

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.:       RULE TITLE:

61A-3.0141       Special Restaurant Licenses

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendments is to update, add clarity, and omit obsolete references to the current rule.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed in this rulemaking is the license requirements for special restaurant licenses.

**RULEMAKING AUTHORITY:** 561.11 FS.

**LAW IMPLEMENTED:** 561.01(11), 561.20(2)(a)4, 562.45(2)(a), 564.09 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Renita Walton-Hayes, Operations Review Specialist, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1026, (850)717-1118, renita.walton-hayes@myfloridalicense.com

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

## Section II

### Proposed Rules

**DEPARTMENT OF AGRICULTURE AND CONSUMER  
SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.:       RULE TITLES:

5E-2.0105       Definitions

5E-2.043       Restrictions for the use of Allyl  
Isothiocyanate

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to add restrictions regarding the use of soil fumigants containing allyl isothiocyanate in Florida. The proposed rule will classify any soil fumigant containing allyl isothiocyanate as a restricted-use pesticide in Florida and will require a Designated Agent to be present at the application site during all phases of allyl isothiocyanate soil application.

**SUMMARY:** Identified restrictions for the use of fumigant containing Allyl Isothiocyanate in Florida.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact of potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the industry’s dealer and applicator’s estimated average cost to add the required license in a single year.

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:** 487.042, 570.07(23) FS.

**LAW IMPLEMENTED:** 487.031(1), 487.042 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:** Ms. Kelly Friend, Bureau Chief, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, FL 32399-1650; (850)617-7850; Kelly.Friend@FreshFromFlorida.com

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

5E-2.0105 Definitions.

(1) through (10) No change.

(11) Application site – The specific location being treated with a pesticide.

(12) Designated Agent – A certified applicator or an individual working under his or her direct supervision for the purpose of applying pesticides.

Rulemaking Authority 487.042, 570.07(23), 487.041(4)(e) FS. Law Implemented 487.042, 487.041(4)(e) FS. History–New 3-23-03, Amended \_\_\_\_\_.

5E-2.043 Restrictions for the use of Allyl Isothiocyanate.

(1) Any soil fumigant containing allyl isothiocyanate shall be classified as a restricted-use pesticide in Florida pursuant to Section 487.042, Florida Statutes.

(2) A Designated Agent, as defined in Rule 5E-2.0105, F.A.C., must be present at the application site during all phases of allyl isothiocyanate soil application. Rulemaking Authority 487.042, 570.07(23) FS. Law Implemented 487.031(1), 487.042 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anderson H. Rackley, Director, Division of Agricultural Environmental Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2014

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: RULE TITLE:  
5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee

PURPOSE AND EFFECT: The purpose of this rule making is to comply with the provisions of Section 487.041(1)(d)1., Florida Statutes. The effect will be the biennial publication of the active ingredients for which a registrant of a brand of pesticide is subject to the supplemental registration fee as required by Section 487.041, Florida Statutes.

SUMMARY: Updating the list of pesticide active ingredients subject to the supplemental registration fee.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This supplemental registration fee is based on the biennial publishing of the list of active ingredients that have a food residue tolerance as established in 40 Code of Federal Regulations, Part 180. The rule is necessary to identify those active ingredients that will trigger the requirement for pesticide registrants to pay a supplemental registration fee. The proposed rule increases the existing list of 408 active ingredients to 438 active ingredients, based on changes published in 40 CFR 180. This represents a 3.4% increase in the number of active ingredients.

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: 487.041, 570.07(23) FS.  
LAW IMPLEMENTED: 487.041 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: Dr. Davis Daiker, Bureau Chief, Bureau of Scientific Evaluation and Technical Assistance, 3125 Conner Boulevard, Building 6, Tallahassee, FL 2399-1650; (850)617-7919; Davis.Daiker@FreshFromFlorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee.

(+) The pesticide active ingredients published in the list entitled, ~~of~~ “Registered Pesticide Active Ingredients for which a Brand of Pesticide is Subject to a Supplemental Fee” (Version 08-08-14), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Scientific Evaluation and Technical Assistance, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650; (850)617-7917, (04-21-14) are subject to the supplemental registration fee established in Sections 487.041(d) and (2), F.S.

~~(2) All forms, filing specifications, and materials contained in this rule are hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650; (850)617-6917 or~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-01258>. Rulemaking Authority 487.041(1)(d), (2), 570.07(23) FS. Law Implemented 487.041(1)(d), (2) FS. History–New 12-15-09, Amended 6-26-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anderson H. Rackley, Director, Division of Agricultural Environmental Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 18, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2014

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Office of Energy**

RULE NOS.:      RULE TITLES:  
 50-2.001      Florida Renewable Energy Technologies Sales Tax Refund  
 50-2.002      Florida Renewable Energy Technologies Investment Tax Credit  
 50-2.003      Florida Renewable Energy Production Tax Credit

PURPOSE AND EFFECT: The purpose of the amended rule is to provide guidance to interested taxpayers for the application process, review, and administration of the Florida Renewable Energy Technology Sales Tax Refund, the Florida Renewable Energy Technology Investment Tax Credit, and the Florida Renewable Energy Production Credit.

SUMMARY: Florida Renewable Energy Technology Sales Tax Refund, Section 212.08, F.S.; Florida Renewable Energy Technology Investment Tax Credit, Section 220.192, F.S.; and Florida Renewable Energy Production Credit, Section 220.193, F.S.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rules did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the fact that the proposed rules implement voluntary tax incentive programs and that there is no cost for applicants to apply for the tax incentives. Eligible taxpayers may elect to participate in these programs to take advantage of tax credits available for investments made in renewable energy technology. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 120.536(1), 120.54, 212.08, 220.192, 220.193 FS.

LAW IMPLEMENTED: 212.08, 220.192, 220.193 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: April Groover, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001 or telephone: (850)617-7477

THE FULL TEXT OF THE PROPOSED RULE IS:

50-2.001 Florida Renewable Energy Technologies Sales Tax Refund.

(1) This rule applies to any taxpayer seeking a refund of Florida sales tax accrued and paid after July 1, 2012, on materials used in the distribution, including fueling infrastructure, transportation, and storage, of biodiesel (B10-B100), as defined in Rule 5F-2.001, F.A.C., ethanol (E10-E100), as defined in Rule 5F-2.001, F.A.C., and other renewable fuels. Pursuant to Section 212.08(7)(hhh), F.S., this sales tax refund is limited to \$1 million in Florida sales tax each state fiscal year for all taxpayers.

(2) Materials without a direct connection to the distribution, transportation, and storage of biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel will not receive a refund under this rule. Examples include expenses related to telephones and cell phones, cleaning products or cleaning services, paper products, food, beverage, office supplies, lodging, per diem, and automobiles that are not used to transfer a renewable fuel or feedstock.

(3) Only previously paid Florida sales tax in the rate of 6 percent pursuant to Section 212.05(1)(a), F.S., is eligible for a refund. Other local and miscellaneous taxes paid are not eligible for a sales tax refund under this rule.

(4)(2) A taxpayer seeking a Renewable Energy Technologies Sales Tax Refund must apply to the Florida Department of Agriculture and Consumer Services, Office of Energy (Office) as follows:

(a) Applicants must complete and submit a ~~completed~~ Florida Renewable Energy Technologies Sales Tax Refund Application, FDACS-01917, (Rev. 11/14) ~~(Rev. 03/13)~~.

(b) Applications must be received by certified mail or hand delivery ~~by to~~ the Office, located at Florida Department of Agriculture and Consumer Services, Office of Energy, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, no later than close of business on June 30, 2016.

1. Certified mail means the service provided by the United States Postal Service whereby the sender is provided with a mailing receipt and delivery record.

2. Hand delivery means any physical submission of an application to the Office from a representative of an applicant, courier, or a private delivery service.

(c) Applications received after the due date are ineligible for consideration.

(d)(b) Applications must include the information required by the application form. All fields and sections must be complete. If for any reason the information required is not applicable, the applicant must note in the specified field either “not applicable” or “n/a”. Applications that are not fully completed or do not include the required information, including blank fields, will be returned as incomplete.

(e)(e) Applications must include a project summary that describes describing how the costs included materials itemized in the application will be used in the distribution of biodiesel (B10-B100), ethanol (E10-E100), or other renewable fuels including the location and any other relevant information.

(f)(d) Applications must include an itemized list of eligible costs items including:

1. Page numbers of the invoices and corresponding proof of payment;

2. Invoice number;

3. Invoice date;

4. Method of payment;

5. Payment date;

6. A serial number or other permanent identification number, if available;

7. Amount of Florida sales tax accrued and paid;

8. A description of each eligible item; and

9. Whether each eligible item was used for fueling infrastructure, transportation, or storage.

(g)(e) Applications must include the invoice and corresponding proof of payment supporting documentation for all equipment, machinery, and other materials for which the applicant is seeking a Florida sales tax refund. All invoices and corresponding proof of payments must be numbered. Applications must include an explanation if the amounts on the invoice and corresponding proof of payment do not match. Supporting documentation is the sales invoice or other proof of purchase showing the amount of Florida sales tax accrued and paid, the date of purchase, and the name and address of the dealer, as defined in Section 212.06, F.S., from whom the property was purchased. Legible copies of the documents, in place of originals, will be accepted. If the Office Florida Department of Agriculture and Consumer Services, Office of Energy, determines the application or supporting documentation is illegible, the application will be determined incomplete.

1. Proofs of payment shall redact instances of bank account and credit card numbers (except the last 4 digits) and all financial information not pertaining to the eligible cost represented on the application.

2. Acceptable forms of proof of payment include:

a. A canceled check with proof of deposit;

b. A copy of an electronic funds transfer from a financial institution including the purchase amount and to whom the payment is being made;

c. A bank statement or a screenshot of an online bank statement reflecting the payment showing the purchase amount and to whom the payment is being made;

d. A signed and executed lease contract;

e. A credit card statement reflecting the transaction showing the applicants’ name, address, the purchase amount, and to whom the payment is being made; or

f. A signed and executed promissory note or signed and executed loan.

3. The proof of payment must contain at least:

a. The payment amount of the eligible cost;

b. The date of payment for the eligible cost; and

c. The name of the vendor from whom the eligible cost was purchased or leased.

4. The invoice must contain at least:

a. The name and address of the vendor from whom the eligible cost was purchased or leased;

b. The price of the eligible cost;

c. The Florida sales tax accrued and paid; and

d. A description of the eligible cost.

(h)(f) A registered agent as defined in Section 607.0501, F.S., officer, or director with an active registration with the Florida Department of State, Division of Corporations must Each applicant shall complete the sworn statement, included as part of the application form, and swear: that the information contained in the application and supporting documentation is true and correct; that all equipment, machinery, and other materials for which the applicant is seeking a Florida sales tax refund have not previously received a Florida sales tax refund; and that the requirements of Section 212.08(7)(hhh), F.S., and this rule have been met.

(5)(3) In addition, applicants must submit with the completed application a description of the project’s economic impact in Florida. Examples of such information include:

1. The total dollar value of additional investment made in the distribution of biodiesel, ethanol, and other renewable fuels as a result of the project that is eligible for the sales tax refund incentive;

2. The number of jobs created as a result of the project that is eligible for the sales tax refund incentive; and

3. The total dollar value of salaries and wages of jobs created as a result of the project that is eligible for the sales tax refund incentive.

~~(6)~~(4) Applications will be reviewed on a first-come, first-served basis, based upon the date complete applications are received by the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~. Incomplete placeholder applications will not be accepted and will not secure a place in the first-come, first-served application line.

~~(7)~~(5) Within 30 days of receipt of an application, the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~, will evaluate the application to verify that the applicant has met the qualifying statutory and rule criteria. If the ~~Office Department~~ determines that the applicant is eligible for refund, the ~~Office Department~~ will return the original application with the certification of eligibility box completed as a written certification that the applicant is eligible for a refund. If the ~~Office Department~~ determines that the application is incomplete, the ~~Office Department~~ will issue a written notification to the applicant that the application was determined to be incomplete and will include a description of the application's deficiencies. ~~If the Department determines that an application is incomplete, the~~ ~~The~~ taxpayer will be allowed to submit a corrected application, ~~that. The corrected application~~ will be treated as a new application and reviewed in the order that it is received. Supporting documentation will not be returned to applicants. The ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~, will provide the Florida Department of Revenue a copy of each certification issued upon approval of an application.

~~(8)~~(6) The ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~, is responsible for ensuring that the total amount of certifications granted does not exceed the limits specified in Section 212.08(7)(hhh), F.S. The amount of Florida sales tax to be refunded in each certification granted will be applied to the fiscal year in which the application is approved by the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~.

~~(9)~~(7) The Florida Department of Agriculture and Consumer Services will not disburse any funds in connection with the Florida Renewable Energy Technologies Sales Tax Refund program. Each certified applicant is responsible for applying for the refund and forwarding the certified application to the Florida Department of Revenue within 6 months after certification by the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy~~. Upon formal approval by the Florida Department of Revenue, a refund will be issued to the certified applicant within 30 days.

~~(10)~~(8) Materials Incorporated by Reference. The Florida Renewable Energy Technologies Sales Tax Refund Application, Form FDACS-01917, ~~(Rev. 11/14)~~ ~~(Rev. 03/13)~~ is hereby adopted and incorporated by reference. The form may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Office of Energy, at 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, or emailing

Energy@FreshFromFlorida.com, and is available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-02447>.

Rulemaking Authority 212.08(7)(hhh)4.f. FS. Law Implemented 212.08(7)(hhh) FS. History—New 5-2-13, Amended \_\_\_\_\_.

50-2.002 Florida Renewable Energy Technologies Investment Tax Credit.

(1) Pursuant to Section 220.192, F.S., ~~this~~ ~~This~~ rule allows an eligible taxpayer to seek a credit for corporate income taxes in an amount equal to 75 percent of all eligible costs. Eligible costs are capital costs, operation and maintenance costs, and research and development costs incurred and paid between July 1, 2012, and June 30, 2016, made in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100), as defined in Rule 5F-2.001, F.A.C., ethanol (E10-E100), as defined in Rule 5F-2.001, F.A.C., and other renewable fuel in the state as defined in Section 220.192, F.S. eligible costs as defined in Section 220.192(1)(c), F.S. This rule does not apply to the tax return filing process regulated by the Florida Department of Revenue.

(a) Capital costs include fixed, one-time expenses incurred on the purchase of land, buildings, construction, and equipment for the production, storage, and distribution of biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel in the State of Florida.

(b) Operation and maintenance costs include the expenses that are directly related to the process of producing, storing, or distributing biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel in the State of Florida.

(c) Research and development costs include expenses associated with the investigation and testing for developing a new or improved product or process.

(d) Costs without a direct connection to the production, storage, and distribution of biodiesel (B10-B100), ethanol (E10-E100), and other renewable fuel are not eligible costs under this rule. Examples include expenses related to telephones and cell phones, cleaning products or cleaning services, paper products, food, beverage, office supplies, lodging, per diem, and automobiles that are not used to transfer a renewable fuel or feedstock.

(e) Costs that have been previously submitted by the applicant, or another applicant, and approved by the Office for a Florida Renewable Energy Technologies Investment Tax Credit, are not eligible costs under this rule.

(2) Pursuant to Section 220.192(1)(c), F.S., the total amount of tax credits issued pursuant to this rule will not exceed \$1 million per state fiscal year for each taxpayer with a limit of \$10 million per state fiscal year for all taxpayers.

(3) A taxpayer seeking a Renewable Energy Technologies Investment Tax Credit must apply to the Florida Department of

Agriculture and Consumer Services, Office of Energy (Office) as follows:

(a) Applicants must complete and submit a completed Florida Renewable Energy Technologies Investment Tax Credit Application, FDACS-01918 (Rev. 11/14) (Rev. 03/13),

(b) Applications must be received by certified mail or hand delivery to the Office, located at Florida Department of Agriculture and Consumer Services, Office of Energy, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, either by certified mail or hand delivery. Applications for Fiscal Year 2014-2015 must be received no later than 5:00 P.M. Eastern Standard Time on March 2, 2015, close of business on November 1 of each year. If November 1 falls on a weekend, then the deadline shall be close of business of the next business day. Applications for Fiscal Year 2015-2016 will be accepted beginning at 9:00 A.M. Eastern Standard Time on July 1, 2016, and must be received no later than 5:00 P.M. Eastern Standard Time on August 31, 2016.

1. Certified mail means the service provided by the United States Postal Service whereby the sender is provided with a mailing receipt and delivery record.

2. Hand delivery means any physical submission of an application to the Office from a representative of an applicant, courier, or a private delivery service.

(c) Applications received before 9:00 A.M. on July 1 or after 5:00 P.M. on August 30 of each fiscal year of the program will not be reviewed nor secure a place in the first-come, first-serve application line.

(d)(b) Applications must include the information required by the application form. All fields and sections must be complete. If for any reason the information required is not applicable, the applicant must note in the specified field either “not applicable” or “n/a”. Applications that are not fully completed or do not include the required information, including blank fields, will be returned as incomplete.

(e)(e) Applications must include a summary that describes describing how the costs included in the application materials are being used in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100), ethanol (E10-E100) or other renewable fuels in Florida, including the costs of constructing, installing, and equipping such technologies. The summary must also include location and any other relevant information.

(f)(d) Applications must include an itemized list of eligible costs that includes:

1. Page numbers of the invoices and corresponding proof of payment The amount of the expenditure;
2. Invoice date Date of expenditure;

3. Invoice number;

4. Method of payment;

5. Payment date;

6.3. Description of the cost;

7.4. If the cost was incurred under capital costs, operation and maintenance costs, or research and development costs; and

8.5. A separate subtotal for capital costs, operation and maintenance costs, and research and development costs.

(g)(e) Applications must include both the invoice and corresponding proof of payment supporting documentation for all capital costs, operation and maintenance costs, and research and development costs for which the applicant is seeking a Florida Renewable Energy Technologies Investment Tax Credit. All invoices and corresponding proof of payments must be numbered. Applications must include an explanation if the amounts on the invoice and corresponding proof of payment do not match. Supporting documentation is the sales invoice or other proof of payment for each eligible cost. Legible copies of the documents, in place of originals, will be accepted. If the Office Florida Department of Agriculture and Consumer Services, Office of Energy, determines the application or supporting documentation is illegible, the application will be determined incomplete.

1. Applicants are encouraged to redact instances of bank account and credit card numbers (except the last 4 digits) and all financial information not pertaining to the eligible cost represented on the application.

2. Acceptable forms of proof of payment may include, but are not limited to:

a. A canceled check with proof of deposit;

b. A copy of an electronic funds transfer from a financial institution including the purchase amount and to whom the payment is being made;

c. A bank statement or a screenshot of an online bank statement reflecting the payment showing the purchase amount and to whom the payment is being made;

d. A signed and executed lease contract;

e. A credit card statement reflecting the transaction showing the applicants’ name, address, the purchase amount, and to whom the payment is being made; or

f. A signed and executed promissory note or signed and executed loan.

3. The proof of payment must contain at least:

a. The payment amount of the eligible cost;

b. The date of payment for the eligible cost; and

c. The name of the vendor from whom the eligible cost was purchased or leased.

4. The invoice must contain at least:

a. The name and address of the seller from whom the eligible cost was purchased or leased;

b. The price of the eligible cost; and

c. A description of the eligible cost.

~~(h)(f)~~ A registered agent as defined in Section 607.0501, F.S., officer, or director with an active registration with the Florida Department of State, Division of Corporations must ~~Each applicant shall~~ complete the sworn statement, included as part of the application form, and swear that the information contained in the application and supporting documentation is true and correct and the requirements of Section 220.192, F.S., and this rule have been met.

(4) In addition, applicants must submit with the completed application a description of the project's economic impact in Florida. Examples of such information include:

~~a.1.~~ The total dollar value of the additional investment in purchases of machinery and equipment made as a result of the project that is eligible for the tax credit incentive;

~~b.2.~~ The total dollar value of the additional investment in construction of buildings made as a result of the project that is eligible for the tax credit incentive;

~~c.3.~~ The total number of jobs created as a result of the project that is eligible for the tax credit incentive; and

~~d.4.~~ The total dollar value of salaries and wages of jobs created as a result of the project that is eligible for the tax credit incentive.

(5) Each fiscal year of the program, a taxpayer is allowed to submit one Florida Renewable Energy Technologies Investment Tax Credit Application, FDACS-01918 (Rev. 11/14)~~(Rev. 03/13)~~ based on eligible costs incurred in a particular fiscal year.

(6) A taxpayer claiming a Florida Renewable Energy Production Tax Credit under Section 220.193, F.S., is ineligible to claim a credit under this program.

(7) Applications will be reviewed on a first-come, first-served basis, based upon the date complete applications are received by the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy.~~ Incomplete placeholder applications will not be accepted and will not secure a place in the first-come, first-served application line.

(8) The Office may request additional or clarifying information or documentation from the applicant. Applicants are encouraged to respond in a timely manner. The Office will continue to review applications in the first-come, first-served application line. Once the applicant has successfully completed and returned the request for additional or clarifying information or documentation, the application will be added back to the first-come, first-served application line based upon the date the completed request is received by the Office.

~~(9)(8)~~ Within 90 days of receipt, the Office ~~December 1 of each year, the Florida Department of Agriculture and Consumer Services, Office of Energy,~~ will evaluate the application to verify that the applicant has met the qualifying statutory and rule criteria.

(a) If the Office Department determines that the applicant is eligible for a tax credit refund, the Office Department will return the original application with the certification of eligibility box completed as a written certification that the applicant is eligible for a tax credit refund.

(b) If the Office Department determines that the application failed to meet a qualifying statutory or rule criteria, the Office will determine the application is incomplete. The Office the Department will issue a written notification to the applicant that the application was determined incomplete, including justification for the determination, and will include a description of the application's deficiencies. If the Office Department determines that an application is incomplete, the taxpayer may submit a corrected application. The corrected application will not keep its place in the first-come, first-served application line and will be reviewed in the order that it is received on or before close of business December 31 of the same year. Supporting documentation will not be returned to applicants. The Florida Department of Agriculture and Consumer Services, Office of Energy, will provide the Florida Department of Revenue a copy of each certification issued upon approval of an application.

(c) If the Office determines the corrected application is eligible for a tax credit, the Office will return the corrected application with the certification of eligibility box completed as a written certification that the applicant is eligible for a tax credit within 60 days of receipt of the corrected application.

(10) Supporting documentation will not be returned to applicants.

(11) The Office will provide the Florida Department of Revenue a copy of each certification issued upon approval of an application.

~~(12)(9)~~ If the annual tax credit authorization amount is exhausted within a particular state fiscal year, the Office Florida Department of Agriculture and Consumer Services, Office of Energy, will use unallocated credit amounts under the Florida Renewable Energy Production Tax Credit program within the same fiscal year to grant additional certifications will grant any remaining credits in that particular state fiscal year to the next application in the first-come, first-served application line and return the original application with the certification of eligibility box completed as a written certification that the applicant is eligible for a partial tax credit. This application will remain in the

first-come, first-served application line for the next state fiscal year of the program in order to receive a second partial tax credit, if any, for the remaining approved amount. The second partial tax credit granted in the next state fiscal year of the program will not be counted as the one application each taxpayer is allowed to submit per state fiscal year of the program.

(13)(40) If an eligible applicant does not receive a tax credit allocation due to an exhaustion of the annual tax credit appropriation within a particular state fiscal year of the program, its application will ~~shall~~ remain in the first-come, first-served application line order to receive a tax credit, if funding is available, for the next state fiscal year of the program in the next year's annual tax credit allocation, if any, based on the date and time of filing the original application. Written certifications that the applicant is eligible for a tax credit will not be issued before July 1 of the following state fiscal year under which the tax credit is granted.

(14) If the tax credit authorization amount is exhausted for the final year of the program, the Office will notify applicants that funding for the program has been exhausted without further review of the application.

(15)(44) The Florida Department of Agriculture and Consumer Services will not disburse any funds in connection with the Florida Renewable Energy Technologies Investment Tax Credit program. Certificates granted will not result in the payment of refunds by the Florida Department of Revenue if the total credits exceed the amount of tax owed. Each certified applicant is responsible for attaching the certified application to its annual tax return filed with the Florida Department of Revenue.

(16)(42) Materials Incorporated by Reference. The Florida Renewable Energy Technologies Investment Tax Credit Application, FDACS-01918 (Rev. 11/14) (~~Rev. 03/13~~) is hereby adopted and incorporated by reference. The form may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Office of Energy, at 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, or emailing Energy@FreshFromFlorida.com, and is available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-02448>.

*Rulemaking Authority 220.192(7) FS. Law Implemented 220.192 FS. History—New 5-2-13, Amended \_\_\_\_\_.*

#### 50-2.003 Florida Renewable Energy Production Credit.

(1) This rule applies to Florida corporate income taxpayers, as defined in Section 220.193(2)(g), F.S., that own an interest in a general partnership, limited partnership, limited liability company, trust or other artificial entity that owns a Florida renewable energy facility seeking a tax credit toward corporate income tax pursuant to Section 220.193, F.S. This rule does not apply to the tax return filing process regulated by the Florida Department of Revenue.

(2) Pursuant to Section 220.193, F.S., tax credits for the production and sale of electricity from a new or expanded Florida renewable energy facility will be granted for all taxpayers with a limit of \$5 million in state fiscal year 2012-2013 and \$10 million per state fiscal year in state fiscal years 2013-2014 through 2016-2017.

(3) A taxpayer seeking a Renewable Energy Production Tax Credit must apply to the Florida Department of Agriculture and Consumer Services, Office of Energy (Office) as follows:

(a) Applicants must complete and submit a completed Florida Renewable Energy Production Tax Credit Application, FDACS-01919, (Rev. 11/14) (~~Rev. 03/13~~),

(b) Applications must be received by certified mail or hand delivery to the Office, located at Florida Department of Agriculture and Consumer Services, Office of Energy, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, either by certified mail or hand delivery.

1. Certified mail means the service provided by the United States Postal Service whereby the sender is provided with a mailing receipt and delivery record.

2. Hand delivery means any physical submission of an application to the Office from a representative of an applicant, courier, or a private delivery service.

(c) Applications must be received by the Office no later than close of business on:

1. January 15, 2014 for the production period January 1, 2013 through December 31, 2013;

2. January 15, 2015 for the production period January 1, 2014 through December 31, 2014;

3. January 15, 2016 for the production period January 1, 2015 through December 31, 2015; and

4. August 15 ~~December 1~~, 2016 for the production period January 1, 2016 through June 30, 2016.

(d) Applications received after the due date will be determined ineligible.

(e)(b) Applications must include the information required by the application form. All fields and sections on the application must be completed. If for any reason the information required is not applicable, the applicant must note in the specified field either "not applicable" or "n/a". Applications that are not fully completed or do not include the required information, including blank fields, will be determined incomplete.

(f)(e) Applications must provide the address of the Florida renewable energy facility that produces the electricity qualifying for this corporate income tax credit. The applicant must submit a separate application for each facility. A facility is a building or a group of buildings close to one another that work together to produce electricity from renewable sources.



~~(g)~~(d) Applications must include:

1. A summary of the type of renewable energy produced and sold;
2. The kilowatt-hours of electricity produced and sold from renewable energy for each month of the production period for which the applicant is applying;
3. Whether the facility producing that energy is a new or expanded facility; and
4. The date the renewable energy facility was placed in operation.

~~(h)~~(e) Applicants must attach a schedule to the application that identifies all corporations that will receive the credit and the percentage of the credit to be received by each corporation. The credit allocated shall pass through to the owners in the same manner as items of income and expense pass through for federal income tax purposes.

~~(i)~~(f) A registered agent as defined in Section 607.0501, F.S., officer, or director with an active registration with the Florida Department of State, Division of Corporations must ~~Each applicant shall~~ certify, using the affidavit included as part of the application form, the increase in production and sales that form the basis of the application and that all other information contained in the application and supporting documentation is true and correct.

(4) In addition, applicants must submit with the completed application a description of the project's economic impact in Florida. Examples of such information include:

- (a) The total dollar value of the additional investment in purchases of machinery and equipment made as a result of the project that is eligible for the tax credit incentive;
- (b) The total dollar value of the additional investment in construction of buildings made as a result of the project that is eligible for the tax credit incentive;
- (c) The type, amount, and dollar value of the renewable energy produced and sold or expected to be produced and sold as a result of the project that is eligible for the tax credit incentive;
- (d) The number of jobs created as a result of the project that is eligible for the tax credit incentive; and
- (e) The total dollar value of salaries and wages of jobs created as a result of the project that is eligible for the tax credit incentive.

(5) A taxpayer claiming a Florida Renewable Energy Investment Tax Credit under Section 220.192, F.S., is ineligible to claim a credit under this program.

(6) ~~The Office Florida Department of Agriculture and Consumer Services, Office of Energy,~~ will evaluate the application to verify that the applicant has met the qualifying statutory and rule criteria. ~~The Office Department~~ will issue a written certification that the applicant is eligible for a tax credit or will issue a written notification that the application was determined incomplete and will include a description of the application's deficiencies. ~~If the Florida Department of~~

~~Agriculture and Consumer Services, Office of Energy, determines the application is illegible, the application will be determined incomplete.~~ If the ~~Office Department~~ determines that an application is incomplete, the taxpayer must submit a corrected application within five business days from notification of the application's deficiencies. ~~The Office Florida Department of Agriculture and Consumer Services, Office of Energy,~~ will provide the Florida Department of Revenue a copy of each certification issued upon approval of an application.

~~(7) If the annual tax credit authorization amount is exhausted within a particular state fiscal year, the Florida Department of Agriculture and Consumer Services, Office of Energy, will use unallocated credit amounts under the Florida Renewable Energy Investment Tax Credit program within the same fiscal year to grant additional certifications.~~

~~(7)~~(8) If the annual tax credit authorization amount is exhausted within a particular state fiscal year, ~~the Office Florida Department of Agriculture and Consumer Services, Office of Energy,~~ will allocate credits to qualified applicants based on the priority outlined in Section 220.193(3)(c), F.S.

~~(8)~~(9) The Florida Department of Agriculture and Consumer Services will not disburse any funds in connection with the Florida Renewable Energy Production Tax Credit program. Certificates granted will not result in the payment of refunds by the Florida Department of Revenue if the total credits exceed the amount of tax owed. Each certified applicant is responsible for attaching the certificate to its annual tax return filed with the Florida Department of Revenue.

~~(9)~~(10) Every taxpayer claiming a Florida Renewable Energy Production Credit must retain documentation that substantiates and supports the credit for a minimum of 3 years after the ~~Office Florida Department of Agriculture and Consumer Services, Office of Energy,~~ issues a written certification that the taxpayer is eligible for a tax credit. Documentation to substantiate and support the credit includes:

- (a) Production records or other evidence of the amount of electricity produced;
- (b) Evidence of the increase in production and sales of electricity over the 2011 calendar year by an expanded facility; and
- (c) Evidence establishing that the electricity was produced from renewable energy.

(10) Materials Incorporated by Reference. The Florida Renewable Energy Production Tax Credit Application, FDACS-01919, (Rev. 11/14) ~~(Rev. 03/13)~~ is hereby adopted and incorporated by reference. The form may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Office of Energy, at 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, or [Energy@FreshFromFlorida.com](mailto:Energy@FreshFromFlorida.com), and is available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-02449>.

Rulemaking Authority 220.193(6) FS. Law Implemented 220.193 FS. History—New 5-2-13, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelley Smith Burk  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 26, 2014

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:  
61D-15.001 Incorporated and Approved Forms  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments will be to repeal this rule identified as duplicative and no longer necessary.

SUMMARY: Elimination of Rule 61D-15.001, F.A.C., identified as duplicative and no longer necessary. All listed forms in Rule 61D-15.001, F.A.C., have been incorporated by reference into the appropriate slots rules (Chapter 61D-14, F.A.C.).

OTHER RULES INCORPORATING THIS RULE: Rules 61D-14.002, 61D-14.008, 61D-14.075 and 61D-14.096, F.A.C., incorporate Rule 61D-15.001, F.A.C.

EFFECT ON THOSE OTHER RULES: Rules 61D-14.002, 61D-14.008, 61D-14.075 and 61D-14.096, F.A.C., require a technical change to delete duplicative reference to forms listed in Rule 61D-15.001, F.A.C.

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 Division of Pari-Mutuel Wagering conducted an analysis of the proposed rules' potential economic impact and determined that they did not exceed any of the criteria established 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: 551.103, 551.1045, 551.114, 551.122 FS.

LAW IMPLEMENTED: 551.103, 551.104, 551.1045, 551.106, 551.107, 551.114, 551.118, 559.79(2) 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: January 19, 2015, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Patti Kight at (850)717-1096. 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: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-15.001 Incorporated and Approved Forms.  
Rulemaking Authority 551.103, 551.1045, 551.114, 551.122 FS. Law Implemented 551.103, 551.104, 551.1045, 551.106, 551.107, 551.114, 551.118, 559.79(2) FS. History—New 7-5-06, Amended 6-21-10, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Dillmore, Acting Director, Division of Pari-Mutuel Wagering  
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: October 7, 2014

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: RULE TITLE:  
61A-2.023 Proposed and Final Tax Assessments  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 209, October 27, 2014 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:  
61H1-21.005 Contingent Fees  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 196, October 8, 2014 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: RULE TITLE:  
61J1-10.002 Registered Trainee Real Estate Appraiser  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 192, October 2, 2014 issue of the Florida Administrative Register.

The correction is in response to the letter received from the Joint Administrative Committee dated October 10, 2014.

The SUMMARY OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: shall read as:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

- There is no adverse impact on the economy.
- There is no adverse impact on small businesses.

- There is no increase directly or indirectly to regulatory costs in excess of \$200,000.

The rule is mandated by statute and the rule will not require ratification by the Legislature because all costs of the rule are required by the statute. No person or interested party submitted additional information regarding the economic impact at that time. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: RULE TITLE:  
61J1-10.004 Certified General Appraiser  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 213, October 31, 2014 issue of the Florida Administrative Register.

The correction is in response to the letter received from the Joint Administrative Committee dated November 5, 2014.

The correction is as follows:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 3, 2014 shall be corrected to read as:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 2, 2014

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: RULE TITLE:  
69A-37.020 Notice of Change of Record  
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. 40, No. 193, October 3, 2014 issue of the Florida Administrative Register.

The changes are in response to comments made by the Joint Administrative Procedures Committee in a letter dated October 14, 2014. The Notice of Correction published in Vol. 40, No.

196, October 8, 2014 issue of the *Florida Administrative Register*, stated that the proposed rule was published in Vol. 40, No. 194, October 6, 2014 issue of the *Florida Administrative Register*. The Notice of Correction should have stated that the proposed rule was published in Vol. 40, No. 193, October 3, 2014 issue of the *Florida Administrative Register*, as indicated above. Changes to the proposed rule are as follows:

69A-37.020 Notice of Change of Record.

(1) Pursuant to Section 633.138, F.S., any individual who is issued a license, permit, or certificate shall notify the Division of any change to her or his current mailing address, e-mail address and place of practice. Any change to a current mailing address, e-mail address or place of employment will constitute a change of record.

(2) An individual shall notify the Division of a change of record using the Division’s on-line, electronic information database system at <http://www.myfloridacfo.com/Division/SFM/FCDICE/default.htm>. The Division shall suspend the license, permit, or certificate of any individual who fails to notify the Division of a change of record, as provided under Section 633.106, F.S. Such suspensions shall remain in force pending confirmation by the Division that such individuals have complied with requirements to notify the Division regarding a change of record.

Rulemaking Authority 633.138(1) FS. Law Implemented 633.106, 633.138(1) FS. History–New \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-37.039	Prescribed Forms for Training and Certification
69A-37.059	Types of Instructor Certificates Issued
69A-37.064	Florida State Fire College
69A-37.408	Live Fire Training Instructor Certification and Renewal

**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. 40, No. 193, October 3, 2014 issue of the *Florida Administrative Register*.

Additionally, the Notice of Correction for proposed Rule 69A-37.059, *Florida Administrative Code*, published in Vol. 40, No. 195, October 7, 2014 issue of the *Florida Administrative Register*, inaccurately stated that the proposed rule was published in Vol. 40, No. 194, October 6, 2014 issue of the *Florida Administrative Register*. As noted above, the proposed rule was published in Vol. 40, No. 193, October 3, 2014 issue of the *Florida Administrative Register*.

The changes to the proposed rules are being made in response to written comments received from the staff of the Joint Administrative Procedures Committee and include changes to the rulemaking authority for proposed Rule 69A-37.039, F.A.C., and to the rulemaking authority and law implemented for proposed Rule 69A-37.064, F.A.C.

69A-37.039 Prescribed Forms for Training and Certification.

Rulemaking Authority 633.104, 633.128(1)(1),(2)(a), 633.216(9), 633.418(1) FS. Law Implemented 633.112(1), 633.138, 633.216, 633.406, 633.408, 633.412, 633.418 FS. History–New 9-7-81, Formerly 4A-37.20, 4A-37.39, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 9-13-98, 12-10-01, Formerly 4A-37.039, Amended 3-19-09, 8-27-12, 8-20-13, 11-18-13, \_\_\_\_\_.

69A-37.059 Types of Instructor Certificates Issued.

(7) Probation and Revocation of Instructor Certification.

(a) No change.

(b) The certificate of an instructor shall be revoked if evidence is found that the certification was improperly issued by the Division or when evidence is found that the certification or ~~quadrennial triennial~~ renewal of the certification was issued on the basis of false, incorrect, incomplete, or misleading information.

(c) No change.

Rulemaking Authority 633.128(1)(d), (2)(a), 633.408(1) FS. Law Implemented 633.406, 633.408, 633.414, 633.426(5), 633.446 FS. History–New 9-7-81, Formerly 4A-37.15, 4A-37.59, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 12-10-01, Formerly 4A-37.059, Amended \_\_\_\_\_.

69A-37.064 Florida State Fire College.

(1) through (3) No Change.

(4) College Registration and Fees.

(a) All prospective students shall meet the admission requirements set forth in subsection 69A-37.064 (7), F.A.C ~~submit a completed course application form and acceptable proof of payment before being enrolled in any course.~~

(b) through (f) No Change.

(5) through (6) No Change.

Rulemaking Authority 633.128(1)(d),(h),(k),(l), 633.128(2)(a) FS. Law Implemented 633.128 (1)(d), (h), (k), ~~(l), 633.428~~ FS. History–New 12-10-01, Formerly 4A-37.064, Amended \_\_\_\_\_.

69A-37.408 Live Fire Training Instructor Certification and Renewal.

(3) Any Live Fire Training must be conducted with a properly certified instructor employed by or as a volunteer of a fire department ~~in compliance with Rule 69A-62.006, F.A.C.,~~ or a training center in compliance with Rule 69A-37.060, F.A.C.

Rulemaking Authority 633.508(6), 633.128(1), (2)(a), 633.418(1) FS.  
 Law Implemented 633.128(1), 633.414, 633.418(1), 633.508 FS.  
 History--New 10-5-06, Amended\_\_\_\_\_.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Community Development**

RULE NOS.:      RULE TITLES:  
 73C-24.003      Fee Schedule and Annual Invoicing and  
                     Data Updating  
 73C-24.004      Updating of the Special District Database  
                     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. 40, No. 220, November 12, 2014 issue of the Florida Administrative Register.

73C-24.003 Fee Schedule, Annual Invoicing, and Data Updating.

(1) No change.

(2) Within 60 days following receipt of the Department’s notice By the due date on the Special District Fee Invoice and Update Form, each the registered agent shall submit all of the information listed in subsection (1)(a)-(l) of this Rule to the Department at the following address: Department of Economic Opportunity, Office of Financial Management, 107 East Madison Street, MSC 120, Tallahassee, Florida 32399. If any of the submitted information has changed since the previous year, the registered agent shall identify all make any necessary changes to the information submitted to the Department. on the form about the special district The registered agent shall and comply with the fee schedule as provided for in section 189.018, Florida Statutes, by signing, dating, and returning the upper portion of the Special District Fee Invoice and Update Form to the Department along with by submitted the appropriate fee to the Department as follows:

(a) through (d) No change.

(e)1. through 2. No change.

3. The special district is not a component unit of a general purpose local government as determined by the special district and its Certified Public Accountant; ~~defined in the Governmental Accounting Standards Board’s Statement No. 14, issued in June 1991, effective after December 15, 1992, as amended;~~ and

4. No change.

(f) No change.

(3) through (4) No change.

Rulemaking Authority 189.017, 189.018 FS. Law Implemented 189.018, 189.064 FS. History--New 5-1-90, Amended 3-14-91, 12-3-91, 8-10-97, 3-17-99, 3-1-03, 9-26-07, Formerly 9B-50.003, Amended\_\_\_\_\_.

**Section IV  
 Emergency Rules**

NONE

**Section V  
 Petitions and Dispositions Regarding Rule  
 Variance or Waiver**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Drugs, Devices and Cosmetics**

The Department of Business & Professional Regulation, Division of Drugs, Devices, and Cosmetics hereby gives notice: On October 27, 2014, Petitioner, Parallon Business Solutions, LLC, (hereafter, “Parallon” or “Petitioner”), filed a petition for emergency waiver and variance from the requirements of subsection 61N-1.023(2), Florida Administrative Code, (hereafter, “F.A.C.”). Notice of the petition was published in the October 30, 2014, issue of the Florida Administrative Register, Volume 40, Number 212.

Parallon requests that the Department issue a final order granting Parallon a waiver and variance from subsection 61N-1.023(2), F.A.C., as follows:

18 A. A waiver from the limitation in subsection 61N-1.023(2), F.A.C., that prescription drug transfers must be made only to a facility under common control licensed with a pharmacy permit that authorizes the acquisition and possession of prescription drugs; and 18 B. A variance permitting Parallon to transfer prescription drugs from the receiving facilities under common control back to Parallon distribution centers, which are not licensed with pharmacy permits.

Based on the foregoing, Petitioner’s request for a variance and waiver as set forth in paragraph 18A and 18B above, is denied in part and granted in part, as follows:

A. Petitioner’s request for a waiver from the limitation in subsection 61N-1.023(2), F.A.C., that prescription drug transfers must be made only to a facility under common control licensed with a pharmacy permit that authorizes the acquisition and possession of prescription drugs, IS DENIED, for the reasons set forth above; and

B. Petitioner’s request for a variance permitting Parallon to transfer prescription drugs from the receiving facilities under common control back to Parallon distribution centers, which are not licensed with pharmacy permits, IS GRANTED for the reasons set forth herein above.

A copy of the Order or additional information may be obtained by contacting: The Division of Drugs, Devices and Cosmetics, Dinah Greene, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047 or by calling (850)717-1800.

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on December 10, 2014, the Board of Medicine, received a petition for waiver filed by Reda Kilani, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chandra Prine, Interim Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on December 10, 2014, the Board of Medicine, received a petition for waiver filed by Zoya Berenson, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chandra Prine, Interim Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

**DEPARTMENT OF HEALTH**

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-1.0201 EMS Instructor Qualifications

NOTICE IS HEREBY GIVEN that on December 9, 2014, the Department of Health, received a petition for an emergency variance or waiver from Chipola College for two EMS instructors who do not have Associates Degrees. Rule 64j-1.0201 F.A.C. requires that EMS Lead or Adjunct instructors have at a minimum an Associates Degree from an institution whose accreditation is recognized by the U.S. Department of Education. Chipola College is requesting an emergency variance or wavier because the college has lost experienced

instructional staff and has found it difficult to find qualified instructors. The request is to grant Ms. Tami Stafford and Mr. Jeff Guadianna until January 1, 2017 to secure their Associates Degree. Interested persons or other agencies may submit comments within 5 days after publication of this notice.

A copy of the Petition for Variance or Waiver, or a copy of the Emergency Petition for Variance or Waiver, may be obtained by contacting: Rickey Stone, 4052 Bald Cypress Way, Bin A 22, Tallahassee, FL 32399-1722, by email: rickey.stone@flhealth.gov or by telephone: (850)245-4704.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 14, 2015, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call Number: 1(888)670-3525, Code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Public Awareness Committee General Public Awareness Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.:RULE TITLES:

- 14-51.012 Trailblazing Signs
- 14-51.013 Sign Evaluation Process
- 14-51.020 Supplemental Guide Signs
- 14-51.021 General Service Signs
- 14-51.030 Supplemental Guide Signs
- 14-51.031 General Services Signs
- 14-51.040 Exclusions
- 14-51.041 Criteria for Unincorporated Areas
- 14-51.043 Customized Place Name Signs
- 14-51.051 Standards
- 14-51.053 Installation
- 14-51.062 General Criteria for TODS on the SHS

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

DATE AND TIME: Wednesday, January 21, 2015, 1:00 p.m.

PLACE: Florida Department of Transportation, Rhyne Building Suite 3C, 2740 Centerview Drive, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed changes to Rule Chapter 14-51, Florida Administrative Code, Florida's Highway Guide Sign Program.

A copy of the agenda may be obtained by contacting: Susan Schwartz, Assistant General Counsel, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-5392, susan.schwartz@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Susan Schwartz, Assistant General Counsel, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-5392, susan.schwartz@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### REGIONAL PLANNING COUNCILS

##### West Florida Regional Planning Council

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

DATE AND TIME: Monday, January 12, 2015, 3:00 p.m., Executive Committee meeting; 3:30 p.m., regular business meeting

PLACE: Crestview City Hall, 198 N. Wilson Street, Crestview, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the West Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: terry.joseph@wfrpc.org, 1(800)226-8914, x201.

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: terry.joseph@wfrpc.org, 1(800)226-8914, x201. 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: terry.joseph@wfrpc.org, 1(800)226-8914, x201.

#### DEPARTMENT OF MANAGEMENT SERVICES

##### Commission on Human Relations

The Florida Commission on Human Relations (FCHR) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 14, 2015, 10:00 a.m., ET

PLACE: Call 1(888)670-3525 and when prompted, enter passcode: 1760507820, followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (727)570-5151, ext. 13 or Jim.Mallue@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

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: Jim Mallue at (727)570-5151, ext. 13 or Jim.Mallue@fchr.myflorida.com.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIMES: February 11, 2015, 10:00 a.m. and 2:00 p.m.

PLACE: The Bob Martinez Center, Room 535, 2600 Blair Stone Road, Tallahassee, Florida 32399-2600

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop will commence at 10:00 a.m. and continue until not later than 11:00 a.m., to present the Department's recommendations and receive public comment on revisions to the intended use of available funds in the Clean Water State Revolving Fund (CWSRF) Program during Fiscal Year (FY) 2015; and then, beginning at 2:00 p.m. and continuing until not later than 4:00 p.m., the Department will hold a public meeting to discuss the issues and recommendations for management of the FY 2015 CWSRF priority list of projects to be funded with loans under Chapter 62-503, Florida Administrative Code (F.A.C.). The funds expected to be available for loans include the Federal Clean Water Act appropriations, State matching funds, proceeds from the sale of bonds, interest income, loan repayments, fund balances carried forward from FY 2014, and fees. These funds will be used to finance wastewater,

stormwater or non-point source loans, to cover the administrative costs of the program, and to fund other water quality purposes within the Department. Prior to Department action at the meeting, all interested persons will have the opportunity to speak regarding the priority list and any proposed actions. The Department may adopt, modify, or deny the proposed actions at the meeting.

A copy of the agenda may be obtained by contacting: Gary Powell, State Revolving Fund Program, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, phone: (850)245-8383 or e-mail: gary.powell@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: Gary Powell, as shown above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tim Banks, State Revolving Fund Program, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, phone: (850)245-8380 or e-mail: timothy.banks@dep.state.fl.us.

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#### DEPARTMENT OF HEALTH

The Department of Health, Bureau of Preparedness and Response announces a public meeting to which all persons are invited.

DATES AND TIME: January 14-15, 2015, 8:00 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Health and Healthcare Preparedness Strategic Planning Oversight Team (SPOT) will discuss strategic planning changes and direction, program status for the current year and program requirements for the coming year 2015-2016.

A copy of the agenda may be obtained by contacting: Kimberly Jenkins, (850)245-4040.

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: Kimberly Jenkins, (850)245-4040. 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: Kimberly Jenkins or Krisie Patterson at (850)245-4040.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: December 19, 2014, 10:00 a.m. – 12:00 Noon, EST

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 360L, Tallahassee, FL 32399

CALL-IN INFORMATION: 1(888)670-3525, Passcode: 758 852 5734

GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop a best practice model/framework for a 3 tiered ADT structure for individuals 1) ages 60 and older that want to retire, 2) that have complex medical needs, and 3) willing and able to work.

A copy of the agenda may be obtained by contacting: <http://apdcares.org/publications/legal>, Tracey Tolbert, (850)488-4358, Tracey.Tolbert@apdcares.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)488-4358. 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: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)488-4358, Tracey.Tolbert@apdcares.org.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES Office on Homelessness

The Council on Homelessness – Affordable Housing Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2014, 2:00 p.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss permanent supportive housing and chronic homelessness.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.com.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Garcia Facial Plastic Surgery on September 16, 2014. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 40, No. 192, of the October 2, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on October 21, 2014. Petitioner was requesting whether providing Intense Pulse Light (IPL) services are within the scope of practice of a trained esthetician. The Board’s Order, filed on November 26, 2014, declined to answer the Petition for Declaratory Statement. The Board determined that the Petitioner is not licensed under Chapter 477, Florida Statutes, nor applied for a license under that chapter, and therefore lacked standing to request a declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377, (850)487-1395 or Robyn.Barineau@myfloridalicense.com.

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed on behalf of Albert Saltiel, M.D., on December 5, 2014. The Petitioner seeks a declaratory statement from the Board with regard to whether in light of the facts set forth in the Petition, the Petitioner, after resigning his privileges along with the other intensivists of the Group, in accordance with the Hospital’s Medical Staff Bylaws and with 30 days prior written notice, would be obligated to find a replacement physician or to continue caring for the patients in the hospital after his resignation date in order to avoid being subject to a violation of paragraph 458.331(1)(t), F.S., or whether the hospital would be the responsible party for arranging for an adequate replacement physician to treat the hospital’s patients after the resignation date. The Board will consider this petition at its meeting currently scheduled for February 6, 2015. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the petition may be obtained by writing Chandra Prine, Interim Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**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

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council  
Transportation Disadvantaged Community Transportation  
Coordinator

Request for Letters of Interest and Qualifications  
For Community Transportation Coordinator (CTC)  
Under the Transportation Disadvantaged Program  
In the Multi-County Service Area of

Hardee, Highlands, and Okeechobee Counties, Florida

The Central Florida Regional Planning Council is seeking qualifications from entities interested in serving as the Community Transportation Coordinator (CTC) for the multi-county service area of Hardee, Highlands, and Okeechobee counties, Florida. The Selected entity will be recommended to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor will coordinate the administration and operation of the multi-county service area’s Transportation Disadvantaged system, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code, beginning July 1, 2015.

Interested entities are required to provide the following as proof of qualifications: description of organization, an organizational chart, capabilities and background information, prior work accomplishments, explanation of coordination experience, scheduling and routing software used by the entity, a list of vehicles to be used (if applicable), proof of insurability, credit references, and a current financial statement.

Interested entities should submit five (5) copies of their expression of interest and qualifications in a sealed envelope to the Central Florida Regional Planning Council, 555 E. Church Street, Bartow, FL 33830, by 12:00 Noon, Eastern Standard Time on January 8, 2015. The outside envelope must be marked

“LETTER OF INTEREST AND QUALIFICATIONS FOR HARDEE, HIGHLANDS, AND OKEECHOBEE COUNTIES”. Attention Ms. Patricia M. Steed, Executive Director. Faxed and emailed responses WILL NOT be accepted. Responses received after the deadline will be returned unopened. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Central Florida Regional Planning Council, Ms. Marcia Staszko, TD Director, at the address listed above or (863)534-7130, ext. 103. The Central Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the service area and the State.

WHARTON-SMITH, INC.

University of Central Florida Wayne Densch Center for Student-Athlete Leadership

INVITATION TO BID

BID DATE: Tuesday, January 20, 2015, 2:00 P.M.

PROJECT: University of Central Florida Wayne Densch Center for Student-Athlete Leadership

Sealed Bids are being solicited by Wharton-Smith, Inc., the Design Builder for the UCF Wayne Densch Center for Student-Athlete Leadership, Orlando, FL. The construction consists of a new three-story building to be located on campus at the east side of the Bright House Networks Football Stadium. The work includes, but is not limited to; site demolition; site work and utilities; landscape and irrigation; concrete; tilt-up concrete; brick veneer; structural steel; miscellaneous metals; millwork; lightweight insulating concrete; roofing; cementitious panel soffit; spray applied fireproofing; doors, frames & finish hardware; glass curtain wall and storefront; GWB systems; floor finishes; acoustical ceilings; painting; marker & tack boards; toilet compartments & accessories; fire extinguishers; signage; lockers; projection screens; operable partitions; window treatments; aluminum sun shades; prefabricated aluminum roof feature; elevator; HVAC; plumbing; fire protection and electrical. Only prequalified bids will be accepted - contact Tonja Williams, (407)321-8410 or (comest@whartonsmith.com) for more details. Payment & Performance Bonds may be required.

Sealed Bids will be received at the offices of Wharton-Smith, Inc., 750 Monroe Road, Sanford, FL 32771 by 2:00 p.m. on Tuesday, January 20, 2015. All late bids will not be opened and returned to sender. Faxed or emailed bids will not be accepted.

A non-mandatory Pre-Bid Meeting will be held on Thursday, December 18th at 10:00 a.m. on the third level of the Roth Tower on the west side of the football stadium. Contact Tonja Williams for a map. RFI Deadline is Wednesday, January 7, 2015 by 4:00 p.m.

Bid documents are available via the web-based site iSqFt by contacting Tonja Williams, (407)321-8410 or (comest@whartonsmith.com). All questions for this project should be directed to the Preconstruction Dept. (comest@whartonsmith.com).

CG C032669 / PC C048385 / CU C056506

**Section XII  
Miscellaneous**

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
Certificate of Need

**EXEMPTION**

The Agency for Health Care Administration approved the following exemption on December 11, 2014 pursuant to Section 408.036(3), Florida Statutes:

ID #E140030 District: 3-4 (Marion County)

Facility/Project: The Club Health and Rehabilitation Center at The Villages

Applicant: Mulberry Grove NH LLC

Project Description: Transfer eight nursing home beds from Lady Lake Specialty Care Center to the applicant's facility

Proposed Project Cost: \$120,000

DEPARTMENT OF FINANCIAL SERVICES  
FSC – Financial Institution Regulation  
Financial Institutions

**NOTICE OF FILINGS**

Financial Services Commission  
Office of Financial Regulation  
December 12, 2014

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. . 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., January 2, 2015):

APPLICATION TO MERGE

Constituent Institutions: Harbor Community Bank, Indiantown, Florida and First America Bank, Bradenton, Florida

Resulting Institution: Harbor Community Bank, Indiantown, Florida

With Title: Harbor Community Bank

Received: December 8, 2014

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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-14-168

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-168 on December 9, 2014, in response to applications submitted by the Hidden Cove Estates Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

DEO determined that the application did not meet the statutory requirements for covenant revitalization for the following reasons: 1) The application failed to include verified copies of

the original By-Laws and Articles of Incorporation, in violation of Section 720.406(1)(b), Florida Statutes; 2) the proposed revived declaration contained different voting interests than the previous declaration in violation of Section 720.405(4)(a), Florida Statutes; 3) the proposed revived declaration contained different proportional assessments than the previous declaration in violation of Section 720.405(4)(b) Florida Statutes; 4) the proposed revived declaration contained different amendment provisions than the previous declaration in violation of Section 720.405(4)(c) Florida Statutes; and 5) the proposed revived declaration contained covenants that are more restrictive than the previous declaration in violation of Section 720.405(4)(d) Florida Statutes. Accordingly, DEO's Final Order denied the application for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.Zimmer@DEO.MyFlorida.com](mailto:Katie.Zimmer@DEO.MyFlorida.com).

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Section XIII

Index to Rules Filed During Preceding Week

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

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