

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-10.0315  
**RULE TITLE:** College Preparatory Testing, Placement, and Instruction

**PURPOSE AND EFFECT:** The purpose is of this rule development is to eliminate the restriction on the allowed number of testing attempts for students, revise retest provisions, ensure student privacy protection of Florida Postsecondary Education Readiness Test (P.E.R.T.) records and scores, and recognize the public high school transcript as an official record of P.E.R.T. scores. The effect is to accommodate the expanding uses of P.E.R.T. at the public high school level for demonstrating college readiness, for meeting initial eligibility for Dual Enrollment status, and for initial qualifying for Florida Gold Seal Vocational Scholarships; to ensure the protection of public student privacy rights; and to allow public high school transcripts to serve as official records for P.E.R.T. scores. It also establishes policy for alternative remediation and retesting, as required in statute.

**SUBJECT AREA TO BE ADDRESSED:** P.E.R.T. administration, policies and test records.

**RULEMAKING AUTHORITY:** 1001.02, 1002.221, 1008.30 FS.

**LAW IMPLEMENTED:** 1002.221, 1008.30 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:** Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, FL 32399. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@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>.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-20.028  
**RULE TITLE:** Florida Bright Futures Scholarship Program

**PURPOSE AND EFFECT:** The purpose of this rule development is to update the rule based on statutory changes and to make the following changes: clarify enrollment hour requirements to specify equivalencies to semester hours; provide a statutory reference for the military assignment definition; specify acceptable proof of public service assignment; clarify that a plea of nolo contendere to a felony will result in ineligibility for a Bright Futures scholarship award, pursuant to Section 1009.531(1)(e), Florida Statutes; add process for mid-year graduate evaluation; clarify initial academic criteria for 7th semester evaluations and world language; delete reference to CPT and add reference to PERT testing requirement; clarify mis-advisement process for high schools; clarify Academic Top Scholar requirements; clarify renewal coursework to include dual-enrolled course grades to raise the student's GPA; provide clarification of program length, per legislative changes; remove U.S. citizenship eligibility requirement; and clarify high school counseling responsibilities. The effect will be a rule consistent with governing law.

**SUBJECT AREA TO BE ADDRESSED:** Florida Bright Futures Scholarship Program.

**RULEMAKING AUTHORITY:** 1001.02(1), 1009.53(3) FS.

**LAW IMPLEMENTED:** 1009.40, 1009.42, 1009.43, 1009.536, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.536, 1009.538 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:** Theresa Antworth, Director, Director, State Scholarships and Grants, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400; (850)410-5185. To request a rule development workshop, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@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>.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-401.401  
 RULE TITLE: Use of Tobacco Products  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow inmates participating in a community release program to possess tobacco products.  
 SUBJECT AREA TO BE ADDRESSED: Use of Tobacco Products.  
 RULEMAKING AUTHORITY: 944.09, 944.115 FS.  
 LAW IMPLEMENTED: 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 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 IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-401.401 Use of Tobacco Products.
- (1) No change.
  - (2)(a) Pursuant to Section 944.115, F.S., use of any tobacco products shall be prohibited in all indoor areas of any building or office within a state correctional facility except for employee housing on department grounds and inmate maximum security (death row) housing areas. Only unlighted tobacco product use shall be permitted in death row housing and community correctional centers.
  - (b) No change.
  - (3) through (5) No change.
  - (6) Inmates, with the exception of those participating in a community release program under Rule 33-601.602, F.A.C., or as otherwise provided in subsection (7) of this rule, in administrative confinement, disciplinary confinement, close management, and maximum management housing at all institutions shall not be allowed to possess any tobacco products or lighters.
  - (7) through (9) No change.

Rulemaking Authority 944.09, 944.115 FS. Law Implemented 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS. History— New 12-31-80, Formerly 33-20.01, Amended 3-12-86, 2-24-92, 1-4-94, Formerly 33-20.001, Amended 2-3-00, 10-1-03, 6-18-08, 10-1-11,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NOS.: 33-601.314  
 RULE TITLES: Rules of Prohibited Conduct and Penalties for Infractions  
 33-601.731  
 Suspension of Visiting Privileges  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow inmates participating in a community release program to possess tobacco products and cell phones. The rules of prohibited conduct and penalties for infractions rule is being amended to remove possession of these items by inmates participating in a community release program as being an infraction of Department rules. The suspension of visiting privileges rule is being amended to prevent possession of a cell phone resulting in the suspension of an inmate’s visiting privileges if they are participating in a community release program.  
 SUBJECT AREA TO BE ADDRESSED: Rules of Prohibited Conduct and Penalties for Infractions and Visitation.  
 RULEMAKING AUTHORITY: 944.09 FS.  
 LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.23, 944.279, 944.28, 944.47, 944.8031 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 IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

Maximum Disciplinary Actions

SECTIONS 1 through 2 No change.

SECTION 3 – CONTRABAND – ANY ARTICLE NOT SOLD IN THE CANTEEN, OR ISSUED BY THE INSTITUTION, OR FOR WHICH YOU DO NOT HAVE A SPECIFIC PERMIT AUTHORIZED BY THE INSTITUTION WHERE PRESENTLY HOUSED

3-1	Possession of or manufacture of weapons, ammunition, or explosives	60 DC + All GT
3-2	Possession of escape paraphernalia	60 DC + All GT
3-3	Possession of narcotics, unauthorized drugs and drug paraphernalia	60 DC + 180 GT
3-4	Trafficking in drugs or unauthorized beverages	60 DC + All GT
3-5	Manufacture of drugs or unauthorized beverages	60 DC + 180 GT
3-6	Possession of unauthorized beverages	30 DC + 90 GT
3-7	Possession of aromatic stimulants or depressants, such as paint thinner, glue, toluene, etc.	60 DC + 180 GT
3-8	Possession of negotiables – unauthorized amounts of cash where cash is permitted, cash where cash is not permitted, other inmate’s canteen coupons, other inmate’s cashless canteen or identification cards or gift certificates, checks, credit cards or any other negotiable item which is not authorized	15 DC + 30 GT
3-9	Possession of unauthorized or altered identification – driver’s license, Social security card, cashless canteen identification card, etc.	15 DC + 30 GT
3-10	Possession of unauthorized clothing or linen – State or personal	15 DC + 30 GT
3-11	Possession of stolen property – State or personal	15 DC + 30 GT
3-12	Possession of any other contraband or transfer of item to another inmate resulting in item becoming contraband	15 DC + 30 GT
3-13	Introduction of any contraband	60 DC + All GT
3-14	<u>Unauthorized possession</u> or use of a cellular telephone or any other type of wireless communication device, or any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under Section 944.47(1)(a)6., F.S.	60 DC + All GT
3-15	Possession of gang related paraphernalia or related material, gang symbols, logos, gang colors, drawings, hand signs, or gang related documents	30 DC + 30 GT
3-16	Non-death row <u>and/or non-community release program</u> inmates– possession, introduction, or trafficking of tobacco or tobacco-related products such as lighters or cigarette papers.	30 DC + 60 GT
3-17	Death row inmates – Possession of tobacco, other than authorized smokeless tobacco, or possession of tobacco-related products intended for use with smoking tobacco such as lighters or cigarette papers; introduction of tobacco or tobacco-related products to non-death row housing or trafficking in such products.	30 DC + 60 GT

SECTIONS 4 through 11 No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, \_\_\_\_\_.

- 33-601.731 Suspension of Visiting Privileges.
- (1) Suspension of Inmate Visiting Privileges.
- (a) No change.

(b) Suspension of an inmate’s visiting privileges shall be considered by the ICT as a management tool only when an inmate is found guilty of the following offenses:

1. No change.
2. Unauthorized possession or using: a cellular telephone or other portable communication device as defined in Section 944.47(1)(a)6., F.S.; any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under the statute.

- 3. through 15. No change.
- (c) through (f) No change.
- (2) through (4) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, 10-23-11, 9-24-12, 12-9-12,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:** 62-302.532  
**RULE TITLE:** Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion

**PURPOSE AND EFFECT:** The Department of Environmental Protection proposes to develop estuary-specific numeric nutrient criteria for the following estuaries: Suwannee Sound; Anclote River, South and Offshore; Pithlachascotee River and Offshore; Chassahowitska River and Offshore; Crystal and Homosassa Rivers and Offshore; Waccasassa River and Offshore; Lake Worth Lagoon; Loxahatchee River; Tolomato/Guana/Matanzas Rivers; Halifax River (south); and Nassau River. In addition, the Department proposes to develop numeric nutrient criteria for offshore (open ocean) coastal waters.

**SUBJECT AREA TO BE ADDRESSED:** Rule development is intended to establish numeric nutrient surface water quality criteria for the above listed estuaries, as well as offshore (open ocean) coastal waters, which may include criteria for Total Nitrogen, Total Phosphorus, and Chlorophylla.

**RULEMAKING AUTHORITY:** 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.

**LAW IMPLEMENTED:** 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Eric Shaw, Standards and Assessments Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3560, Tallahassee, FL 32399-2400; telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

**RULE NO.:** IT-1.040  
**RULE TITLE:** Fast Track Grants

**PURPOSE AND EFFECT:** To establish in rule the most recent guidelines. The guidelines will clarify how the applications will be funded and will include a policy that an organization can only receive one grant per fiscal year from this program.

**SUMMARY:** Guidelines and application forms.

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

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

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:** 265.284(3)(j), 265.286(1), (11) FS.

**LAW IMPLEMENTED:** 265.284, 265.286, 286.011, 286.012 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** April 8, 2013, 10:00 a.m.

**PLACE:** Brokaw McDougall House, 329 North Meridian Street, Tallahassee, Florida 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Sarah Stage, 850-245-6459. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Sarah Stage, (850)245-6459

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

IT-1.040 Fast Track Grants.

(1) This rule provides the requirements for the Fast Track Grants Program administered by the Division of Cultural Affairs (Division). The guidelines contain eligibility requirements, application review procedures, evaluation criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the ~~2012-2013~~ guidelines for the Fast Track Grants Program, which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and are hereby incorporated by reference.

(3) The following application form is available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and is hereby incorporated by reference: Fast Track Grants Program Application (Form CA2E157), effective 6/2012.

(4) The following forms are used in the administration of the Fast Track Grant Program in this rule and are hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01468>.

(a) Grant Report Form and State Funds Expenditure Log (Form CA2E004), effective ~~5/2013~~ 6/2012;

(b) Grant Amendment Request (Form CA2E002), effective ~~5/2013~~ 6/2012;

(c) Grant Award Agreement (Form CA2E142), effective 6/2012.

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 8-12-12, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Sarah Stage

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 30, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2013

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

RULE NO.: 69L-6.012  
 RULE TITLE: Notice of Election to be Exempt  
 PURPOSE AND EFFECT: The proposed rule implements applicable sections of HB 941 that was passed by the 2012 Legislature. HB 941 amended Section 440.05, F.S., revising the requirements for submitting a notice of election of exemption. The proposed rule provides for electronic submission of exemption applications (Form DFS-F2-DWC-250, Notice of Election to be Exempt) through the DWC Notice of Election to be Exempt system, along with streamlined reporting requirements; other related forms are also updated to reflect the revised reporting requirements. Electronic submission provides applicants with an online system to complete and pay for their exemptions, eliminating the cost of postage and mailing and reducing the time for applicants to receive their exemption certificates. Paragraph (13)(b) of the proposed rule and certain overly repetitive statutory references are deleted. Forms are more fully identified, consistent with the appropriate numbering convention. The proposed rule is renumbered accordingly.

SUMMARY: The proposed rule provides employers seeking exemptions from the coverage requirements found under Chapter 440, F.S., with an electronic method for submittal of Form DFS-F2-DWC-250 (Notice of Election to be Exempt).

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: An analysis of the proposed rule's economic impact indicates that direct and indirect regulatory costs do not exceed \$200,000 in the aggregate within one year after implementation of the rule.

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

RULEMAKING AUTHORITY: 440.05(9), 440.591 FS.

LAW IMPLEMENTED: 440.02(15), 440.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

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

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Robin Delaney @ (850)413-1775 or [Robin.Delaney@myfloridacfo.com](mailto:Robin.Delaney@myfloridacfo.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or [Robin.Delaney@myfloridacfo.com](mailto:Robin.Delaney@myfloridacfo.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

## 69L-6.012 Notice of Election to Be Exempt.

(1)(a) Only corporate officers of non-dissolved or active corporations who meet the conditions for the issuance of valid Form DFS-F2-DWC-252, Certificate of Election to be Exempt, revised 07/12, and herein incorporated by reference, as stated in Chapter 440, F.S., and implemented by this rule may file a Form DFS-F2-DWC-250, Notice of Election to be Exempt, revised 07/12, (DWC-250) and as incorporated by reference herein in Rule 69L-6.009, F.A.C. Only a business entity organized under Chapter 607 or 617, F.S., will qualify as a corporation for purposes of issuing a Form DFS-F2-DWC-252, Certificate of Election to be Exempt (DWC-252), in Rule 69L-6.009, F.A.C., to a corporate officer under this rule. While a limited liability company created and approved under Chapter 608, F.S., is not a corporation for purposes of Chapter 440, F.S., persons engaged in the construction industry who are limited liability company members owning at least ten percent (10%) of the non-dissolved or active limited liability company qualify as a “corporate officer” and are eligible for the issuance of a Form DFS-F2-DWC-252, Certificate of Election to be Exempt, under this rule.

(b) The Department shall deny any Form DFS-F2-DWC-250, Notice of Election to be Exempt, received from an applicant that does not meet the eligibility requirements for the issuance of a DFS-F2-DWC-252, Certificate of Election to be Exempt, filed by a corporate officer of a dissolved or inactive corporation or limited liability company. A new Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC-250), must be submitted filed by the corporate officer, and if the corporate officer is engaged in the construction industry, another \$50.00 fee must be submitted with the Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC-250).

(2) Any corporate officer engaged in the construction or non-construction industry, who elects to be exempt from the provisions of the workers’ compensation law (Chapter 440, F.S.), shall submit file with the Department a Form DFS-F2-DWC-250, Notice of Election to be Exempt, in accordance with the requirements of Sections 440.02(15)(b) and 440.05, Florida Statutes (DWC-250). For purposes of this rule, an applicant is engaged in the “construction industry” when any portion of the applicant’s business operations is described in the construction industry classification codes that are identified in Rule 69L-6.021, F.A.C.

(3) For a corporate officer engaged in the construction industry, the applicant shall attach to or, where appropriate, list on every Notice of Election to be Exempt (DWC-250) the following:

(a) The Form DFS-F2-DWC-250, Notice of Election to be Exempt, must also list the certified or registered license numbers held by the applicant issued pursuant to Chapter 489, F.S.; or the certified or registered license numbers held by the qualifier for the business listed on the Form

DFS-F2-DWC-250, Notice of Election to be Exempt, (DWC-250) of which the applicant is a corporate officer; ~~if~~ If the applicant is required to obtain a license issued pursuant to Chapter 489, F.S., the business name listed on the license must match the name of the corporation or limited liability company listed on the Form DFS-F2-DWC-250, Notice of Election to be Exempt.

(b) ~~The Federal Employer Identification Number issued to the corporation or limited liability company, as applicable;~~

(c) ~~The Social Security Number or the individual taxpayer identification number of the applicant;~~

(d) ~~The Florida Department of State, Division of Corporations, registration number of the corporation or limited liability company, as applicable, named on the Notice of Election to be Exempt;~~

(e) ~~For corporate officers of a corporation, a copy of the stock certificate(s) issued to the applicant by the corporation named on the Notice of Election to be Exempt evidencing at least ten percent (10%) ownership of the named corporation by the applicant on the date that the Notice of Election to be Exempt is filed with the Department;~~

1. ~~The percent of ownership shall be calculated by dividing the number of shares issued to the applicant by the total number of shares issued by the corporation named on the stock certificate(s);~~

2. ~~In addition to the ownership requirement in paragraph (3)(c), the copy of the stock certificate(s) shall state, at a minimum, the name of the issuing corporation, the state in which the corporation is organized, and the name of the person to whom the stock is issued. All stock certificate(s) must be signed by an officer or officers designated to do so in the bylaws or designated to do so by the board of directors;~~

(f) ~~For members of a limited liability company, documentation establishing the number of units of membership, or a statement reflecting that the applicant owns at least ten percent (10%) of the limited liability company named on the Notice of Election to be Exempt on the date that the Notice of Election to be Exempt is filed with the Department;~~

(g) ~~The business(es) or trade(s) of the applicant;~~

(h) ~~The applicant’s corporate officer title or member status;~~

(i) ~~The corporate name, Florida Department of State, Division of Corporations, registration number, and Federal Employer Identification Number of any other corporation(s) that is under the same or substantially the same ownership or control as the corporation named on the Notice of Election to be Exempt;~~

(j) ~~The name of the corporation or limited liability company as registered with the Florida Department of State, Division of Corporations of which the applicant is a corporate officer or member;~~

(k) ~~The applicant's address of record.~~

(3)(4) An applicant engaged in the construction industry must submit a \$50.00 fee with each Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC 250) that is filed with the Department. If an applicant's payment is returned to the Department for non-sufficient funds, the Form DFS-F2-DWC-250, Notice of Election to be Exempt, (DWC 252) is invalid and shall be denied. If a Form DFS-F2-DWC-252, Certificate of Election to be Exempt, (DWC 252) is issued to the applicant and the applicant's payment was returned to the Department for non-sufficient funds, the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, shall be revoked. In order for the Department to process a new Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC 250), from an applicant who has had a payment returned for non-sufficient funds, the Department must receive confirmation that the initial \$50.00 payment and any associated service charge has been deposited into the Workers' Compensation Administration Trust Fund.

(4)(5) ~~The Department shall deny any Form DFS-F2-DWC-250, Notice of Election to be Exempt, that would result in more than 3 corporate officers, as defined in s. 440.02(9), F.S., having an active Certificate of Election to be Exempt for a corporation or business entity or any group of affiliated corporations or business entities if the applicant is in the construction industry. For Notices of Election to be Exempt (DWC 250) by a corporate officer or an officer of a corporation, as defined in Section 440.02(9), F.S., if the applicant is in the construction industry and the Department's records show three active Certificates of Election to be Exempt issued to corporate officers of a corporation or business entity or of any group of affiliated corporations or business entities, the Department shall deny any Notice of Election to be Exempt (DWC 250), that would result in more than three corporate officers having active Certificates of Election to be Exempt for a corporation or business entity or any group of affiliated corporations or business entities.~~

(6) ~~For a corporate officer not engaged in the construction industry, the applicant shall attach to or, where applicable, list on every Notice of Election to be Exempt (DWC 250) the following:~~

(a) ~~The Federal Employer Identification Number issued to the corporation;~~

(b) ~~The Social Security Number or the individual taxpayer identification number of the applicant;~~

(c) ~~The Florida Department of State, Division of Corporations, registration number of the corporation named on the Notice of Election to be Exempt;~~

(d) ~~The applicant's corporate officer title; and~~

(e) ~~The corporate name, Florida Department of State, Division of Corporations, registration number, and Federal Employer Identification Number of any other corporation(s) in which the applicant has an ownership interest or serves as a corporate officer;~~

(f) ~~The name of the corporation as registered with the Florida Department of State, Division of Corporations of which the applicant is a corporate officer;~~

(g) ~~The business(es) or trade(s) of the applicant;~~

(h) ~~The applicant's address of record.~~

(5)(7) ~~Incomplete Notices of Election to be Exempt, Issue Dates for Certificates of Election to be Exempt.~~

(a) An applicant shall have ninety thirty days from the date of the Department's deficiency notice ~~his/her Notice of Election to be Exempt (DWC 250) is mailed or otherwise returned to the Department to the applicant as incomplete in which to submit file documentation or information a which completeds the Form DFS-F2-DWC-250, Notice of Election to be Exempt,~~ at which time the Form DFS-F2-DWC-250, Notice of Election to be Exempt, shall be processed without any additional processing fee. The Department shall deny the Form DFS-F2-DWC-250, Notice of Election to be Exempt, if the applicant fails to submit file with the Department the documentation or information to complete the Form DFS-F2-DWC-250, Notice of Election to be Exempt, within ninety 30 days of the Department's deficiency notice ~~of the date the Notice of Election to be Exempt was mailed or returned as incomplete.~~ If the Form DFS-F2-DWC-250, Notice of Election to be Exempt, is denied, the applicant must submit a new Form DFS-F2-DWC-250, Notice of Election to be Exempt, and, if the applicant is engaged in the construction industry, another \$50.00 fee is required.

(b) If the Department receives a renewal Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC 250) that meets the eligibility requirements of Section 440.05, F.S., and this rule more than 90 days prior to the expiration date of the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, the issue date of the new Form DFS-F2-DWC-252, Certificate of Election to be Exempt (DWC 252), is the date the Form DFS-F2-DWC-250, Notice Certificate of Election to be Exempt, is approved and saved to the Coverage and Compliance Automated System database of the Department, and any duplicate Form DFS-F2-DWC-252, Certificate of Election to be Exempt (DWC 252), for the applicant of the same business shall be null and void as of the issue date of the new Form DFS-F2-DWC-252, Certificate of Election to be Exempt.

(c) If the Department receives a renewal Form DFS-F2-DWC-250, Notice of Election to be Exempt (DWC 250), effective 07/12, as incorporated by reference, that meets the eligibility requirements of Section 440.05, F.S., and this rule ~~more than 30 days but~~ 90 days or less prior to the expiration date of the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, the issue date of the renewal Form DFS-F2-DWC-252, Certificate of Election to be Exempt, shall be the expiration date of the current original Form DFS-F2-DWC-252, Certificate of Election to be Exempt (DWC 252).

~~(d)~~ Subject to the exceptions listed in Section 440.05(5), F.S., if the Department receives a renewal Notice of Election to be Exempt that meets the eligibility requirements of Section 440.05, F.S., and this rule 30 days or less prior to the expiration date of the Certificate of Election to be Exempt the issue date of the renewal Certificate of Election to be Exempt, is the date the renewal Certificate of Election to be Exempt, is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the date the renewal Notice of Election to be Exempt is received by the Department, whichever is earlier. Any duplicate Certificate of Election to be Exempt for the applicant shall be null and void as of the issue date of the renewal Certificate of Election to be Exempt.

~~(d)(e)~~ Subject to the exceptions listed in Section 440.05(5), F.S., if the Department receives a renewal Form DFS-F2-DWC-250, Notice of Election to be Exempt, after the expiration date of the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, the issue date of the renewal Form DFS-F2-DWC-252, Certificate of Election to be Exempt, is the date the renewal Form DFS-F2-DWC-250, Notice of Election to be Exempt, is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the date the renewal Notice of Election to be Exempt is received by the Department, whichever is earlier.

~~(e)(f)~~ Subject to the exceptions listed in Section 440.05(5), F.S., if the Department receives a new Form DFS-F2-DWC-250, Notice of Election to be Exempt, the issue date of the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, is the date the Form DFS-F2-DWC-250, Notice of Election to be Exempt, revised 07/12, as incorporated by reference, is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the date the Notice of Election to be Exempt is received by the Department, whichever is earlier. If the Department receives a new Notice of Election to be Exempt, that lists a corporate officer that currently has a valid Form DFS-F2-DWC-252, Certificate of Election to be Exempt, with the same corporation or limited liability company, the issue date of the Form DFS-F2-DWC-250, Notice of Election to be Exempt is the date the Form DFS-F2-DWC-250, Notice of Election to be Exempt, is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the date the Notice of Election to be Exempt is received by the Department, whichever is earlier; and the current Form DFS-F2-DWC-252, Certificate of Election to be Exempt, shall be null and void as of the issue date of the new Form DFS-F2-DWC-252, Certificate of Election to be Exempt.

~~(6)(8)~~ Any Form DFS-F2-DWC-250, Notice of Election to be Exempt, determined to be incomplete (DWC-250) which is returned to the applicant by the Department within 30 days

after receipt by the Department for failure to meet the eligibility requirements of Section 440.05, F.S., and this rule is not "received" for purposes of Section 440.05(5), F.S.

~~(7)(9)~~ Any corporate officer or officer of a corporation member of a limited liability company engaged in the construction industry, or corporate officer engaged in the non-construction industry who has been issued a Form DFS-F2-DWC-252, Certificate of Election to Be Exempt (DWC-252), may revoke such certificate by submitting filing to with the Department a Form DFS-F2-DWC-250-R, Revocation of Election to be Exempt (DWC-250-R), revised 07/12, and incorporated by reference herein, in Rule 69L-6.009, F.A.C. The issue date of a Form DFS-F2-DWC-250-R, Revocation of Election to be Exempt, is the date the revocation is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the Form DFS-F2-DWC-250-R, Revocation of Election to be Exempt, is received by the Department, whichever is earlier.

~~(8)(10)~~ A Form DFS-F2-DWC-250-R, Revocation of Election to be Exempt (DWC-250-R), shall only be submitted filed by the same person named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, (DWC-252), or by a corporate officer or officer of a corporation of the business named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, and listed as a corporate officer with the Department of State, Division of Corporations.

~~(9)(11)~~ Payments made to the Department under this rule shall be submitted through the DWC Notice of Election to be Exempt System in a form made payable to DFS Workers' Compensation Administration Trust Fund.

~~(10)(12)~~ The issue date of a Form DFS-F2-DWC-251, Notice of Election of Coverage, revised 07/12 (DWC-251), and as incorporated by reference herein in Rule 69L-6.009, F.A.C., is the date it is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the Form DFS-F2-DWC-251, Notice of Election of Coverage, is received by the Department, whichever is earlier.

~~(11)(13)~~ The issue date of a Form DFS-F2-DWC-251-R, Revocation of Election of Coverage (DWC-251-R), revised 07/12, 12/08 and as incorporated by reference herein, in Rule 69L-6.009, F.A.C., is the date it is approved and saved to the Coverage and Compliance Automated System database of the Department, or 30 days after the Form DFS-F2-DWC-251-R, Revocation of Election of Coverage, is received by the Department, whichever is earlier.

~~(12)(14)~~ The person named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, (DWC-252) shall have the duty to notify the Department of any change to the person's address of record listed on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, the

dissolution or reinstatement of the corporation or limited liability company named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, or when the person named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt, is no longer a corporate officer or member of the corporation or limited liability company listed on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt.

~~(13)(15)(a) If a corporation that is engaged in the non-construction industry and named on a Certificate of Election to be Exempt becomes dissolved or inactive, the Certificate(s) of Election to be Exempt shall be revoked, as provided in Section 440.05, F.S. In addition, if at any time the person named on a Certificate of Election to be Exempt for a corporation engaged in the non-construction industry no longer meets the requirements for issuance of the certificate, such Certificate of Election to be Exempt shall be revoked, as provided in Section 440.05, F.S. If a Form DFS-F2-DWC-252, Certificate of Election to be Exempt, is revoked pursuant to Section 440.05, F.S., the revocation date is the date that the corporation becomes dissolved or inactive or the date the Department determines the person named on the Form DFS-F2-DWC-252, Certificate of Election to be Exempt (DWC 252), no longer meets the requirements for issuance of the certificate.~~

~~(b) A corporation that is named on any Certificate of Election to be Exempt that is revoked pursuant to Section 440.05, F.S., shall have 30 days from the date of the revocation within which to petition the Department to review the revocation or in the alternative, file a notice of appeal pursuant to Section 120.68, F.S. and Rule 9.110, Florida Rules of Appellate Procedure.~~

(14) Form DFS-F2-DWC-250R, Form DFS-F2-DWC-251, and Form DFS-F2-DWC-251R can be obtained from the Department's website at <http://www.myfloridacfo.com/wc/forms.html>, by mail at 200 East Gaines Street, Tallahassee, FL 32399 or by telephone request by calling (850)413-1609. Form DFS-F2-DWC-250, Notice of Election to be Exempt, is filed electronically through the DWC Notice of Election to be Exempt System at <http://www.myfloridacfo.com/wc/exemption.html>.

Rulemaking Authority 440.05(9), 440.591 FS. Law Implemented 440.02(15), 440.05 FS. History—New 5-28-91, Amended 2-15-94, 12-28-97, 2-2-00, 9-6-01, Formerly 38F-6.012, Amended 3-26-03, Formerly 4L-6.012, Amended 4-21-04, 10-30-06, 12-31-07, 7-5-10.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 21, 2012

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

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

RULE NO.: IT-1.040  
RULE TITLE: Fast Track Grants  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 48, March 11, 2013 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-14.0411  
RULE TITLE: Issuance of Continuing Contracts  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 36, February 21, 2013 issue of the Florida Administrative Register.

The notice is corrected to indicate that a Statement of Estimated Regulatory Costs (SERC) has been prepared.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the SERC. Any person who wishes to provide information regarding the SERC or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND**

RULE NO.: 18-1.002  
RULE TITLE: Definitions  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 99, December 28, 2012 issue of the Florida Administrative Register.

18-1.002 Definitions.

When used in this chapter, the following shall have the indicated meaning unless the context clearly indicates otherwise:

(1) No change.

(2) "Appraisal foundation" means the non-profit, educational corporation established in Washington, D. C. by the American appraisal industry to foster professionalism by promoting the Uniform Standards of Professional Appraisal Practice uniform appraisal standards.

(3) No change.

(4) "Appraisal service(s)" means valuation work in the form of an appraisal, appraisal review or appraisal consulting assignment as outlined in the USPAP performed by a state certified appraiser, in accordance with the Supplemental Standards.

(5) No change.

(6) "Approved appraisal" means an appraisal service that has been approved by the Chief Appraiser, Bureau of Appraisal, Division of State Lands, or designee that is in compliance with USPAP, the Supplemental Standards, this chapter, and the specific assignment requirements.

(7) through (26) No change.

(27) "Supplemental standards" means the Supplemental Appraisal Standards for the Board of Trustees, adopted [effective date] December 2012, hereby adopted by reference, which contains appraisal requirements that establish public policy and add to the standard appraisal procedures and practices of the appraisal profession for the development and reporting of all appraisal services, including those outlined in Chapters 253 and 259, F.S., adopted by the Board of Trustees of the Internal Improvement Trust Fund, available on the internet at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-02187> ~~<http://www.dep.state.fl.us/lands/appraisal/>~~ or by sending a request to: Department of Environmental Protection, Bureau of Appraisal, 3900 Commonwealth Boulevard, M.S. 110, Tallahassee, Florida 32399-3000 or by phone at (850) 245-2658 or by fax at (850) 245-2668.

(28) No change.

(29) "USPAP" means the Uniform Standards of Professional Appraisal Practice, effective January 1, 2012, which contains the generally accepted standards of the appraisal profession that deal with the procedures to be followed in developing an appraisal, analysis, or opinion and the manner in which such appraisal, analysis, or opinion is communicated, as promulgated by the Appraisal Foundation, available on the internet at: <http://www.appraisalfoundation.org> or by directing your request to: The Appraisal Foundation, 1155 15th Street, N. W., Suite 1111, Washington, DC 20005.

~~Rulemaking Specific Authority 253.03, 253.025, 259.041 FS. Law Implemented 253.025, 259.041 FS. History—New 6-16-86, Amended 4-6-89, 1-29-90, 10-30-91, 4-14-08, 6-15-10, \_\_\_\_\_.~~

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:	RULE TITLE:
64B3-3.001	General Requirements of Clinical Laboratory Personnel Training Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 98, December 27, 2012 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) of the rule shall now read as follows:

(1) Each clinical laboratory personnel training program, hereinafter referred to as program, shall apply to the board on Form #DH-MQA 3007 (03/13) "Application for Clinical Laboratory Training Program" <http://www.flrules.org/Gateway/reference.asp?No=Ref>, which is incorporated by reference herein, and pay the fee set forth in subsection 64B3-9.001(3), F.A.C.

2. On page 3, number 6 of incorporated Form #DH-MQA 3007 (03/13), the questions asked pursuant to Section 456.0635, F.S., have been updated to reflect the 2012 changes to that statute.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Miller, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

RULE NO.:	RULE TITLE:
69L-6.009	Forms and Instructions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 95, December 20, 2012 issue of the Florida Administrative Register has been withdrawn.

Section IV  
Emergency Rules

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 6, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and Paragraph 61C-4.010(5), Florida Administrative Code from International Uniserve Portable Food Cart #1 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 6, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and Paragraph 61C-4.010(5), Florida Administrative Code from The Crepe Factory 1 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing

and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 8, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and Paragraph 61C-4.010(5), Florida Administrative Code from Centerplate Portable Food Cart #5 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment on the same premises and under the same ownership.

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

Notice is hereby given that the Petition for Waiver filed by James Dennemeyer, M.D., from Rule 64B8-4.009, F.A.C., has been withdrawn, upon request of the Petitioner. The Notice of

Petition was published in Volume 39, No. 36, of the February 21, 2013, issue of the FAR. The person to be contacted regarding this Petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

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

**DEPARTMENT OF STATE**

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: March 21, 2013, 6:00 p.m.

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL board of directors will discuss bylaws, camp scholarships and other financial matters.

A copy of the agenda may be obtained by contacting Katie.Hart@dos.myflorida.com or (850)245-6379.

For more information, you may contact: Katie.Hart@dos.myflorida.com or (850)245-6379.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services

The Pesticide Registration Evaluation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 20, 2013, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7940.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, (850)617-7940 or the PREC website at: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation District 2 announces a workshop to which all persons are invited.

DATE AND TIME: March 21, 2013, 4:30 p.m. – 5:30 p.m.

PLACE: Columbia County School Board Complex, 372 W. Duval Street, Lake City, FL 32055

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning Financial Project ID Number 432641-1, otherwise known as Interstate 10 (I-10) from west of US 41 to CR 250 Overpass in Columbia County, Florida. In June of 2012, I-10 in Columbia County through the Osceola National Forest was overtopped by stormwater in several locations due to heavy rainfall from Tropical Storm Debbie. As such, the Florida Department of Transportation is undertaking a project to preserve the safety of the traveling public, alleviate the flooding situation for future storm events and minimize the inconvenience to the public. Financial Project ID: 432641-1 will address 4 areas. The work will consist of installing additional pipes/culverts and raising the roadway at these locations, as well as, other construction necessary to accommodate these improvements. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, (386)961-7873 or (800)749-2967 extension 7873. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

**STATE BOARD OF ADMINISTRATION**

The PARTICIPANT LOCAL GOVERNMENT ADVISORY COUNCIL (PLGAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 27, 2013, 11:00 a.m. until conclusion of business.

PLACE: Osceola County Government Center, First Floor Conference Room, Tax Collector’s Office, 2501 E. Irlo Bronson Memorial Highway, Kissimmee, Florida 34744. Attendees should check-in at the reception desk. On-site parking available.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Surplus Funds Trust Fund (aka Florida

PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under Section 218.409 (10)(a) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or [diane.bruce@sbafla.com](mailto:diane.bruce@sbafla.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 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or [james.linn@sbafla.com](mailto:james.linn@sbafla.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).

#### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public workshop in the following undocketed matter to which all persons are invited.

DATE AND TIME: Wednesday, April 3, 2013, 9:00 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed – 2013 Hurricane Season Preparation Briefing By Electric Utilities And The Three Major Incumbent Local Exchange Carriers.

The purpose of this staff workshop is to provide a forum for Florida electric utilities and the three major Incumbent Local Exchange Carriers to brief the Commission on their 2013 hurricane season preparation. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff, Michael Lawson (850)413-6076.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (800)955-8770 (voice) or (800)955-8771 (TDD), Florida Relay Service.

#### REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: March 28, 2013, 10:00 a.m.

PLACE: Sebring Civic Center, 319 West Center Street, Sebring, Florida 33871

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Heartland 2060 Housing Work Group is scheduled for 10:00 a.m., to be followed by a Heartland 2060 Consortium Workshop meeting at 1:30 p.m.

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

#### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Wednesday, March 27, 2013, 6:30 p.m. – 8:30 p.m.

PLACE: Walker Middle School Cafeteria; 8282 N. Mobley Rd., Odessa, FL 33556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lakes Horse, Raleigh and Rogers Resource Recovery Project Alternatives Workshop. Public meeting to provide status update and seek public input on the resource recovery options for Lakes Horse, Raleigh and Rogers in Hillsborough County, FL. One or more Governing Board members may attend and participate in the meeting. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: Tamera.mcbride@watermatters.org, (800)423-1476 (FL only) or (352)796-7211, x4518.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the SWFWMD Human Resources Bureau Chief at (800)423-1476 (FL only) or (352)796-7211, x4702; TDD (FL only) (800)231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Tamera.mcbride@watermatters.org, (800)423-1476 (FL only) or (352)796-7211,x4518 (Ad Order 253).

#### DEPARTMENT OF MANAGEMENT SERVICES

The DMS – Division of Telecommunications, E911 Board announces the following 2013/2014 Meeting Schedule information.

DATES AND TIMES: July 10-11, 2013, 9:00 a.m. until conclusion of business.

PLACE: Rosen Shingle Creek, Orlando

DATES AND TIMES: August 14-15, 2013, 9:00 a.m. until conclusion of business.

PLACE: Sandestin Luau Hotel, Destin

DATES AND TIMES: September 11-12, 2013, 9:00 a.m. until conclusion of business.

PLACE: Embassy at Westshore, Tampa

DATES AND TIMES: October 15-17, 2013, 9:00 a.m. until conclusion of business.

PLACE: Embassy Suites, Altamonte Springs

DATES AND TIMES: November 13-14, 2013, 9:00 a.m. until conclusion of business.

PLACE: Rosen Shingle Creek, Orlando

DATES AND TIMES: December 11-12, 2013, 9:00 a.m. until conclusion of business.

PLACE: Wyndham Hotel, Jacksonville

If accommodation due to disability is needed in order to participate, please notify the DMS – Division of Telecommunications Office/E911 Board in writing at least five (5) days in advance at 4030 Esplanade Way, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Department of Business and Professional Regulation, The Florida Building Commission, “The Commission”, Accessibility Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2013, 2:00 p.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar. You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting:

1. Go to <https://suncom.webex.com/suncom/j.php?ED=174173637&UID=1345158982&RT=MiMxMQ%3D%3D>.
2. If requested, enter your name and email address.
3. Click "Join".

To view in other time zones or languages, please click the link: <https://suncom.webex.com/suncom/j.php?ED=174173637&UID=1345158982&ORT=MiMxMQ%3D%3D>

To join the teleconference only, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call: (720)389-1212 (US), or toll-free, (888)670-3525 (US). Attendee access code: 297 701 3986.

Public Point of Access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and provide recommendations to the Commission regarding requests for waivers (as listed below) and other business for the Commission. Requests for waivers are Fifth Street Marina, 341 N. W. South River Drive, Miami; Holiday Surf and Racquet Club Condominium, 510 Gulfshore Drive, Destin; Greater Tallahassee Chamber of Commerce, 300 Park Avenue, Tallahassee; Claremont Hotel, 1700 Collins Avenue, Miami Beach; Xtreme Pool Challenge, 161 N. Atlantic Avenue, Cocoa Beach.

A copy of the agenda may be obtained by contacting: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1826.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or fax: (850)717-1832. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1826 or fax: (850)414-8436. Website: [www.floridabuilding.org](http://www.floridabuilding.org).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: March 28, 2013, 9:30 a.m.

PLACE: Woodville Community Center, Live Oak Room, 8000 Old Woodville Road, Tallahassee, Florida 32305

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the initiation of the Upper Wakulla River and Wakulla Springs Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Stephen Cioccia, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, [stephen.cioccia@dep.state.fl.us](mailto:stephen.cioccia@dep.state.fl.us).

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

---

#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

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

DATE AND TIME: Wednesday, March 20, 2013, 2:00 p.m.

PLACE: Conference call number (888)670-3525, conference code 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Mark Whitten, Executive Director at (850)245-4292.

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: Mark Whitten, Executive Director at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Mark Whitten, Executive Director at (850)245-4292.

---

#### FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 2, 2013, 1:00 p.m.; Monday, April 8, 2013, 1:30 p.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first Review Committee meeting will be to discuss the proposals and answer any questions the Review Committee may have regarding the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals No. 2013-05 from qualified Offerors for Loan Servicing

software. The second Review Committee meeting will be to give the scores, rank the proposals and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting Sherry Green, (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green, (850)488-4197 or sherry.green@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

---

#### ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 21, 2013, 10:00 a.m. - 2:00 p.m.

PLACE: Residence Inn by Marriott, Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Defense Support Task Force was established during the 2011 Legislative Session and given the following missions:

Make recommendations to maximize the position of Florida's installations in any strategic basing or other competitive process.

Strengthen Florida's defense industries, as well as cultivate defense research, development, test and evaluation capabilities. Improve the state's military-friendly environment for service members, military dependents, military retirees, and businesses which bring military and base-related jobs to Florida.

A copy of the agenda may be obtained by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.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: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Florida Development Finance Corporation ("FDFC") announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 19, 2013, 9:00 a.m. – 9:30 a.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss a Supplemental Resolution and Private Placement Memorandum for the Lincoln Marti Community Agency, Inc.

A copy of the agenda may be obtained by contacting: Bill Spivey, (407)956-5695.

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: Bill Spivey, (407)956-5695. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

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 Robert Lorenzo on behalf of the Department of Business and Professional Regulation Manufactured (Modular) Building Program. The petition seeks the agency's opinion as to the applicability of Section 428.3.2.1, Florida Building Code, Building (2010) as it applies to the petitioner.

Petitioner seeks clarification as to whether a storage shed that is not designed for human habitation, has a floor area of 720 square feet or less, and is built by an approved manufacturer can be inspected in the shipping yard as a finished building.

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.

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399.

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 Alliance Residential Builders of South Florida, LLC, & Altis at Coconut Creek, LLC. The petition seeks the agency's opinion as to the applicability of Sections 553.502 – 553.504, Florida Statutes (2012) and Section 424.1, Florida Building Code, Building (2010) as it applies to the petitioner.

Petitioner seeks clarification as to the applicability of the 2012 Florida Accessibility Code to "covered multi-family dwellings" as defined by the Florida Fair Housing Act and to Section 424.1, Florida Building Code, Building (2010).

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.

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399.

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

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

NONE

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

NONE

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

**NONE**

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

**NONE**

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

**NONE**

**Section XII**  
**Miscellaneous**

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Certificate of Need

NOTICE OF BATCHED APPLICATION RECEIPT AND  
 NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of March 6, 2013.

County: Pasco                      District: 5  
 CON # 10178                      Application Receipt Date: 3/6/2013  
 Facility/Project: Medical Center of Trinity  
 Applicant: New Port Richey Hospital, Inc.  
 Project Description: Establish a Level II NICU of up to 18 beds  
 County: Manatee                      District: 6  
 CON # 10179                      Application Receipt Date: 3/4/2013  
 Facility/Project: Manatee Memorial Hospital  
 Applicant: Manatee Memorial Hospital, LP  
 Project Description: Establish a 15-bed Level III NICU  
 County: Polk                      District: 6  
 CON # 10180                      Application Receipt Date: 3/6/2013  
 Facility/Project: Heart of Florida Regional Medical Center  
 Applicant: Haines City HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Polk                      District: 6

CON # 10181                      Application Receipt Date: 3/5/2013  
 Facility/Project: Lakeland Regional Medical Center  
 Applicant: Lakeland Regional Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 32 beds  
 County: Highlands                      District: 6  
 CON # 10182                      Application Receipt Date: 3/6/2013  
 Facility/Project: Highlands Regional Medical Center  
 Applicant: Sebring Hospital Management Associates, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Brevard                      District: 7  
 CON # 10183                      Application Receipt Date: 3/6/2013  
 Facility/Project: Wuesthoff Medical Center-Rockledge  
 Applicant: Rockledge HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Lee                      District: 8  
 CON # 10184                      Application Receipt Date: 3/6/2013  
 Facility/Project: Lehigh Regional Medical Center  
 Applicant: Lehigh HMA, LLC  
 Project Description: Construct an 88-bed replacement hospital  
 County: Lee                      District: 8  
 CON # 10185                      Application Receipt Date: 3/6/2013  
 Facility/Project: Lee Memorial Health System  
 Applicant: Lee Memorial Health System  
 Project Description: Establish an acute care hospital of up to 80 beds  
 County: Charlotte                      District: 8  
 CON # 10186                      Application Receipt Date: 3/6/2013  
 Facility/Project: Charlotte Regional Medical Center  
 Applicant: Punta Gorda HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Collier                      District: 8  
 CON # 10187                      Application Receipt Date: 3/6/2013  
 Facility/Project: Physicians Regional Medical Center-Collier Boulevard  
 Applicant: Naples HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Sarasota                      District: 8  
 CON # 10188                      Application Receipt Date: 3/6/2013  
 Facility/Project: Venice Regional Medical Center  
 Applicant: Venice HMA, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 30 beds  
 County: Broward                      District: 10  
 CON # 10189                      Application Receipt Date: 3/6/2013  
 Facility/Project: Northwest Medical Center

Applicant: Northwest Medical Center, Inc.  
 Project Description: Establish a Level III NICU of up to 15 beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

- PROPOSAL: District 5
- DATE/TIME: Wednesday, April 24, 2013, 8:30 a.m. – 10:00 a.m.
- PLACE: Suncoast Health Council, Inc.  
9600 Koger Blvd.  
2nd Floor Conference Room  
St. Petersburg, FL 33702
- PROPOSAL: District 6 – CON #10179
- DATE/TIME: Wednesday, April 24, 2013, 10:30 a.m. – 12:00 Noon
- PLACE: Health Council of West Central Florida, Inc.  
9600 Koger Blvd.  
2nd Floor Conference Room  
St. Petersburg, FL 33702
- PROPOSALS: District 6 – CONs 10180-10182
- DATE/TIME: Wednesday, April 24, 2013, 1:00 p.m. – 5:00 p.m.
- PLACE: Health Council of West Central Florida, Inc.  
9600 Koger Blvd.  
2nd Floor Conference Room  
St. Petersburg, FL 33702
- PROPOSAL: District 7
- DATE/TIME: Monday, April 15, 2013, 11:00 a.m. – 12:30 p.m.
- PLACE: Health Council of East Central Florida  
2461 W SR 426, Suite 2041  
Oviedo, FL 32765
- PROPOSALS: District 8 – CONs 10184 & 10185
- DATE/TIME: Monday, April 22, 2013, 9:30 a.m. – 3:00 p.m.
- PLACE: Lakes Regional Library  
15290 Bass Road, Meeting Room A  
Fort Myers, FL 33919
- PROPOSALS: District 8 – CONs 10186 – 10188

- DATE/TIME: Monday, April 29, 2013, 9:00 a.m. – 3:00 p.m.
- PLACE: Florida Department of Health in Charlotte County  
1100 Loveland Boulevard  
Port Charlotte, FL 33980
- PROPOSAL: District 10
- DATE/TIME: Monday, April 15, 2013, 10:30 a.m. – 12:00 Noon
- PLACE: Broward Regional Health Planning Council, Inc.  
200 Oakwood Lane, Suite 100  
Conference Rooms B and D  
Hollywood, FL 33020

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention James B. McLemore, by 5:00 p.m., March 27, 2013. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 10, 2013.

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.**

---