

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-20.050 Nursing Student Loan Forgiveness Program
Application

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate pertinent information from Rules 6A-20.051, 6A-20.052, and 6A-20.053, F.A.C. into 6A-20.050 F.A.C. and then later repeal Rules 6A-20.051, 6A-20.052, and 6A-20.053, F.A.C. Rule 6A-20.050, F.A.C. will clarify the following: A program applicant must be a certified nurse performing nursing duties full-time; full-time status is based upon the combination of all qualifying employment that exceeds an average of 35 hours per week; Late initial applications will not be processed; however, applicants who meet eligibility requirements are provided an option to reapply for participation; Renewal application submission timeframes are provided; and Payments are made directly to program participants' loan holders for participants' loans that are not in default. The effect will be one rule consistent with governing law.

SUBJECT AREA TO BE ADDRESSED: Nursing Student Loan Forgiveness Program.

RULEMAKING AUTHORITY: 1009.66(9) FS.

LAW IMPLEMENTED: 1009.66 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: Marlene Norrell, Education Program Director, Finance and Operations/Office of Student Financial Assistance, Suite 1314, (850)410-5238. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO: **RULE TITLE**
68-1.003 Florida Fish and Wildlife Conservation
Commission Grants Program

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes affecting the derelict vessel grant program located within the agencies grant program rule.

SUBJECT AREA TO BE ADDRESSED: This development of rule will be used to update existing grant language in the derelict vessel grants issued by the Commission.

SPECIFIC AUTHORITY: 206.606, 327.04, 327.47, 379.106 FS.

LAW IMPLEMENTED: 206.606, 327.47, 328.72, 379.106, FS.

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

DATE AND TIME: Wednesday, October 28, 2015, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, 2nd Floor Conference Room, 620 S. Meridian Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Horning, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)617-9540 or Phil.Horning@MyFWC.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 five days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Phil Horning at (850)617-9540.

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NOS.:	RULE TITLES:
1B-6.001	Definitions, Designation, Responsibilities, and Termination of Depository Status of Depository Libraries
1B-6.0012	Designation, Responsibilities, and Termination of Depository Status of Depository Libraries
1B-6.0013	State Publications: Delivery to and Distribution by Division

PURPOSE AND EFFECT: The purpose of this amendment is to change the name of the State Documents Depository Program to the State Publications Depository Program and to modify and clarify the guidelines and procedures for participating in this program.

SUMMARY: Amendment clarifies the designation, responsibilities, and termination of depository status of depository libraries.

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: Using the SERC checklist, it was determined that this amendment will not have a direct or indirect adverse financial impact on small businesses.

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: 257.14 FS.

LAW IMPLEMENTED: 257.02, 257.04, 257.05, 257.05(3) 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: Cathy Moloney, Bureau Chief, State Library of Florida, 500 S. Bronough St., Tallahassee, FL 32399, Cathy.Moloney@dos.myflorida.com, (850)245-6687.

THE FULL TEXT OF THE PROPOSED RULE IS:

~~1B-6.001 Definitions, Designation, Responsibilities, and Termination of Depository Status of Depository Libraries.~~

As used in this chapter, the following words and terms shall mean:

(1) “State publication” means a publication, either in print or electronically, under the authority of or at the total or partial expense of a state official, state department, state board, state court, or state agency, or that is required to be publicly distributed pursuant to state law. The term includes a publication containing information about the state and its government that is culturally and historically significant to researchers and the general public. The term does not include a publication that is created only for internal use of a state official, state department, state board, state court, or state agency. “Public documents” is defined by Section 257.05(1), F.S., as any document, report, directory, bibliography, rule, newsletter, pamphlet, brochure, periodical, or other publication, whether in print or non-print format, that is paid for in whole or in part by funds appropriated by the Legislature and may be subject to distribution to the public; however, the term excludes items issued for strictly administrative or operational purposes.

(2) “Agency” means any official, officer, commission, board, authority, council, committee, department, or entity of state government.

(3) “Depository library” means those libraries designated in accordance with Section 257.05(3)(a), F.S.

(4) “Division” means the Division of Library and Information Services of the Department of State.

~~(5) “Florida Public Documents” is the title of the bibliography produced in accordance with Section 257.05(3)(c), F.S.~~

~~(5)(6) “Publicly supported library” means that the library unit, agency, organization, or institution is under the administrative supervision or control of a government.~~

~~(7) Designation Procedure.~~

~~(a) Public and academic libraries in Florida are eligible to apply for designation as a depository library for state documents. Upon request from the administrator of the library, the form, Application and Agreement for Designation as a Depository for State Publications, Form LISE139 R3 89, effective March 1989, shall be provided by the Division. A copy of form LIS3E139 R3 89 may be obtained from the Division of Library and Information Services, R.A. Gray Building, Tallahassee, Florida 32399 0250, and is incorporated herein by reference.~~

~~(b) The completed application form must be signed by the administrator of the requesting library and submitted to the Division director.~~

~~(c) If the application is approved, the signed application will be permanently filed as the official agreement of the designated library with the Division for the maintenance and servicing of state documents.~~

~~(8) Designation Review.~~

~~(a) All applications received by the Division will be evaluated based upon the criteria set forth below, and the Division director shall notify the applicant as to approval or rejection of the application.~~

~~(b) Applications that have been rejected may be appealed to the State Library Council.~~

~~(c) The State Library Council shall review the appealed application and shall submit its recommendation to the Secretary of State.~~

~~(d) The Secretary of State shall make the final decision on all appealed applications.~~

~~(9) Criteria for Designation Evaluation.~~

~~(a) The Division director shall evaluate each application based upon the presence and proximity of other depository libraries in the same geographical area; the size, space, and staff available to properly maintain and service the collection; and the geographical distribution of the population to be served.~~

~~(b) Priority will be given to publicly supported libraries.~~

~~(c) It shall be the goal of the Division to designate at least one depository library in each comprehensive planning district, as specified by the Executive Office of the Governor, pursuant to Section 186.006, Florida Statutes, and thereafter to designate one depository library for each 250,000 people within the planning district. Except when the population of a comprehensive planning district reaches 1,000,000 population, one designation will be considered for each 500,000 people above 1,000,000.~~

~~(d) The number of designated depository libraries shall be limited by the number of copies of public documents available under Section 257.05, F.S.~~

~~(e) The Division director shall make every effort to designate a new depository library upon the occurrence of a vacancy. Consideration will first be given to libraries in the same geographical area from which the vacancy occurred or to geographical areas not presently served by a state documents depository library.~~

~~(10) Responsibilities of Depository Libraries.~~

~~(a) Each depository library shall make all public documents conveniently available for free public use. Those libraries designated as receiving two copies of each item and those libraries designated as lending depositories shall make a copy available for interlibrary loan.~~

~~(b) All public documents received under this program must be retained for a period of 5 years except those identified by paragraphs (c), (d) and (e) below.~~

~~(c) Documents of the following types must be permanently retained as having significant permanent research value: annual or biennial reports of agencies and subagencies, session laws and statutes, legislative journals, statistical publications covering a period of at least 1 year, and series publications having monographic titles other than newsletters.~~

~~(d) Superseded items, such as draft or interim reports, which are followed by a final report, and publications which have been revised or updated may be discarded upon receipt of the final or revised document. Cumulative publications, such as monthly or quarterly reports, which are incorporated into an annual report, may be discarded on receipt of the cumulated report. Newsletters of limited local interest may be discarded after one year. U.S. Geological Survey publications received through the program but also received by Federal depository libraries may be discarded after five years.~~

~~(e) Program announcements, news releases, and similar dated materials may be discarded after their timeliness has expired.~~

~~(f) Duplicate copies of documents may be discarded. Depository libraries which receive two copies may discard the second copy of documents after the five year minimum, although they are still responsible for providing interlibrary loan for all titles.~~

~~(11) Termination of Depository Status.~~

~~(a) Should a library wish to relinquish its designation as a state documents depository library, it shall do so by submitting an official letter of request from the administrator of the designated library to the Division director. This letter shall specify why the library is no longer able to comply with the conditions of designation as agreed to by the library at the time of its designation. The Division director shall review the request, prepare an official response and, if granting the request, give guidance to the closing of the depository. In granting the request, the Division director shall consider the library's ability to continue to provide space, staff and funding to provide, house, and provide access to state documents. The Division director should also consider the impact of the loss of that designation on citizens' access to state documents in that area.~~

~~(b) All publications that have been received by the designated library under this program and that fall into the categories for permanent retention, as defined in paragraph 1B 6.001(5)(c), F.A.C., must be retained by the designated library or returned to the Division in complete sets. Documents that fall into these categories for permanent retention shall not be selectively discarded.~~

~~(c) Documents not falling into the categories for permanent retention may be discarded and retained or discarded as the designated library so chooses.~~

~~(d) The Division will recognize the designated depository library as having responsibility for the permanent depository collection up to the date of the letter officially granting discontinuance. The Division will recognize a newly designated depository library, should there be one, as the library responsible for the permanent collection after that date. Should the designated depository not wish to retain the permanent collection, all publications referred to in paragraph 1B-6.001(5)(c), F.A.C. above will be returned to the Division and will become a part of a newly designated depository collection should there be one.~~

Rulemaking Authority 257.14 FS. Law Implemented 257.02(4), 257.04, 257.05, 257.05(3) FS. History—New 5-1-89, Amended 10-9-96, XX-XX-XX.

1B-6.0012 Designation, Responsibilities, and Termination of Depository Status of Depository Libraries.

(1) Designation Procedure.

(a) Public and academic libraries in Florida are eligible to apply for designation as depository libraries for state documents. Upon request from the administrator of the library, the Division shall provide Form LIS3E139 R3-15 (hyperlink), "Application and Agreement for Designation as a Depository for State Publications," effective XXX 2015, shall be provided by the Division. Form LIS3E139 R3-89 may be obtained from the Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, and is incorporated herein by reference.

(b) The completed application form must be signed by the administrator of the requesting library and submitted to the Division director.

(c) If the application is approved, the signed application will be permanently filed as the official agreement between the designated library and the Division to maintain and service state documents.

(2) Designation Review.

(a) All applications received by the Division will be evaluated based upon the criteria set forth below, and the Division director shall notify the applicant of the approval or rejection of the application.

(b) In the case that an application is rejected, the applicant may appeal the decision to the State Library Council.

(c) The State Library Council shall review the rejected application and shall submit its recommendation to the Secretary of State.

(d) The Secretary of State shall make the final decision on all rejected application appeals.

(3) Criteria for Designation Evaluation.

(a) The Division director shall evaluate each application based upon the presence and proximity of other depository libraries in the same geographical area; the size, space, and staff available to properly maintain and service the collection; and the geographical distribution of the population to be served.

(b) Priority will be given to publicly supported libraries.

(c) It shall be the goal of the Division to designate at least one depository library in each comprehensive planning district, as specified by the Executive Office of the Governor, pursuant to Section 186.006, F.S., and thereafter to designate one depository library for each 250,000 people within the planning district. When the population of a comprehensive planning district reaches 1,000,000, one designation will be considered for each 500,000 people above 1,000,000.

(d) The Division director shall make every effort to designate a new depository library upon the occurrence of a vacancy. Consideration will first be given to libraries in the same geographical area in which the vacancy occurred or to geographical areas not served by a state publications depository library.

(4) Responsibilities of Depository Libraries.

(a) Each depository library shall make all public documents conveniently available for free public use. Those libraries designated as receiving two copies of each item and those libraries designated as lending depositories shall make a copy available for interlibrary loan.

(b) All state publications received under this program, except for those identified by (c), (d), (e), (f), and (g) below, must be retained for a period of 5 years. The Division may permit depository libraries to dispose of government publications that they have retained for five (5) years after they first notify the Division.

(c) Publications of the following types have significant permanent research value and must be permanently retained: annual or biennial reports of agencies and subagencies, session laws and statutes, legislative journals, statistical publications covering a period of at least 1 year, and series publications other than newsletters that have monographic titles. If multiple copies of a permanent publication have been received refer to (h).

(d) Superseded items, such as draft or interim reports that are followed by a final report and publications that have been revised or updated may be discarded upon receipt of the final or revised publication. Cumulative publications, such as monthly or quarterly reports that are incorporated into an annual report may be discarded on receipt of the cumulated report.

(e) Newsletters of limited local interest may be discarded after one year.

(f) U.S. Geological Survey publications received through the program but also received by Federal depository libraries may be discarded after five (5) years.

(g) Program announcements, news releases, and similar dated materials may be discarded when they are no longer timely.

(h) Duplicate copies of publications may be discarded. Depository libraries that are designated as receiving two copies may discard the second copy of a publications after five (5) years, but they are still responsible for providing interlibrary loan for all titles.

(i) Further weeding policies and procedures are addressed by the Division outside of rule.

(5) Termination of Depository Status.

(a) Should a library wish to relinquish its designation as a state documents depository library, it shall do so by submitting an official letter of request from the administrator of the designated library to the Division director. This letter shall specify why the library is no longer able to comply with the conditions of designation as agreed to by the library at the time of its designation. The Division director shall review the request, prepare an official response and, if granting the request, give guidance to the closing of the depository. In granting the request, the Division director shall consider the library's ability to continue to provide space, staff and funding for providing access to state documents. The Division director should also consider the impact of the loss of that designation on citizens' access to state documents in that area.

(b) All publications that have been received by the designated library under this program and that fall into the categories for permanent retention, as defined in paragraph 1B-6.001(5)(c), F.A.C., must be retained by the designated library or returned to the Division in complete sets. Documents that fall into the categories for permanent retention shall not be selectively discarded.

(c) Documents not falling into the categories for permanent retention may be discarded and retained or discarded as the designated library so chooses.

(d) The Division will recognize the designated depository library as having responsibility for the permanent depository collection up to the date of the letter officially granting discontinuance. The Division will recognize a newly designated depository library, should there be one, as the library responsible for the permanent collection after that date. Should the designated depository not wish to retain the permanent collection, all publications referred to in paragraph 1B-6.001(5)(c), F.A.C., will be returned to the Division and will become part of a newly designated depository collection. Rulemaking Authority 257.14 FS. Law Implemented 257.02, 257.04, 257.05 FS. History—New XX-XX-XX.

1B-6.0013 State Publications: Delivery to and Distribution by Division.

(1) Agency Responsibilities:

(a) Any agency that produces a state publication in physical form should furnish to the Division, free-of-charge, 35 copies of that publication for deposit in the State Library's collection and distribution by the Division to the depository libraries throughout the state. However, the Division reserves the right to request as many as 15 additional copies of each state publication. When fewer than 40 copies of a publication are printed, an agency is required to send two (2) copies, free-of-charge, to the Division for permanent inclusion in the State Library's collection.

(b) Any agency that produces a state publication in an electronic format shall provide the Division with electronic access to the publication. The agency shall notify the Division of the new publication or provide the file directly to the Division.

(2) Agency Compliance:

(a) Each agency shall designate a state publications liaison and notify the Division of the liaison's name and contact information as specified in s. 257.05(2)(b), F.S.

(b) Each liaison shall maintain a list of their agency's publications and furnish that list to the Division as it is updated, or at least by December 31 of each year.

(3) Division Responsibilities:

(a) Upon receipt of an agency's state publications, the Division shall make the record of those publications available through a centralized data base.

(b) On a quarterly basis, the Division shall distribute the received publications to the designated depository libraries.

(c) On a quarterly basis, the Division shall create a bibliography of those publications.

(d) The Division shall compile an annual summary to inform the Governor and the Legislature of which agencies have furnished publications or other information, as required under 1B-6.0013(2)(b), F.A.C.

Rulemaking Authority 257.14 FS. Law Implemented 257.04, 257.05 FS. History—New XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 05, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 08/31/2015

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NOS.:	RULE TITLES:
5C-3.001	Definitions
5C-3.012	Domestic Fowl, Poultry, Poultry Products and Ratites

PURPOSE AND EFFECT: Update to definitions and testing requirements for domestic fowl, poultry, poultry products, and ratites prior to importation into the state. The revisions will clarify requirements and strengthen the State’s animal health protection strategy

SUMMARY: Additional Avian Influenza and Exotic Newcastle Disease testing requirements for non-National Poultry Improvement Plan (NPIP) flocks is proposed for the importation of domestic fowl, poultry, poultry products or ratites.

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 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 average yearly importation numbers. Large commercial operations are the vast majority of poultry importation into the state, and those importers are part of the NPIP program and not impacted by this rule change. Approximately 10% of annual imports are from non-NPIP flocks and are a small percentage of total birds imported. The national average cost per test for the proposed rate of testing would not be expected to exceed \$200,000 to those impacted by the additional requirements. 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: 570.07(23), 585.002(4), FS.
LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16, 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. James L. Maxwell, Chief, Bureau of Animal Disease Control, (850)410-0900; Fax: (850)410-0929; James.Maxwell@FreshFromFlorida.com; 407 South Calhoun Street M7, Tallahassee, Florida 32399-0800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-3.001 Definitions.

For the purpose of this chapter, the definitions in Section 585.01, F.S., and the following shall apply:

(1) **Accredited Veterinarian.** A state licensed veterinarian accredited by the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 CFR §§ 160-162 (2009).

(2) **Administrator.** The Administrator of USDA, APHIS or any person authorized to act for the Administrator.

(3) **Animal or Domestic Animal.** Any animals that are maintained for private use or commercial purposes; including any equine such as horse, mule, ass, burro, zebra; any bovine such as bull, steer, ox, cow, heifer, calf, or bison; any other hoofed animal such as goat, sheep, swine, cervids; any domestic cat, dog, reptile or amphibian; any avian such as ratites, poultry, or other domesticated bird or fowl; or any captive, exotic or non-native animals.

(4) **Approved Livestock Market.** A livestock market approved by the Administrator pursuant to 9 CFR § 71.20 (2009), where livestock in interstate movement are assembled for sale purposes.

(5) **Authorized Representative.** An employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities.

(6) **Avian Influenza (AI) or Exotic Newcastle Disease (END) – Affected State.** Any state in which Avian Influenza subtypes H5 or H7 or END virus has been diagnosed in poultry within the last ninety (90) days prior to importation into Florida.

(7) Avian Influenza (AI) Approved Test- antibody or antigen capture methodologies recognized by NPIP and conducted at a laboratory approved to conduct such tests by USDA, APHIS.

~~(8)~~ **Cervidae Herd Health Plan.** A Florida Department of Agriculture and Consumer Services (FDACS) disease surveillance plan for cervids as described in Chapter 5C-26, F.A.C.

~~(9)(8)~~ Cervids. Any farmed or captive member of the family Cervidae and hybrids, including deer, elk, moose, caribou, reindeer and related species that are raised or maintained in captivity for the production of meat and other agricultural products, for sport, or for exhibition.

~~(10)(9)~~ Cleaned and Disinfected. Free of organic matter and disinfected in accordance with 9 CFR §§ 71.7 and 71.10-71.12 (2009).

~~(11)(40)~~ Department. The Florida Department of Agriculture and Consumer Services.

~~(12)(44)~~ Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

~~(13)(42)~~ Domestic Fowl. Any member of the class Aves that is propagated or maintained under control of a person for commercial, exhibition or breeding purposes, or as pets.

~~(14)~~ Emergency Management Response Services (EMRS) is a USDA, APHIS, web-based application for authorized users in the reporting of routine investigations of foreign animal diseases (FADS), surveillance and control programs, state specific disease outbreaks, and national animal health emergency responses (all-hazards).

~~(15)(43)~~ Endemic Disease. A disease will be characterized as endemic to a particular locality, region, state, or U.S. possession based on known positive cases, prevalence of disease, presence of competent vectors and/or evidence of natural transmission of the disease such that the disease is maintained in the population without external inputs.

~~(16)(44)~~ Equine. Any member of the family Equidae, including horses, mules, asses, and zebras.

~~(17)~~ Exotic (virulent) Newcastle Disease (END) Approved Test- antigen capture methodologies recognized by the National Animal Health Laboratory Network (NAHLN) and conducted at a laboratory approved to conduct such tests by the USDA, APHIS.

~~(18)(45)~~ Feral Swine. Swine that have lived all (wild) or any part (feral) of their lives as free-roaming.

~~(19)(46)~~ Import, Imported, Importation. The movement of animals into Florida, from another state, United States (U.S.) possession, or foreign country.

~~(20)(47)~~ National Poultry Improvement Plan (NPIP). A cooperative state-federal-industry program for prevention and control of certain hatchery-disseminated diseases and for improvement of poultry and poultry products as provided in 9 CFR §§ 145-147 (2009).

~~(21)(48)~~ Official Certificate of Veterinary Inspection (OCVI). A legible record or certificate made on an official form from the animal's state of origin, issued and signed by veterinarians licensed and accredited in the animal's state of origin for the purpose of certifying the official individual identification, test requirements, and health status of specific

animals for movement, exhibition, and other designated purposes.

~~(22)(49)~~ Official Individual Identification. An individual animal identification that uniquely identifies the animal, the owner, the premises where the animal was identified and the state in which the official individual identification was applied; and

(a) For Cattle:

1. Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C-31.005, F.A.C.; or

2. Is submitted to and verified by the Department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.

(b) For Livestock Other than Cattle:

1. Tattoos and registered brands such as ear, tail-web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;

2. Leg or wing bands for poultry;

3. Color digital images or notarized color photographs of an equine signed by a state-licensed, USDA-accredited veterinarian; or

4. Implanted electronic chip with a unique number recognized as International Organization for Standardization (ISO) compliant or that is accompanied by automated reader capable of capturing and recording the unique animal identification number.

~~(23)(20)~~ Owner-Shipper Statement. Any document signed by the owner-shipper as evidence of ownership or authority for possession of and for the transport of animals.

~~(24)(21)~~ Permit for Movement of Restricted Animals (VS Form 1-27 (JUN 89)). A permit issued by an authorized representative prior to the interstate shipment of animals infected or exposed to dangerous transmissible regulated diseases, which shall include:

(a) The number of animals to be moved;

(b) The purpose for which the animals are to be moved;

(c) The points of origin and destination; and

(d) The consignor and consignee.

~~(25)(22)~~ Poultry. Chickens, turkeys, quail, pheasants, chukars, peafowl, guineas, ratites and waterfowl. The term also includes other domestic fowl used for commercial, exhibition or breeding purposes or as pets.

~~(26)(23)~~ Poultry and Eggs for Hatching Purposes. A specific designation of those species of domestic fowl and the qualified eggs produced by these that are eligible for testing and qualification under the supervision of the National Poultry Improvement Plan (NPIP).

~~(27)(24)~~ Poultry Products. Hatching eggs, chicks, poults, litter, and offal but does not include table eggs and processed poultry for human consumption.

~~(28)(25)~~ Prior Permission Number. Specific permission granted by the State Veterinarian or authorized representative prior to movement of certain animals and poultry into Florida. A Prior Permission Number will be granted when the Division determines that the animal(s) meets the requirements of this chapter. When prior permission is required by this chapter, the prior permission number must be written on the Official Certificate of Veterinary Inspection or Owner-Shipper Statement accompanying the animal(s). Such prior permission may be either written permission or issuance of a permission number requested by telephone or facsimile message. A prior permission number may be obtained by calling or faxing the Division of Animal Industry during normal business hours, phone: (850)410-0900, Fax: (850)410-0946.

~~(29)(26)~~ Production Swine. Swine that are maintained on a premises for breeding or feeding purposes and which have no direct contact with feral or transitional swine.

~~(30)(27)~~ Quarantine. Strict isolation imposed by the Department on animals or premises to prevent the spread of diseases or pests.

~~(31)~~ Racing Pigeon. Racing Pigeons are homing pigeons used to race. The homing pigeon is a variety of domestic pigeon (*Columba livia domestica*) derived from the rock pigeon, selectively bred to find its way home over extremely long distances.

~~(32)(28)~~ Recognized Slaughtering Establishment. An animal slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. §§ 601-695 (2009)), or equivalent of the animal's state of origin state meat inspection program.

~~(33)(29)~~ Restricted Animals. Animals that are quarantined, infected with, or exposed to any infectious or communicable disease.

~~(34)(30)~~ Service Animals. Any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability including, but not limited to: guiding individuals with impaired vision, alerting individuals with impaired hearing of intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped objects.

~~(35)(34)~~ State Veterinarian. The Director of the Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

~~(36)(32)~~ Transitional Swine. Swine that have been, or have had the potential to be, exposed to feral swine.

~~(37)(33)~~ USDA, APHIS. The United States Department of Agriculture, Animal and Plant Health Inspection Services.

~~(38)(34)~~ Vesicular Stomatitis (VS)-Affected State. Any state in which either of the VS virus serotypes New Jersey or Indiana has been diagnosed and has one or more premises currently under state or USDA, APHIS quarantine.

~~(39)(35)~~ Working Dogs. Any dog in the possession of a federal, military, state or local governmental agency or private organization that is trained for the purpose of human search and rescue, body recovery, arson detection, bomb detection, narcotics detection, food and agricultural product detection, criminal apprehension, police assistance or other related purposes, whether in the performance of such tasks or while traveling to and from such tasks.

~~(40)(36)~~ The following documents are hereby adopted and incorporated by reference. These documents may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800 and are available online as indicated.

(a) 9 C.F.R. §§ 71.1, 71.7, 71.10-12, 71.20, 145-147, 160-162 (2013),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-03314>.

(b) Federal Meat Inspection Act (21 U.S.C. §§ 601-695 (2013),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-03308>.

(c) Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-03301>.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.003, 585.08(2)(a), 585.11(1), (4), 585.145(1), (2), 585.16 FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.01, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10, 2-19-14, ____.

5C-3.0012 Domestic Fowl, Poultry, Poultry Products, and Ratites

(1) Official Certificate of Veterinary Inspection (OCVI) Required. All domestic fowl, poultry, and eggs for hatching purposes imported into Florida, unless exempted by this rule, must be accompanied by an OCVI. Poultry and hatching eggs classified under provisions of the National Poultry Improvement Plan (NPIP) may substitute Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (OCT 2011)(AUG 2005), for the OCVI. Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (OCT 2011) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05947>. Racing pigeons that are transported out of Florida for racing purposes in a sealed crate(s) and reenter Florida with unbroken seals ~~or poultry consigned directly to a recognized~~

~~slaughtering establishment~~ are exempt from the OCVI importation requirements.

(2) Prior Permission Number. A prior permission number is required on the accompanying documentation for importation of all domestic fowl, ~~and~~ poultry, and eggs for hatching purposes except those listed in (a)-(f), that originate from a state not affected by Exotic New Castle Disease (END) or Avian Influenza (AI):

(a) Poultry consigned directly to a ~~Recognized Slaughtering Establishment~~ for slaughter;

(b) Individual exotic ~~and pet birds and racing pigeons returning to Florida in unbroken, sealed containers;~~

(c) Racing pigeons returning to Florida in unbroken, sealed containers;

~~(d)(e)~~ Exhibition birds originating in NPIP participating flocks in Florida and returning to Florida.

(e) Those shipments moving through Florida for transshipment outside of the United States and traveling on an international OCVI, consigning the shipment to a foreign country, provided the shipping containers are not opened in Florida.

(f) Hatching eggs or chicks less than 4 days of age originating from NPIP participating flocks accompanied by a Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (2011).

(3) Testing Requirements-

(a) Pullorum-Typhoid testing requirement.

~~1.(a)~~ An official negative test for Pullorum-Typhoid, as provided in 9 CFR §§ 147.1-147.5 (2013)(2009), as adopted in 5C-3.001 F.A.C., is required within thirty (30) days of importation into Florida for poultry or on the flock from which hatching eggs originate, ~~that do not meet the requirements in paragraph 5C-3.012(3)(b), F.A.C. (b) Exemptions to the test requirements. However, no No Pullorum-Typhoid test is required for the following:~~

~~a.1.~~ Importing poultry or eggs for hatching purposes originating from flocks classified under provisions of the NPIP as U.S. Pullorum-Typhoid Clean, as provided in 9 CFR §§ 145.23(b), 145.33(b), 145.43(b), 145.53(b) and 145.63(b) (2013)(2009), as adopted in 5C-3.001 F.A.C. or from flocks that have met comparable standards of the poultry disease control authority of the state of origin.

~~b.2.~~ Quail, pheasants, and other birds used strictly for hunting purposes ~~that and which~~ are consigned directly to a Florida Fish and Wildlife Conservation Commission licensed hunting preserve;

~~c.3.~~ Ratites;

~~d.4.~~ Waterfowl imported for exhibition purposes;

~~e.5.~~ Exotic birds ~~or other pet birds and pigeons;~~

f. Racing pigeons.

~~g.6.~~ Exhibition birds originating from NPIP-participating flocks in Florida returning to Florida. These birds must be accompanied by proof of a valid NPIP flock testing record for pullorum-typhoid indicating that the flock test, in accordance with a 9 CFR § 145.53(b) (2013)(2009), as adopted in 5C-3.001 F.A.C., was conducted within the previous twelve (12) months or proof of a valid NPIP participant card current within the past twelve (12) months; or

~~h.7.~~ Poultry consigned directly to a ~~Recognized Slaughtering Establishment~~ for slaughter.

(b) Avian Influenza (AI) testing requirements.

1. Poultry or poultry products originating from a non-AI affected state.

a. All poultry and poultry products must be accompanied by proof of a negative, approved test for Avian Influenza (AI), and;

b. Entry into Florida must be within twenty-one (21) days of the Avian Influenza (AI) sample being taken; and

c. If a flock with greater than thirty (30) birds is to be imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

d. If a flock of less than thirty (30) birds is to be imported, then all birds must be tested.

2. Exemptions to the AI testing requirements for poultry and poultry products originating from a non-AI affected state. No AI test is required for the following:

a. Poultry or poultry products originating from flocks classified as US Avian Influenza Clean, as provided in 9 CFR §§ 145.23(h), 145.33(l), 145.43(g), 145.53(e), and 145.63(b) (2013), as adopted in 5C-3.001 F.A.C., in non-AI affected states.

b. Ratites;

c. Exotic birds;

d. Racing pigeons.

3. Proof of negative Avian Influenza (AI) testing and the Department issued prior permission number, unless exempted from prior permission number requirement in accordance with 5C-3.012(2), must be documented on the Report of Sales of Hatching Eggs, Chicks, Poults, VS Form 9-3 (OCT 2011), or OCVI listing the description of birds, test date, test results, and the name of the laboratory.

4. Poultry products originating from an Avian Influenza (AI) affected state.

a. From a Quarantine or Control Area as defined by originating state. No domestic fowl, live poultry or poultry products or hatching eggs originating from a Quarantine or Control Area in an Avian Influenza (AI) affected state may enter Florida except for imported birds that have completed all USDA and originating state requirements to move from a Quarantine or Control Area and have completed Florida import requirements as described in Sections (1)-(3) of this

rule. The Department shall verify USDA requirements have been met through the Emergency Management Response System (EMRS) prior to permitting for entry into Florida by the State Veterinarian's Office.

b. Non-Quarantine or Control Areas as defined by originating state. All poultry and poultry product:

(i) Must be accompanied by proof of a negative, approved test for Avian Influenza (AI).

(ii) Entry into Florida must be within seven (7) days of the Avian Influenza (AI) sample being taken.

(iii) If a flock with greater than thirty (30) birds is to be imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

(iv) If a flock of less than thirty (30) birds is to be imported, then all birds must be tested.

5. The following poultry and poultry products originating from a non-quarantined area in an AI affected state are exempt from the AI testing requirements described in 4.b.:

a. Poultry or poultry products, originating from flocks classified as US Avian Influenza Clean, as provided in 9 CFR §§ 145.23(h), 145.33(l), 145.43(g), 145.53(e), and 145.63(b) (2013), as adopted in 5C-3.001 F.A.C., in AI affected states.

b. Ratites;

c. Exotic birds;

d. Racing pigeons.

6. Proof of negative Avian Influenza (AI) testing and a Department issued prior permission number must be documented on the Report of Sales of Hatching Eggs, Chicks, Poults, VS Form 9-3 (OCT 2011), or OCVI listing the description of birds, test date, test results, and the name of the laboratory.

(c)(4) Importations from an Avian Influenza (AI) or Exotic Newcastle Disease (END) testing requirements.-Affected State. Exotic Newcastle Disease (END) testing requirements apply to only those shipments of poultry or poultry products originating from an END affected state.

1.(a) Quarantine or Control Areas. No domestic fowl, live poultry or poultry products or hatching eggs originating from a Quarantine or Control Area may enter Florida except for imported birds that have completed all USDA and originating state requirements to move from a Quarantine or Control Area, have completed Florida and import test requirements as described I Sections (1)-(3) of this rule and are permitted approved for entry into Florida by the State Veterinarian's Office.

2.(b) Non-Quarantine or Control Areas.

a. All poultry and poultry products must be accompanied by proof of a negative, approved test for Exotic Newcastle Disease (END).

b. Entry into Florida must be within seven (7) days of the Exotic Newcastle Disease (END) sample being taken.

c. If a flock with greater than thirty (30) birds is to be imported, then no less than thirty (30) samples per flock must be taken with at least ten (10) samples taken per house; or

d. If a flocks of with less than thirty (30) birds is to be imported, then all birds must be tested.

1. Approval— Domestic fowl, live poultry or poultry products from non quarantine areas will be considered for approval for shipment into Florida on a case by case basis following a risk assessment.

3.2. Documentation. Poultry or poultry products must originate from a flock that is U.S. Avian Influenza Clean, as provided in 9 CFR §§ 145.23(h), 145.33(l), 145.43(g) and 145.53(e) (2009), and the shipment is be accompanied by a Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (OCT 2011)(AUG 2005), or OCVI indicating poultry or poultry product originates from an AI or END-negative flock, listing the Department issued prior permission number, description of birds, test date, test results, and the name of testing laboratory.

3. Prior permission number. All domestic fowl, live poultry or poultry products will require prior permission number which must be written on the accompanying documentation.

(4)(5) Containers for Shipment. All imported domestic fowl, poultry, and eggs for hatching purposes must be shipped in new or properly cleaned and disinfected reusable containers.

(6) Forms and Materials. 9 CFR §§ 145.23(b), (h), 145.33(b), (l), 145.43(b), (g), 145.53(b), (e), 145.63(b), and 147.1 147.5 (2009), are hereby incorporated by reference. Copies may be obtained from: www.gpoaccess.gov. Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005) may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2) FS. Law Implemented 570.07(15), 570.36(2), 585.08(1), (2)(a), 585.145(1), (2), 585.16 FS. History—New 3-23-94, Amended 12-12-04, 5-24-10.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Dr. Michael A. Short, State Veterinarian, Director

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10/15/15

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/11/15

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-17.004
 RULE TITLE: Guidelines for the Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify guidelines for disposition of disciplinary cases by substantially rewording the rule.

SUMMARY: The rule amendment will clarify guidelines for disposition of disciplinary cases by substantially rewording the rule.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a SERC was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 310.101, 310.185, 455.2273 FS.

LAW IMPLEMENTED: 310.101, 455.227, 455.2273 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: Thomas Campbell, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G14-17.004 follows. See Florida Administrative Code for present text.)

61G14-17.004 Guidelines for the Disposition of Disciplinary Cases.

(1) Sanctions to be imposed by the board for misconduct, inattention to duty, negligence or willful violation of any law or rule applicable to licensed state pilots or certified deputy pilots shall be divided into classes of sanctions in descending order of severity as follows:

(a) Class 1. Revocation of the license or certificate or refusal to certify to the department an application for license or certification.

(b) Class 2. Suspension of the license or certificate.

(c) Class 3. Restriction of the practice of the violator.

(d) Class 4. Placement of the licensed state pilot or certified deputy pilot on probation for such period of time and subject to such conditions as the board may specify, including, but not limited to, requiring the pilot to submit to treatment, submit to additional or remedial training, submit to reexamination, or undergo a complete physical examination.

(e) Class 5. Imposition of an administrative fine not to exceed \$5,000 for each count or separate offense of which the offender is guilty.

(f) Class 6. Issuance of a reprimand.

(2) The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this chapter. In order to be considered a second or subsequent piloting offense, the then current piloting offense must follow a previous finding of guilt of an offense for which an equal, or more severe, sanction is authorized.

<u>VIOLATION</u>	<u>Class of Violation Guidelines</u>
<p><u>(a) Section 310.101(1), F.S., any act of misconduct, inattention to duty, negligence, or incompetence; any willful violation of any law or rule, including the rules of the road, applicable to a licensed state pilot or certificate deputy pilot; or any failure to exercise that care which a reasonable and prudent licensed state pilot or certificated deputy pilot would exercise under the same or similar circumstances may result in disciplinary action.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>

<p><u>Third Offense:</u></p>		<p><u>First Offense:</u></p>	<p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p>
<p><u>1. Willful violation of any law or rule, including board rules and rules of the road, applicable to a licensed state pilot or certified deputy pilot.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 2 or 1</u></p>
<p><u>2. Engaging in any practice which does not meet the acceptable standards of safe piloting.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>6. Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to Chapter 455 or 310, F.S., or the rules of the department or the board.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>3. Making misleading, deceptive, or fraudulent representations in or related to the practice of the piloting profession.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>7. Making deceptive, untrue, or fraudulent representations in or related to the practice of the profession or employing a trick or scheme in or related to the practice of a profession.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>4. Having been found liable in a civil proceeding for knowingly filing a false report or complain with the department against another licensee</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>8. Violating any provision of Chapter 455, or 310, F.S., or the rules of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>5. Failing to report to the department any person who the licensee knows is in violation of Chapter 455 or 310, F.S., or the rules of the department or the board.</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p>	<p><u>9. Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.</u></p> <p><u>First Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p>

<p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>information available to the pilot.</u></p> <p><u>First Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p>
<p><u>10. In any jurisdiction being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime, which relates to the practice of, or the ability to practice, the piloting profession.</u></p>	<p><u>Class: 2 or 1</u></p>	<p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>11. Regardless of adjudication, having ever been found guilty of, or pled guilty of, or pled guilty or nolo contendere to (i) a charge which was a felony or first degree misdemeanor which directly related to the navigation or operation of a vessel, or (ii) a felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance as defined by Chapter 893, F.S., or an offense under the laws of any state or country which, if committed in this state, would constitute a felony of selling or trafficking in, or conspiracy to sell or traffic in, such controlled substance.</u></p>	<p><u>Class: 1</u></p>	<p><u>(d) Section 310.101(1)(c), F.S., failure to navigate with caution in limited visibility.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>12. Attempting to obtain, obtaining, or retaining a license or certificate to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or the board.</u></p>	<p><u>Class: 1</u></p>	<p><u>(e) Section 310.101(1)(d), F.S., navigating in channels where the depth of water under the keel is less than the prescribed bottom clearance as recommended by the licensed state pilots of that port and approved by the board.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>(b) Section 310.101(1)(a), F.S., failure to make allowances for the foreseeable effects of wind, current, and tide.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>(f) Section 310.101(1)(e), F.S., excessive speed.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>(c) Section 310.101(1)(b), F.S., failure to obtain or properly use</u></p>		<p><u>(g) Section 310.101(1)(f), F.S., having a license or certificate to practice piloting revoked, suspended, restricted, placed on probation, or in any way acted against, including, but not limited to, the relinquishing or depositing of the license or certificate in lieu of further disciplinary action, in</u></p>	<p><u>Class: 2 or 1</u></p>

<p><u>anticipation of the filing of charges, or in lieu of prosecution, by the regulatory authority of another state, the Federal Government, a territory, or another country for an act which would constitute a ground for discipline if the act had occurred while piloting under authority of the Florida state pilot's license or deputy pilot's certificate.</u></p>		<p><u>eyesight or hearing, heart disease, or diabetes.</u></p>	
<p><u>(h) Section 310.101(1)(g), F.S., making or filing, or inducing another person to make or file, a report which the pilot knows to be false or intentionally or negligently failing to file, or willfully impeding or obstructing the filing of, a report or record required by state law or by rule of the board or the department. Such reports or records include on those which are signed by the pilot in his or her capacity as a licensed state pilot or certificated deputy pilot.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>	<p><u>(j) Section 310.101(1)(i), F.S., practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities that the pilot knows or has reason to know he or she is not competent to perform.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>(i) Section 310.101(1)(h), F.S., being unable to perform the duties of a pilot with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type material or as a result of any mental or physical condition such as, but not limited to, poor eyesight or hearing, heart disease, or unable to perform the duties of a pilot with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type material or as a result of any mental or physical condition such as, but not limited to, poor</u></p>	<p><u>Class: 4, 3, 2, 1 or any combination thereof</u></p>	<p><u>(k) Section 310.101(1)(j), F.S., delegating professional responsibilities to a person when the pilot delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience, or license to perform them.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 6, 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>(l) Section 310.101(1)(k), F.S., engaging in any practice which does not meet acceptable standards of safe piloting.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>		<p><u>(m) Section 310.101(1)(l), F.S., failure to maintain a valid Untied</u></p>	<p><u>Class: 6, 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
			<p><u>Class: 2 or 1</u></p>

<p><u>States Coast Guard first-class unlimited pilot's license covering the waters of the port in which the state pilot's license was issued.</u></p>	
<p><u>(n) Section 310.101(1)(m), F.S., Having a license to operate a motor vehicle revoked, suspended, or otherwise acted against by any jurisdiction, including its agencies or subdivisions, for operating the vehicle under the influence of alcohol or drugs.</u></p> <p><u>First Offense:</u></p> <p><u>Second Offense:</u></p> <p><u>Third Offense:</u></p>	<p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 5, 4, 3, 2, 1 or any combination thereof</u></p> <p><u>Class: 2 or 1</u></p>
<p><u>(o) Section 310.101(1)(n), F.S., being unable to perform piloting with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, or chemicals.</u></p>	<p><u>Class: 4, 3, 2, 1 or any combination thereof</u></p>

(f) Consent to restriction of practice; including hours, days or type of practice;

(g) Submission of reports by licensee and consent to submission of reports by supervisor and/or helping professional;

(h) Consent to urine and blood testing;

(i) Fulfilling requirements of making personal appearance(s) before the board;

(j) Other conditions as are appropriate to the offense.

Rulemaking Specific Authority 310.101, 310.185, 455.2273 FS. Law Implemented 310.101, 455.227, 455.2273 FS. History—New 2-11-87, Formerly 21SS-7.005, 21SS-17.004, Amended 9-27-94, 5-1-02, 7-3-03, 12-5-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 23, 2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

RULE NOS:	RULE TITLES:
60R-1.001	Scope and Purpose
60R-1.0021	Definitions
60R-1.0045	Witness Fees
60R-1.0051	Hearing Officers
60R-1.006	Final Orders
60R-1.0061	Correction of Orders and Rehearing
60R-1.007	Judicial Review

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, FS, published in Vol. 41, No. 181, of the September 17, 2015, issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 6, 2015. The correction is as follows:

The PURPOSE AND EFFECT shall read as: The Commission proposes to repeal rules that are either obsolete or restate the language of existing statutes governing hearings conducted under section 120.57(1), Florida Statutes.

(3) Aggravating or mitigating circumstances to be considered if there is to be a deviation from penalties provided herein shall include:

(a) The danger to the public;

(b) The length of time since the date of the last violation(s);

(c) The length of time the licensee has been licensed;

(d) The deterrent effect of the penalty imposed;

(e) The effect of the penalty upon the licensee's livelihood;

(f) Efforts by the licensee toward rehabilitation;

(g) Efforts by the licensee to correct or stop violations or evidence that the licensee has failed to correct or stop violations;

(h) Any other mitigating or aggravating circumstances.

(4) In addition to the conditions specified in paragraph (1)(d), any or all of the following conditions may be imposed as terms of probation:

(a) Restitution of the cost of probation;

(b) Payment of fine(s);

(c) Consent to Department access to all business records;

(d) Fulfilling continuing education requirements;

(e) Consent to indirect or direct supervision by board-approved supervisor;

The SUMMARY shall read as: The Commission proposes to repeal the rules that are either obsolete or restate the language of existing statutes and rules.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carla McBride, Clerk, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

**DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services**

RULE NO.: 69B-186.010 RULE TITLE: Unlawful Inducements Related to Title Insurance Transactions.
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 192, October 2, 2015 issue of the Florida Administrative Register.

The corrections are as follows:

The title should read as: “69B-186.010 Unlawful Inducements Related to Title Insurance Transactions.” Additionally, the above notice incorrectly indicated April 3, 2015 date as the rule development date for the proposed rule. The correct rule development date for the proposed rule is May 8, 2015.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2015

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF HEALTH
Board of Medicine

RULE NO.: 64B8-9.009 RULE TITLE: Standard of Care for Office Surgery
NOTICE IS HEREBY GIVEN that on September 16, 2015, the Board of Medicine, received a petition for waiver or variance filed by Clifford P. Clark, III, M.D., from Rule 64B8-9.009, F.A.C., with regard to the limitation on the amount of supernatant fat than can be removed during liposuction procedures in office surgery settings. 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: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

DEPARTMENT OF HEALTH
Board of Physical Therapy Practice
RULE NO.: 64B17-3.003 RULE TITLE: Licensure by Endorsement.

NOTICE IS HEREBY GIVEN that on October 7, 2015, the Board of Physical Therapy Practice received a petition for variance or waiver of Rule 64B17-3.003, F.A.C., filed by Sandipkumar I. Patel, regarding the requirement that applicants for licensure by endorsement may demonstrate minimum educational qualifications by submitting a certified copy of the credentialing evaluation used by the physical therapy licensing board of another state. The Board will consider this petition at its meeting currently scheduled for November 6, 2015.

Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, at the above address or telephone: (850)245-4373.

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

DEPARTMENT OF TRANSPORTATION
The Florida Transportation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2015, 12:00 Noon until conclusion of business

PLACE: The Birchwood Hotel, 340 Beach Drive Northeast Street, St. Petersburg, Florida 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Business Development Initiative.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4105.

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: Lisa O. Stone at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS 9, Room 176, Tallahassee, FL 32399-0450 or phone: (850)414-4105.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces that a Bond Team meeting will be held in the following docket:

DOCKET NO. 150171-EI - Petition for issuance of nuclear asset-recovery financing order, by Duke Energy Florida, Inc. d/b/a Duke Energy

DATE AND TIME: Thursday, October 22, 2015, 11:00 a.m.

PLACE: Duke Energy, 550 South Tryon, Charlotte, North Carolina 28202

PURPOSE: The purpose of this meeting is to allow members of the Bond Team, as established through the stipulation approved in this docket, to work cooperatively to establish the structuring, marketing, and pricing of nuclear asset-recovery bonds. This meeting will be the first in a series of Bond Team meetings to be conducted on a regular basis. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

DATE AND TIME: November 9, 2015, 1:00 p.m.

PLACE: 1(888)670-3525, participant pass code: 5243947159#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF HEALTH

The Drug Policy Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 30, 2015, 9:00 a.m. – 11:00 a.m., ET

PLACE: Florida Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Established in Section 397.33, Florida Statutes, the Drug Policy Advisory Council reviews and analyzes the impacts of substance abuse in the state and makes recommendations for the implementation of a state drug control strategy.

A copy of the agenda may be obtained by contacting: Sara Bourdeau at Sara.Bourdeau@floridahealth.gov or (850)245-4444, extension 2044.

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: Sara Bourdeau at the contact information 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).

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

The Office on Homelessness announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 21, 2015, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, participant code: 701-539-8451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuum of Care Committee call: this conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations from continuum of care lead agencies to end homelessness in Florida.

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 1 day before the workshop/meeting by contacting: Erik Braun. For more information, you may contact: 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.

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

The Office on Homelessness announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 22, 2015, 2:00 p.m.

PLACE: Telephone conference: 1(888)670-3525 toll-free, participant code 701-539-8451#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Affordable Housing Committee call: This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations regarding affordable housing to end homelessness in Florida.

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 1 day 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.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 28, 2015, 9:00 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA IS FOR VETERANS INC.

The Veterans Florida Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 9, 2015, 10:00 a.m., ET

PLACE: Teleconference, join the call: www.uberconference.com/veteransflorida; dial-in number: 1(877)619-2945; alternate number: +1(850)610-2158, no PIN needed

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The audit committee will hear a presentation from Veterans Florida's auditing firm on their findings from the FY14-15 audit.

For a copy of the agenda or more information, you may contact: Kristen Kerr, kerr@veteransflorida.org or (850)898-1442.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission has received the petition for declaratory statement from the School District of Santa Rosa County, Florida, Case No. DS-2015-002. The petition seeks the agency's opinion as to the applicability of Sections 447.303, 447.307, and 447.501(1) and 447.501 (2), Florida Statutes, as they apply to the petitioner.

This petition was apparently predicated upon a notification in September 2015 from the School District's certified bargaining agent, the Santa Rosa Professional Educators (SRPE), to the Florida Education Association (FEA) that the SRPE would no longer be affiliated with the FEA. In October 2015, the FEA sent a letter to the School District requesting that, pending a lawsuit between FEA and SRPE, the School District should pay FEA's alleged share of SRPE members'

dues deductions directly to FEA or place it into a trust. The School District is seeking a Declaratory Statement by PERC as to whether: 1) the School District should grant the FEA’s request or a counter request by the SRPE; 2) whether, after its alleged disaffiliation with FEA, the SRPE is still the certified bargaining agent for two units of School District employees; and 3) the “manner” in which SRPE members’ dues are to be transmitted by the School District.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256.

Please refer all comments to: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Marion County. The petition seeks the agency’s opinion as to the applicability of Chapter 1, Florida Building Code 5th edition (2014), Building as it applies to the petitioner.

Petitioner seeks clarification as to whether as a local agency having jurisdiction it can exempt installation of tubular skylights from permitting, plan review and inspection at the request of a general contractor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com. OR April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Marion County. The petition seeks the agency’s opinion as to the applicability of Sections 508.4 & 903.2.8, Florida Building Code 5th edition (2014) as it applies to the petitioner.

Petitioner seeks clarification as to whether using the table in 508.4, does installing a 2-hour separation between the “U” use and the “R” use eliminate the requirement of sprinkling for residential use per 903.2.8.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com. OR April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Beaumont Electric Co., Inc. The petition seeks the agency’s opinion as to the applicability of Section C405.7.3, Florida Building Code 5th edition (2014), Energy Conservation as it applies to the petitioner.

Petitioner seeks clarification as to whether a commercial construction project can be designed to allow feeders to have more than a 2% voltage drop as long as the feeders & branch circuits combined shall be sized for a maximum of 5% voltage drop.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com. OR April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. **RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING, §120.57(2), FLA. STAT., MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board
 NOTICE IS HEREBY GIVEN that the Florida Real Estate Appraisal Board has received a Petition for Declaratory Statement from Franklin Colletta on August 26, 2015. The petition seeks the agency's opinion as to the applicability of Chapter 475, Part II, 475.611 (2)(x), F.S., as it applies to the petitioner. Specifically, regarding whether petitioner must hold a real estate appraiser’s license to appraise the value of modular and manufactured homes where homeowner does not own the land. The Board will consider this petition at its next meeting. 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, Executive Director, Florida Real Estate Appraisal Board, 400 W. Robinson Street, #N801, Orlando, FL 32801, (407)481-4662, Juana.Watkins@myfloridalicense.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
 Public/Private Partnership For The Development Of A Mixed
 Used Project At 520 Biscayne Boulevard
 DISTRICT BOARD OF TRUSTEES
 MIAMI DADE COLLEGE
 11011 S.W. 104th STREET
 MIAMI, FL 33176
 USP3 # 2015-20-10
 PUBLIC/PRIVATE PARTNERSHIP FOR THE
 DEVELOPMENT OF A MIXED USED PROJECT
 AT 520 BISCAYNE BOULEVARD, MIAMI, FLORIDA
 33132**

Earlier this year, Miami Dade College (MDC) received an Unsolicited Public/Private Partnership Proposal for a property at the Wolfson Campus on Biscayne Boulevard currently used as a surface parking lot. As a key stakeholder in the revitalization of downtown Miami, MDC recognizes that this Unsolicited Proposal's development program is consistent with College's mission and goals.

The Unsolicited Proposal involves the development of a roughly 2.6 acre parcel located at 520 Biscayne Boulevard, one of the last undeveloped sites along the Biscayne corridor in the heart of Miami’s central business district and directly south of MDC’s iconic National Historic Landmark Freedom Tower.

MDC understands the value of this opportunity and seeks the best possible use and development of this land. It aspires to engage in a unique and exciting development project that will become a timeless addition to the downtown skyline and centerpiece for Miami’s architectural achievements. This public/private partnership will serve as an example of the MDC’s commitment to undertake creative ventures that support collaborations between the public and private sectors. It will also go a long way in addressing unmet space and facilities needs for the college and the community, including a theater, conference center, art museum, and other facilities.

MDC intends to review the submitted Unsolicited Proposal and then plans to proceed with a public process in accordance with Florida Law to solicit a development partner.

The College has prepared a Supplemental Information Package (SIP) that may be downloaded by interested parties at www.mdc.edu/purchasing. This link also includes the Unsolicited Proposal submitted to the College.

A pre-proposal meeting has been scheduled to discuss the scope of work and to answer questions from prospective respondents on the following date, location and time:

Pre-Proposal Meeting:

Date: November 4, 2015

Location: Wolfson Campus, 300 NE Second Ave., Miami, FL 33132, Building 3, Room 3210

Time: 2:00 p.m.

Deadline for proposals is 3:00 p.m. (EST), January 19, 2016, at the Purchasing Department, Kendall Campus, Room 9254, 11011 SW 104th Street, Miami, FL 33176. The time will be based on the time clock located in the Purchasing Department. Any proposal received after 3:00 p.m. will not be accepted and will be returned to the vendor unopened.

It is important to note that this procurement process adheres to the “Cone of Silence” ordinance, that no verbal or written communication is allowed during this evaluation process, and that all inquiries about this project should be addressed to the College’s Purchasing Department as follows:

Miami Dade College Purchasing Department

Mr. Roman Martinez, MPA, CPPO, CPPB, Group Director – Purchasing

11011 SW 104 Street, Room 9254

Miami, Florida 33176

Phone: (305)237-0012

Fax: (305)237-0737

E-mail: rmartin9@mdc.edu

If you decide to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 SW 104 Street, Room 9254, Miami, FL 33176 or by calling (305)237-2402.

**FISH AND WILDLIFE CONSERVATION COMMISSION
FWC 15/16-018 Dinner Island Ranch WMA Hydrologic Assessment**

ADVERTISEMENT FOR BIDS

REQUEST FOR QUALIFICATIONS ARE REQUESTED FROM QUALIFIED ENGINEERS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE BELOW PROJECT:

BID NO: FWC 15/16-018

BID NAME: DINNER ISLAND RANCH WMA HYDROLOGIC ASSESSMENT

PROJECT LOCATION: Dinner Island Ranch Wildlife Management Area (WMA), Hendry County, Florida.

FOR: To provide services to develop and support restoration strategy and management activities to reestablish sheet flow and rainfall driven hydro periods in order to improve function of both terrestrial and aquatic habitats within Dinner Island Ranch WMA.

SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:

DATE & TIME: November 19, 2015 at 2:00 p.m. EST

PLACE: Florida Fish and Wildlife Conservation Commission
Purchasing Office, Suite 100
2590 Executive Center Circle
Tallahassee, Florida 32301
Phone: (850)488-6551

BID DOCUMENTS: Can be downloaded from the Vendor Bid System at the link below:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu
Search by bid number FWC 15/16-018

PURCHASING MANAGER: (Direct questions to the following)

Gerri L. Faircloth
FWC, Purchasing Office
Phone: (850)617-9603
Email: gerri.faircloth@myfwc.com

Section XII Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

Florida Aquaculture Review Council
Announcement for Fiscal Year 2017-2018
Call For Statements of Interest

The Florida Aquaculture Review Council announces a Call for Statements of Interest to perform aquaculture-oriented applied research projects during fiscal year 2017-2018. Statements of Interest will be critically reviewed by the Council and selected investigators invited to submit full proposals. The source of funding for projects will be a State of Florida Legislative appropriation. No dollar amount is currently set aside for aquaculture projects. Funding for projects selected by the Council is not guaranteed.

Instructions to prepare and submit a Statement of Interest are available from Serina Rocco at the Division of Aquaculture, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399-1300. Email Serina.Rocco@FreshFromFlorida.com or call (850)617-7600.

An electronic version is available on-line at <http://www.freshfromflorida.com/Divisions-Offices/Aquaculture>.

The deadline for submitting a completed Statement of Interest is Friday, December 18, 2015 at 5:00 p.m. (local time).

AGENCY FOR HEALTH CARE ADMINISTRATION Certificate of Need

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the November 18, 2015 application filing date for Other Beds and Programs batching cycle:

County: Alachua	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510001
Facility/Project: Alachua County HRC, LLC	
Applicant: Alachua County HRC, LLC	
Project Description: Establish a new community nurisng home of up to 94 beds	

County: Alachua	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510002
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Bradford	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510003
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Dixie	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510004
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Gilchrist	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510005
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Lafayette	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510006
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Levy	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510007
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Union	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510008
Facility/Project: Gainesville SNF Operations, LLC	
Applicant: Gainesville SNF Operations, LLC	
Project Description: Establish a new 94-bed community nursing home	

County: Alachua	District: 3-2
Date Filed: 10/19/2015	LOI #: N1510009
Facility/Project: Terrace Health & Rehabilitation Center	
Applicant: Terrace Health NH LLC	
Project Description: Add 30 community nursing home beds	

County: Citrus District: 3-5
 Date Filed: 10/19/2015 LOI #: N1510010
 Facility/Project: Citrus Hills Health & Rehabilitation Center
 Applicant: Citrus Hills NH LLC
 Project Description: Add 39 community nursing home beds

County: Sumter District: 3-7
 Date Filed: 10/19/2015 LOI #: N1510011
 Facility/Project: Freedom Pointe at the Villages Rehab. & Healthcare Center
 Applicant: CCRC-Freedom Pointe at the Villages, LLC
 Project Description: Add 50 community nursing home beds through the conversion of 50 sheltered nursing home beds

County: Duval District: 4-1
 Date Filed: 10/19/2015 LOI #: N1510012
 Facility/Project: Five Points Health Care, Ltd.
 Applicant: Five Points Health Care, Ltd.
 Project Description: Add five community nursing home beds

County: Duval District: 4-1
 Date Filed: 10/19/2015 LOI #: N1510013
 Facility/Project: Lakeside Nursing & Rehabilitation Center
 Applicant: Five Points Health Care, Ltd.
 Project Description: Add five community nursing home beds

County: Pasco District: 5-1
 Date Filed: 10/19/2015 LOI #: N1510014
 Facility/Project: LP Pasco County
 Applicant: LP Pasco County
 Project Description: Establish a new 90-bed community nursing home

County: Pasco District: 5-1
 Date Filed: 10/19/2015 LOI #: N1510015
 Facility/Project: Orange Park NH LLC
 Applicant: Orange Park NH LLC
 Project Description: Establish a new 64-bed community nursing home

County: Pasco District: 5-1
 Date Filed: 10/19/2015 LOI #: N1510016
 Facility/Project: Pasco SNF Operations, LLC
 Applicant: Pasco SNF Operations, LLC
 Project Description: Establish a new 64-bed community nursing home

County: Brevard District: 7-1
 Date Filed: 10/19/2015 LOI #: N1510017
 Facility/Project: ITG BV Brevard, LLC
 Applicant: ITG BV Brevard, LLC
 Project Description: Establish a new community nursing home of up to 60 beds

County: Brevard District: 7-1
 Date Filed: 10/19/2015 LOI #: N1510018
 Facility/Project: Melbourne Terrace Rehabilitation Center
 Applicant: Melbourne Terrace RCC, LCC
 Project Description: Add up to 27 community nursing home beds

County: Brevard District: 7-1
 Date Filed: 10/19/2015 LOI #: N1510019
 Facility/Project: Viera Health and Rehabilitation Center
 Applicant: Viera NH LLC
 Project Description: Add 27 community nursing home beds

County: Charlotte District: 8-1
 Date Filed: 10/19/2015 LOI #: N1510020
 Facility/Project: Port Charlotte Rehabilitation Center
 Applicant: Deep Creek RNC, LLC
 Project Description: Add up to 20 community nursing home beds

County: Collier District: 8-2
 Date Filed: 10/19/2015 LOI #: N1510021
 Facility/Project: Premier at the Glenview
 Applicant: Pelican Bay Retirement Services, Inc.
 Project Description: Add up to 21 community nursing home beds through the conversion of up to 21 sheltered nursing home beds

County: Collier District: 8-2
 Date Filed: 10/19/2015 LOI #: N1510022
 Facility/Project: SRGL Naples, LLC
 Applicant: SRGL Naples, LLC
 Project Description: Establish a new community nursing home of up to 38 beds

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510023
 Facility/Project: Lee Healthcare Group, LLC
 Applicant: Lee Healthcare Group, LLC
 Project Description: Establish a new 75-bed community nursing home

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510024
 Facility/Project: Lee Senior Services, LLC
 Applicant: Lee Senior Services, LLC
 Project Description: Establish a new community nursing home of up to 90 beds

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510025
 Facility/Project: Lee SNF Operations, LLC
 Applicant: Lee SNF Operations, LLC
 Project Description: Establish a new 75-bed community home

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510026
 Facility/Project: Seminole Lakes NH LLC
 Applicant: Seminole Lakes NH LLC
 Project Description: Establish a new 75-bed community nursing home

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510027
 Facility/Project: Seminole SNF, LLC
 Applicant: Seminole SNF, LLC
 Project Description: Establish a new community nursing home of up to 133 beds

County: Lee District: 8-5
 Date Filed: 10/19/2015 LOI #: N1510028
 Facility/Project: VOA Lee County Health Care Facility, Inc.
 Applicant: VOA Lee County Health Care Facility, Inc.
 Project Description: Establish a new community nursing home of up to 75 beds

County: Palm Beach District: 9-4
 Date Filed: 10/19/2015 LOI #: N1510029
 Facility/Project: NHI SPB Operations LLC
 Applicant: NHI SPB Operations LLC
 Project Description: Establish a new 111-bed community nursing home

County: Miami-Dade District: 11-1
 Date Filed: 10/19/2015 LOI #: N1510030
 Facility/Project: Dade County HRC, LLC
 Applicant: Dade County HRC, LLC
 Project Description: Establish a new community nursing home of up to 109 beds

County: Miami-Dade District: 11-1
 Date Filed: 10/19/2015 LOI #: N1510031
 Facility/Project: Dade SNF, LLC
 Applicant: Dade SNF, LLC
 Project Description: Establish a new community nursing home of up to 109 beds

County: Miami-Dade District: 11-1
 Date Filed: 10/19/2015 LOI #: N1510032
 Facility/Project: La Mer NH II LLC
 Applicant: La Mer NH II LLC
 Project Description: Establish a new 150-bed community nursing home

County: Miami-Dade District: 11-1
 Date Filed: 10/19/2015 LOI #: N1510033
 Facility/Project: Mandarin Gardens Rehabilitation Center, LLC
 Applicant: Mandarin Gardens Rehabilitation Center, LLC
 Project Description: Establish a new 109-bed community nursing home

County: Miami-Dade District: 11-1
 Date Filed: 10/19/2015 LOI #: N1510034
 Facility/Project: Palm Garden of Aventura
 Applicant: Palm Garden of Aventura, LLC
 Project Description: Add up to 109 community nursing home beds

County: Escambia District: 1
 Date Filed: 10/19/2015 LOI #: N1510035
 Facility/Project: Ark Hospice, LLC
 Applicant: Ark Hospice, LLC
 Project Description: Establish a new hospice program

County: Brevard District: 7-A
 Date Filed: 10/19/2015 LOI #: N1510036
 Facility/Project: VITAS Healthcare Coporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a new inpatient hospice facility of up to 14 beds

County: Miami-Dade District: 11-SA4
 Date Filed: 10/19/2015 LOI #: N1510037
 Facility/Project: Baptist Hospital of Miami
 Applicant: Baptist Hospital of Miami, Inc.
 Project Description: Establish an adult autologous and allogenic bone marrow transplantation program

County: Miami-Dade District: 11-SA4
Date Filed: 10/19/2015 LOI #: N1510038
Facility/Project: Nicklaus Childrens Hospital
Applicant: Variety Children’s Hospital
Project Description: Establish a pediatric heart transplantation program

County: Miami-Dade District: 11-SA4
Date Filed: 10/19/2015 LOI #: N1510039
Facility/Project: Nicklaus Children’s Hospital
Applicant: Variety Children’s Hospital
Project Description: Establish a pediatric kidney transplantation program

County: Miami-Dade District: 11-SA4
Date Filed: 10/19/2015 LOI #: N1510040
Facility/Project: Nicklaus Children’s Hospital
Applicant: Variety Children’s Hospital
Project Description: Establish a pediatric liver transplantation program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after December 23, 2015, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on November 25, 2015.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 19, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certification with regard to the certificate of Felicia Elvina Freeman, C.N.A., a/k/a Felicia Elvina Anderson, a/k/a Felecia Elvina Anderson, Certificate #: CNA 60743. 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 (2014). 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 October 20, 2015, the State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certificate of Sheila W. Krebs, C.N.A., Certification #: 77829. 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 (2015). 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

Office of Financial Regulation

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		General Counsel’s Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 118
Phone: (850)410-9800		101 East Gaines Street,
Fax: (850)410-9548		Tallahassee, Florida 32399-0379
		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 9, 2014):

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS

AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Preferred Community Bank, Fort Myers, Florida

Selling Entity: Reliance Bank, (Lehigh Acres branch office), Frontenac, Missouri

Received: October 19, 2015

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-171

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-171 on October 15, 2015, in response to an application submitted by The Pines Owner’s Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements 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.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-172

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-172 on October 16, 2015, in response to an application submitted by Seascope Ownership Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements 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.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-173

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-173 on October 19, 2015, in response to an application submitted by Northwind Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements 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.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-174

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-174 on October 19, 2015, in response to an application submitted by Cedar Run of Melbourne Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements 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.

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.