector ~~Qualified Elevator Inspector~~; or

3. No change.

(b) No change.

(5) Records Required of Course Providers.

(a) The course provider must maintain records for each session of courses it conducts for the purpose of satisfying continuing education requirements established in Chapter 399, F.S., and provide any of these required records upon request by the department. Such records must be maintained for three years, and contain the following:

1. through 4. No change.

5. The original sign-in sheet used on-site to record attendance for each course session, which must include: the course identification number assigned by the department, time, date and address of the course session; the attendee's printed name, signature, and ~~department~~ certification or registration number issued by the division; ~~and type~~, and number of course hours the attendee completed. The sign-in sheet must prominently bear the following statement above the attendees' information: "By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session." The sign-in sheet must

also bear the following statement: “I attest the information recorded herein is true and accurate” above the signature of the instructor and the printed names of the course provider and instructor.

6. The student registration for each course session completed through interactive distance learning, which must include: the course identification number assigned by the department, time and date of the course session, the attendee’s name and certification or registration number issued by the division, and number of course hours the attendee completed. The registration must prominently bear the following statement above the attendees’ information: “By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session.”

(b) Upon completion of a course, each attendee shall receive from the course provider a certificate measuring 8 1/2 inches by 11 inches, displaying the following: the time and date of the course session; name of the course; number of course hours attended; the course provider’s name and provider number assigned by the department; the course instructor’s name and signature, and the ~~unique~~ course identification number assigned by the department.

(c) A course provider must submit to the department a copy of the sign-in sheet within 30 days of the completion of the course. For interactive distance learning courses, the course provider must submit the student registration of those individuals successfully completing the course by the fifth of the month following the calendar month in which the course was completed. The required documentation may be submitted via e-mail to dh.elevators@myfloridalicense.com or via mail to Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

(6) Advertising Continuing Education Courses.

(a) through (b) No change.(c) The course provider must include the course identification number assigned by the department in any advertising used in connection with the course, and any other materials used in connection with the course including but not limited to the syllabus or other instructional materials.

(d) No change.

Rulemaking Authority 399.01, 399.02, 399.10 FS. Law Implemented 399.01(16), 399.17 FS. History–New 11-9-06, Amended 9-26-11, 2-24-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diann Worzalla, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Ken Lawson, Secretary, Department of
Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 13, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: May 1, 2014

Section III Notice of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-2.041 Permits Required

40E-2.091 Publications Incorporated by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 101, May 23, 2014 issue of the Florida Administrative Register.

The District corrects the rule summary to include:

- 1) The provisions on reclaimed water were moved to Rule 40E-2.301, F.A.C., and the dewatering permit types were moved to Rules 40E-2.061 and 40E-2.071, F.A.C.;
- 2) The water use forms were revamped and supplemental forms were developed to address specific water use types.

The sentence structure in Rule 40E-2.041(4) is corrected as follows:

(4) A water user seeking a noticed general permit shall obtain one permit for all withdrawals intended to serve contiguous areas. Unless obtaining multiple permits whose withdrawal quantities are monitored and reported from each withdrawal facility or point of diversion, if required by Subsection 4.1.1 of the Applicant’s Handbook, and evaluated for feasibility of using reclaimed water, if required by Subsection 2.2.4.B of the Applicant’s Handbook, two or more projects shall be aggregated and treated as a single project for permitting purposes when the District determines that the projects are physically proximate and either:

- (a) share the same irrigation infrastructure; or,
- (b) are operated as a common enterprise.

However, when multiple use classifications, as set forth in Rule 40E-21.651, F.A.C., are served by separate withdrawal facilities, the District is authorized to issue separate noticed general permits.

The following corrections are made to the Applicant’s Handbook:

Section 1.5.2.D.4. & 5.: the word “or” will be removed after D.5. and placed after D.4.

Section 5.2.3.K.4: The District will add [source and minimum level to be added consistent with Rule 40E-22.262, F.A.C.]. This corrects the sentence structure without changing the meaning of the sentence.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-31.701	Minimum Standards and Practices for Mold Assessors
61-31.702	Minimum Standards and Practices for Mold Remediators

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 200, October 14, 2013 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-807.200	Definitions
62-807.400	Application for Corridor Certification, Recipients
62-807.470	Local Government Informational Meetings
62-807.530	Alternate Corridors, Criteria for Rejection
62-807.570	Postcertification – Compliance Reviews, Monitoring and Reporting
62-807.600	Amendments to Application
62-807.670	Specifications and Text for Newspaper Notice

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. 39, No. 47, March 8, 2013 issue of the Florida Administrative Register.

In addition, the Templates referred to in Rule 62-807.670 have been modified to correct the template names, identify the referencing rule, and provide for an effective date.

62-807.200 Definitions.

Words, terms, and phrases used in this chapter, unless otherwise indicated, have the meaning set forth in Section 403.9403, F.S.

In addition, the following words, when used in these rules, have the indicated meanings:

(1) through (2) No change.

(3) "Alternate corridor" means an area proposed by a party ~~other than the applicant~~ under Section 403.9412, F.S., within which all or part of an associated pipeline right-of-way is to be located and that is different from the pipeline corridor proposed by the applicant. Any alternate corridor proposed by the applicant shall be treated as an amendment to the application. The width of the alternate corridor proposed for certification for a pipeline may be the width of the proposed right-of-way or a wider boundary not to exceed the width referenced in Section 403.94055(2), F.S.

(4) through (10) No change.

Rulemaking Authority 403.9404(1), (2) FS. Law Implemented 403.94055, 403.9408, 403.941, 403.9411, 403.9412, 403.9413, 403.9416 403.9403 FS. History–New 8-12-93, Formerly 17-807.200, Amended_____.

62-807.400 Application for Corridor Certification, Recipients.

(1) No change.

(a) through (b) No change.

~~(c) The applicant shall submit the application and any amendments thereto to a main public library in each county within which the corridor is located. The proximity of the library to the corridor may be considered by the applicant in selection of the library.~~

~~(c)(d) Prior to application filing, the applicant may request a meeting between the applicant, the Department and any potentially interested statutory party to define the scope of those entities’ interests and the information they will need to perform the review to determine whether specific informational requirements may be waived, modified or reduced in scope.~~

(2) The application shall provide information concerning the corridor, including maps delineating the precise boundary of the corridor, the beginning and end points of the corridor and the locations of the corridor that fall within existing rights-of-way if fee reductions under the provisions of Section 403.9421, F.S., are sought.

(3) through (5) No change.

Rulemaking Authority 403.9404(1) FS. Law Implemented 403.94055, 403.9407, 403.9415 FS. History–New 8-12-93, Formerly 17-807.400, Amended_____.

62-807.470 Local Government Informational Meetings.

(1) through (2) No change.

(3) Any local government intending to conduct an informational public meeting pursuant to Section 403.94243, F.S., may shall coordinate with the Department and the applicant in the scheduling of that meeting, to assure availability of the Department and the applicant, if so desired.

(4) No change.

Rulemaking Authority 403.9404(1) FS. Law Implemented 403.9424 FS. History–New 8-12-93, Formerly 17-807.470, Amended_____.

62-807.530 Alternate Corridors, Criteria for Rejection.

(1) through (3) No change.

(4) No change.

(a) No change.

(b) The quality of the documents presented in support of a proposed alternate corridor render all or part of the material illegible of the filing is so poor as to make it difficult for the Department to evaluate the proposal; or

(c) No change.

(5) through (8) No change.

~~(9) Notice of the rescheduled certification hearing must be published pursuant to Section 403.9411(2), F.S., no later than 80 days before the date set for the hearing.~~

~~(9)(10) No change.~~

~~(11) A reminder notice of the rescheduled certification hearing must be published pursuant to Section 403.9411(1)(e), F.S., no more than 10 days before the date set for the hearing.~~

Rulemaking Authority 403.9404(1), (2) FS. Law Implemented 403.9412 FS. History–New 8-12-93, Formerly 17-807.530, Amended_____.

62-807.570 Postcertification – Compliance Reviews, Monitoring and Reporting.

(1) No change.

(2) When the final order or conditions of certification require the applicant to submit final project design details as part of a post-certification review in which agencies with regulatory jurisdiction monitor for continuous compliance with their non-procedural requirements, the following procedures will apply unless other specific procedures are required in the final order or conditions of certification: Final project design details may be required as part of a post certification review in which agencies with regulatory jurisdiction monitor for continued compliance with applicable non-procedural requirements. Unless otherwise stated in a condition, the post-certification review procedures will operate as follows:

(a) through (d) No change.

(3) through (8) No change.

Rulemaking Authority 403.9404(1) FS. Law Implemented 403.9416(2), (3) FS. History–New 8-12-93, Formerly 17-807.570, Amended_____.

62-807.600 Amendments to Application.

No change.

(1) The following applies to any pre-certification amendments:

(a) through (d) No change.

(e) If the applicant files an amendment is filed after the submission of agency reports to the Department, the Department shall may request that the Administrative Law Judge adjust the certification schedule to the extent additional time is necessary to allow for agencies to the conduct of a sufficiency review of the amended application and submit their revised revision of agency reports.

(f) If the applicant files an amendment is filed after the issuance of the Department's written analysis, the Department shall may request that the Administrative Law Judge adjust the certification proceeding schedule to the extent additional time is necessary to allow review of the effect of the such a filing on the overall application review process. The Such a request shall take into account whether the or not such amendment was made is in response to previously considered matters such as alternate filings.

(g) No change.

(2) No change.

Rulemaking Authority 403.9404(1) FS. Law Implemented 403.9403(4), 403.94055(1), 403.9413 FS. History–New 8-12-93, Formerly 17-807.600, Amended_____.

62-807.670 Public Noticing Requirements.

~~(1) The following forms are adopted and incorporated by reference and shall be used as outlined below.~~ The applicant shall provide newspaper notice as required by Section 403.9411, F.S., using the templates forms listed below. Templates Form may be obtained from the Department of Environmental Protection, Siting Coordination Office, or by accessing the Office's web site at <http://www.dep.state.fl.us/siting>, or at the hyperlink provided below. The content of any notice may be different than that provided in this section so long as the deviation does not materially and substantially alter the substance of such notice. All notices shall, with the exception of the Petition to Modify notice, be published in accordance with Section 403.9411(1)(d):

(a) Notice of Filing Certification of Application for Natural Gas Pipeline Corridor(s): DEP Template 62-807.670(1)(a) Form 62-807.670(1) effective [effective date], adopted and incorporated herein and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref->. This notice shall be published within 15 days after application has been determined complete.

(b) Notice of Certification Hearing On Proposed Natural Gas Pipeline Corridor(s), DEP Template 62-807.670(1)(b) Form 62-807.670(2) effective [effective date], adopted and incorporated herein and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref->.

This notice shall be published at least 80 days prior to the date set for the certification hearing.

~~(c)4-~~ Reminder Notice for Originally Scheduled or Rescheduled Certification Hearing – DEP Template 62-807.670(1)(c) Form 62-807.670(3) effective [effective date], adopted and incorporated herein and available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

This notice shall:

1. through 2. No change.

3. Be published no more than 10 days before the date set for the hearing.

(d) Notice of Rescheduled Natural Gas Pipeline Certification Hearing Due to Filing of Alternate Corridor(s) - DEP Template 62-807.670(1)(d) Form 62-807.670(4) effective [effective date], adopted and incorporated herein and available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____. This notice shall be published at least 80 ~~30~~ days prior to the rescheduled certification hearing.

(e) Notice of Receipt of a Petition to Modify Certified Natural Gas Pipeline Corridor: ~~The applicant must consult with the Department to determine whether such notice is necessary, and if so, the size of the newspaper notice necessary to be published. If such a notice is necessary, DEP Template 62-807.670(1)(e) Form 62-807.670(5) effective [effective date], adopted and incorporated herein and available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____, shall be used.~~ This notice shall:

1. through 4. No change.

(2) No change.

Rulemaking Authority 403.9404(1), (2), 403.9411(1)(f) FS. Law Implemented 403.9411(1), 403.9412, 403.9418, 403.815 FS. History—New 8-12-93, Formerly 17-807.670, Amended_____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011: Policy and Purpose

The South Florida Water Management District (District) hereby gives notice: on June 12, 2014, the District's Governing Board issued SFWMD Order No. 2014-052-DAO-ROW to Broward

County Parks and Recreation Division (Application No. 14-0425-1M). The petition for waiver was received by the District on April 25, 2014. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 40, No. 85, on May 1, 2013. No public comment was received. This Order provides a waiver of the District's criteria to allow the installation of a cross-fence within the north right-of-way of C-11 located easterly of U.S.441/F.R.7; Section 25, Township 50 South, Range 41 East; Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent/semi-permanent above-ground facilities within 40 feet of the top of the canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed cross-fence will not interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone: (561)682-6268; or by email at: jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 17, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, from Barefoot Bar located in Lake Buena Vista. 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 sink in the outside bar of the Barefoot Bar remodel.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, 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

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

On June 20, 2014 the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from One Enterprise Center, filed May 20, 2014, and advertised on May 23, 2014 in Vol. 40, No. 101, 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 2.27.3.3 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from providing a three-position key-operated switch because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-142).

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.

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 June 19, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hammond Stadium (1). Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2014-216).

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

NOTICE IS HEREBY GIVEN that on June 19, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hammond Stadium (2). Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.1.5 and 2.15.9.2, as adopted by subsection 61C-5.001(1), Florida Administrative Code, requests permission to install a retractable toe guard 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 (VW2014-217).

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 ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-711.500: Waste Tire Site Notification and Requirements

NOTICE IS HEREBY GIVEN that on June 18, 2014, the Department of Environmental Protection received a petition for waiver from paragraph 62-711.500(3)(a), F.A.C., which requires the owners and operators of waste tire sites provide financial assurance in the amount of the closing cost estimate for the facility. Dimor International, LLC filed the petition and its facility is located at 7621 NW 37th Avenue, Miami, Florida 33147 in Section 9, Township 53, Range 41 in Miami-Dade County; at latitude 25 degrees 50 minutes 37.7 seconds West and longitude 80 degrees 15 minutes 23.77 seconds North. The petition has been assigned OGC # 14-0356.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard B. Tedder, P.E., Environmental Administrator, by phone at (850)245-8735; or by email at Richard.Tedder@dep.state.fl.us; or by mail at Department of Environmental Protection, Solid Waste Section, MS # 4565, 2600 Blairstone Road, Tallahassee, FL, 32399-2400; during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.005: Standards for Certified Nursing Assistant Training Programs

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Council on Certified Nursing Assistants received a petition for variance of subsection 64B9-15.005(6), F. A. C., filed by Flagler County Schools, to request an extension of the probationary period.

Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, at the above address or telephone (850)245-4125.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.005: Standards for Certified Nursing Assistant Training Programs

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Council on Certified Nursing Assistants received a petition for variance of subsection 64B9-15.005(6), F. A. C., filed by Matrix Educational Center, to request a temporary extension of the probationary period.

Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, at the above address or telephone (850)245-4125.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council for the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: July 7, 2014, 3:00 p.m.

PLACE: Teleconference number 1(888)670-3525, participant passcode 1242528392, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee to create a budget for Fiscal Year 2014-2015.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, telephone:(850)245-0392, email: Alise.Fields@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, telephone:(850)245-0392, email: Alise.Fields@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

DATE AND TIMES: Tuesday, July 8, 2014; the Projects and Land Committee business meeting will begin at 9:00 a.m.; the Finance, Administration and Audit Committee meeting will begin at 10:00 a.m. or upon conclusion of the Projects and Land Committee meeting, whichever is later; the Regulatory Committee meeting will begin at 11:00 a.m. or upon conclusion of the Finance, Administration and Audit Committee meeting, whichever is later; the Governing Board meeting will begin at 11:15 a.m. or upon conclusion of the Regulatory Committee meeting, whichever is earlier.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4470, or by visiting the District's website at floridaswater.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: July 2, 2014, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

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, ext. 4702; TDD (FL only) 1(800)231-6103; or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

The Florida State Employees' Charitable Campaign (FSECC) Statewide Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 1, 2014, 4:00 p.m. – 4:30 p.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1.Potential changes to rules governing the FSECC. 2.Old/New Business.

A copy of the agenda may be obtained by contacting: Mr. Matthew Gregory at (850)921-4618 or Matthew.Gregory@dms.MyFlorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mr. Matthew Gregory at (850)921-4618 or Matthew.Gregory@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).

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: August 22, 2014, 7:30 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: June 30, 2014, 6:00 p.m.

PLACE: 1(888)670-3525; when prompted, enter conference code 5805370981

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

The Florida Department of Economic Opportunity announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Low-Income Home Energy Assistance Program State Plan: to obtain input and recommendations from the public and interested parties concerning the LIHEAP State Administrative Plan for FFY 2015. This plan will be submitted to the United States Department of Health and Human Services. The plan is developed annually and is a federal requirement for the state to receive LIHEAP funds.

Teleconference number: 1(888)670-3525, participant code: enter 7003422410, then press #.

A copy of the state plans and agendas may be obtained by writing to the Department of Economic Opportunity, Ms. Jean Amison, Program Manager, Bureau of Community Assistance, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120; by telephone, (850)717-8450 or by fax at (850)488-2488; or by appearing in person at the agency headquarters.

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: Ms. Jean Amison. Any person requiring a special accommodation at either of these public hearings because of a disability or physical impairment should contact the community assistance section at (850)717-8450 at least five calendar days prior to the hearing. 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.

If a person decides to appeal any decision of the Department of Economic Opportunity with respect to any matter considered at these public hearings, he or she will need a record of the proceeding. For such purposes he or she may need to ensure that a record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be made.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

The Department of Economic Opportunity announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2014, 1:00 p.m. – 3:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Community Services Block Grant Program State Plan: to obtain input and recommendations from the public and interested parties concerning the CSBG State Administrative Plan for FFY 2015 and 2016. This plan will be submitted to the United States Department of Health and Human Services. The plan is developed bi-annually and is a federal requirement for the state to receive CSBG funds.

Teleconference number: 1(888)670-3525, participant code: enter 7003422410, then press #.

A copy of the state plans and agendas may be obtained by writing to the Department of Economic Opportunity, Ms. Jean Amison, Program Manager, Bureau of Community Assistance, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120; by telephone, (850)717-8450, or by fax at (850)488-2488; or by appearing in person at the agency headquarters.

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 community assistance section at 1(850)717-8450. 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 Ms. Jean Amison.

If a person decides to appeal any decision of the Department of Economic Opportunity with respect to any matter considered at these public hearings, he or she will need a record of the proceeding. For such purposes he or she may need to ensure that a record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be made.

GLOBAL 5 COMMUNICATIONS

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

DATE AND TIME: July 1, 2014, 5:30 p.m.

PLACE: First Baptist Church of Merritt Island, 140 Magnolia Avenue, Merritt Island, FL 32952

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 430668-1-52-01.

Project Description: FDOT is conducting a public hearing regarding access management changes along Courtenay Parkway (State Road 3) near Minna Lane, Lura Lane, and Tangerine Avenue in Brevard County. Improvements include closing the median openings at Minna Lane and Lura Lane to a

accommodate extending the northbound and southbound turn lanes at Hurwood Avenue and Needle Boulevard, and converting the full median opening at Tangerine Avenue to a directional median opening. The project also involves milling and resurfacing all lanes and turn lanes from SR 520 to Skylark Avenue, reducing the width of the median opening at Home Depot to better direct traffic and improve safety, installing mast arms at Hurwood Avenue and Needle Boulevard, and providing a continuous bike lane by restriping and widening in the median at two locations. The project is funded for construction in 2015. The hearing will be held Tuesday, July 1, 2014, at the First Baptist Church of Merritt Island, 140 Magnolia Avenue, Merritt Island FL, 32952. It begins with an open house at 5:30 p.m. where participants may review project information and discuss the project with staff. There will be a brief presentation at 6:30 p.m. after which participants may provide comments to all present. The hearing ends at 7:30 p.m. Written comments can be submitted at this hearing, by mail to Ms. Laura Clark, Public Involvement Coordinator, Inwood Consulting Engineers, 3000 Dovera Drive, Suite 200, Oviedo, FL 32765, or by e-mail to lclark@inwoodinc.com, no later than Friday July 11, 2014. All comments, written and oral, will become part of the project's public record.

A copy of the agenda may be obtained by contacting: N/A.

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: Ms. Laura Clark at (407)971-8850. 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: Mr. Ed Kestory, FDOT Project Manager at (386)943-5415 or e-mail at Ed.Kestory@dot.state.fl.us.

OMNI COMMUNICATIONS

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

DATE AND TIME: July 8, 2014, 5:00 p.m. – 7:00 p.m.

PLACE: The Grand Foyer at Van Wezel Performing Arts Center, 777 N. Tamiami Trail, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to give interested people the opportunity to view the proposed design. The meeting will be an informal open house. There will be a 3-D visualization of the proposed improvements that will run continuously during the meeting along with display boards of the roadway improvements. There will be no formal presentation and participants are welcome to attend anytime between 5:00 p.m.

and 7:00 p.m. Department staff will be available to discuss the project, receive public input and to answer your questions.

The improvements proposed along US 41 include two-lane roundabouts at 10th Street and 14th Street, narrower travel lanes, bicycle lanes, pedestrian crossings, sidewalk improvements on both sides of the roadway, and a new bus bay adjacent to Centennial Park. These improvements may differ slightly from the Project Development and Environment (PD&E) conceptual design based on more detailed survey information gathered during the design phase. Bus facility enhancements by others will include bus landing pads, bus shelters, bus benches, and bike racks. Implementing these improvements requires acquisition of small areas of land from the Sarasota Lawn Bowling Club, Municipal Auditorium, Centennial Park, Pioneer Park, and Whitaker Gateway Park. Some of these improvements would take place within the Central Cocomanut Historic District. As part of the design process and in accordance with Section 4(f) of the Department of Transportation Act of 1966, FDOT is seeking comments from the public concerning the effects of the project on the activities, features and attributes of the recreational resources.

A copy of the agenda may be obtained by contacting: FDOT Project Manager Joe Lauk at (863)519-2251, by e-mail to joe.lauk@dot.state.fl.us, or by writing the Florida Department of Transportation, P. O. Box 1249, Bartow, FL 33831. For additional information, you may also visit the project website at www.us41roundabouts.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jamie Schley at (863)519-2573. 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: FDOT Project Manager Joe Lauk at (863)519-2251, by email to joe.lauk@dot.state.fl.us or by writing the Florida Department of Transportation, P. O. Box 1249, Bartow, FL 33831. For additional information, you may also visit the project website at www.us41roundabouts.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from inmate Jesse Deese, DC#L02291. The petition seeks the

agency's opinion as to the applicability of subsection 33-602.101(12), F.A.C., as it applies to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of subsection 33-602.101(12) and Form NII-071.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: Paul Vazquez, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from inmate Manuel Vega, DC#X16273. The petition seeks the agency's opinion as to the applicability of subsection 33-602.101(4), F.A.C., as it applies to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of subsection 33-602.101(4), F.A.C., regarding haircuts of male inmates.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: Paul Vazquez, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Gabriel Banfi, Unit Owner, In Re: Boca Towers Condominium Association, Inc., Docket No. 2014025724, filed on June 18, 2014. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)5.(c), Florida Statutes, and paragraph 61B-23.002(10)(d), F.A.C., as it applies to the petitioner.

Whether a unit owner may videotape a board meeting, having given notice of intent to record five minutes before the meeting, pursuant to Section 718.112(2)5.(c), Florida Statutes, and paragraph 61B-23.002(10)(d), F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1486; Daniel.Brown@myfloridalicense.com.

Please refer all comments to: Brittany Finkbeiner, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Robert McCandless on June 10, 2014. The petition seeks the agency's opinion as to the applicability of Section 489.105(n), Florida Statutes, as it applies to the petitioner.

The petitioner seeks a declaratory statement regarding Section 489.105(n), Florida Statutes, as to whether "at property line" within the statute is intended to prohibit the Underground Utility and Excavation Contractor from continuing beyond the property line and , if so, is it required that a Plumbing Contractor perform the work beyond the property line. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395, or by electronic mail – Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has received the petition for declaratory statement from James E. Parker on June 16, 2014. The petition seeks the agency's opinion as to the applicability of Section 475.01, Florida Statutes, as it applies to the petitioner.

Petitioner is seeking interpretation of Section 475.01, Florida Statutes, as to whether the definition of "broker" applies to non-licensed companies and individuals who are located outside of Florida that are listing Florida businesses for sale and then advertising those businesses for sale on the internet and local newspapers. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Director, Division of

Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice is hereby given that the Board of Pharmacy has received a Petition for Declaratory Statement filed by Ruben V. Chavez, on behalf of Palm Springs General Hospital on June 19, 2014. The Petitioner seeks a Declaratory Statement from the Board with regard to whether the MIC Isolator purchased by petitioner and described in the petition, is in compliance with USP 797.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice. A copy of the Petition for Declaratory Statement may be obtained by contacting Patrick Kennedy, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 or by email at info@floridaspharmacy.gov within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the petition for declaratory statement from Michael J. Farrar, Esquire on behalf of Petitioner Choice Plus, LLC on June 12, 2014. The petition seeks the agency's opinion as to the applicability of Section 717.1241(1)(a), Florida Statutes, as it applies to the petitioner.

The petition seeks the statutory provision pursuant to Section 717.1241(1)(a), Florida Statutes, and the declaration sought by the Petitioner is whether the Department believes it has the authority to make incomplete first claims complete by supplementing the first claims with information received from new claims, and if so, under what circumstances.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Michael H. Davidson, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-4178.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the petition for declaratory statement from Michael J. Farrar, Esquire on behalf of Petitioner Choice Plus, LLC on June 12, 2014. The petition seeks the agency's opinion as to the applicability of Section 717.1241(1)(a), Florida Statutes, as it applies to the petitioner.

The petition seeks the statutory provision pursuant to Section 717.1241(1)(a), Florida Statutes, and the declaration sought by the Petitioner is whether the Department take the position that a claim for which a request for further information has been

issued, but not responded to within 60 days, constitutes a withdrawal of a claim by the claimant, and when the claim is deemed to have been withdrawn, what does the Department require from the claimant if the claimants wants the Department to reconsider the claim that has been deemed to have been withdrawn.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Michael H. Davidson, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-4178.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Michael F. Domante, St. Petersburg Fire & Rescue on June 16, 2014. The petition seeks the agency's opinion as to the applicability of Florida Fire Prevention Code 101-42.3.3.2, 101-10.2, 101-10.2.1.1, 101-10.2.6.1, 101-10.2.6.2 and 101-6.2.2 as it applies to the petitioner.

The petition seeks an official determination as to whether the Fire Prevention Codes referenced above are applicable to a specific mini storage facility in St. Petersburg, Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-5829. Please refer all comments to: Melissa Dembicer at melissa.dembicer@myfloridacfo.com.

Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Richard Coates on April 16, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published April 24, 2014 in Vol. 40, No. 60 of the Florida Administrative Register. The Petitioners sought a determination by the Department as to whether precautions taken by a boatyard located in Punta Gorda, Florida, complied with Florida Fire Protection Code. The Petition is asking for a determination regarding the propriety of proposed conduct of another entity, Gator Creek Marina, and as such, is not the proper subject for a

declaratory statement. Therefore, the Petition was denied by a Final Order filed on June 18, 2014.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, or by email at Melissa.dembicer@myfloridacfo.com.

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 University of Florida
 UF Student of Life

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Athletic Association and Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UAA-34, Office of Student Life (OSL), (Gainesville, FL)

The current facility for student Academic Advisement Center (AAC) was completed in 1995 and includes approximately 35,000 square feet of space. Office of Student Life (OSL) currently occupies all of third floor, the southwest portion of first floor, and shares the rest of first floor and second floor with the University Academic Advisement Center.

OSL currently uses space in Farrior Hall and in several other buildings on campus. To improve efficiency and student-athlete convenience, it is desired that all OSL needs be accommodated at one location with the remodeling and expansion of the existing building to:

- Create a facility that helps retention of coaches and student athletes. Great facilities are a part of the total package that coaches and student athletes consider when asked to make a commitment to an institution.
- Create a facility that expands and enhances the academic opportunities for all UF students.
- Create a facility that offers a powerful first impression to recruits and parents.
- Optimize efficiency by continuing to share space between OSL and AAC.
- Celebrate the academic success of UF student athletes.
- Offer enough space so all who seek out these services have spaces they can use to improve their academic success.
- Create various types of spaces for study. Include formal large groups, small groups, individual spaces at study tables, and more casual areas. Some spaces could even allow food and beverages.

- The new addition is 45,000 square feet of space.

The total project budget is \$25,000,000.00 including site improvement, underground utilities, tree surveys, tests, total building commissioning, furniture & equipment, and contingencies Construction shall be "fast-tracked" for new construction to begin February 2015 and end November 2015, and the renovation part to begin February 2016 and end August 2016. Gold LEED V4 (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory. But, the project team is encouraged to pursue Platinum level certification.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Conceptual Schematic Design stage and will include production of cost studies and estimates; value analysis; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; development of waste management strategies; and

development of a Guaranteed Maximum Price (GMP) proposal based on 60% Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. **Applications on any other form will not be considered.**
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity and liability insurance coverage.
7. Proof of the applicant's Experience Modification Rating (EMR) safety rating.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00

in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office **by 3:00 PM local time on Wednesday, July 23, 2014.** Facsimile (FAX) submittals are not acceptable and will not be considered.

Planning, Design & Construction
Ben Hill Griffin Stadium
245 Gale Lemerand Drive
P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000
Internet: www.facilities.ufl.edu

Section XII Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF APPROVAL OF ROUTINE PROGRAM CHANGE REQUEST

On June 18, 2014, the State received concurrence from NOAA's Office of Ocean and Coastal Resource Management that the proposed changes to the approved Florida Coastal Management Program (FCMP), with certain exceptions as noted in the Routine Program Change 2013 approval located at <http://www.dep.state.fl.us/cmp/federal/fedconsv.htm>, constitute routine changes as defined by 15 C.F.R. 923.84, implementing Federal Coastal Zone Management Act (16 U.S.C. ss. 1451 et seq.). The proposed changes were noticed in the FAR on February 12, 2014.

These incorporated changes do not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization or coordination, public involvement, and national interest.

As of the date of this notice, these changes are incorporated into the FCMP, and federal consistency applies to these statutory and rule changes. This notice has been sent to affected parties,

including local governments, state agencies, and regional offices of relevant federal agencies as required by 15 C.F.R. 923.84(b)(4).

For more information on this Routine Program Change and the list of persons and organizations notified, please contact, Ms. Ann Lazar, Department of Environmental Protection, Florida Coastal Office, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)245-2168.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On June 19, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Henrietta Marie Lamb, CNA, Certification No.: CNA 75981. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On June 19, 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Talasea Yoshida Sowell, CNA, Certificate No.: CNA 131679. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this

summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

FSC – Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9800		Tallahassee, Florida 32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 11, 2014):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: United Legacy Bank, Longwood, Florida

Proposed Purchaser: National Commerce Corporation, Birmingham, Alabama

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.