

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-1.603 Food Assistance Program Income and Expenses

PURPOSE AND EFFECT: The proposed rule amendment decreases the standard utility allowance, the basic utility allowance and the telephone standard used in the calculation of benefits for the Food Assistance Program.

SUBJECT AREA TO BE ADDRESSED: The Food Assistance Program standard utility allowance, the basic utility allowance and the telephone standard.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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: Cindy Keil, Economic Self-Sufficiency Program, (850)717-4113, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.223 Special Management Meal

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove the provision that allows inmates on close or maximum management status to be placed on the special management meal as a result of intentional, unauthorized exposure of genitalia to staff.

SUMMARY: To disallow the placement of certain inmates on the special management meal for intentionally exposing their genitalia to staff.

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: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.223 Special Management Meal.

(1) through (3) No change.

~~(4) Inmates on close or maximum management status may be placed on the special management meal as a result of intentional, unauthorized exposure of genitalia to staff.~~

~~(4)(5)~~ Placement on the Special Management Meal.

(a) through (c) No change.

~~(5)(6)~~ Canteen privileges authorized by Rules 33-602.220 and 33-601.800, F.A.C., for inmates in administrative confinement and close management status shall be suspended for the duration of the period that an inmate is on special management meal status.

~~(6)(7)~~ The chief of security and a designated clinical health care person shall visit each inmate on special management meal status on a daily basis, except in case of riot or other institutional emergency. The shift supervisor shall act as the chief of security's designee and shall conduct the daily visit in the chief's absence. The purpose of the daily visit is to follow the inmate's progress while on the special management

meal and to determine when the inmate should be removed from the special management meal status.

~~(7)~~(8) An inmate may be removed from special management meal status at any time based on:

(a) through (b) No change.

~~(8)~~(9) An inmate may be placed on the special management meal for a maximum of 7 days before being returned to regular meals for a minimum of one day. If an inmate engages in any of the behavior described in subsection (2) above after being returned to regular meals, the inmate may be placed on special management meal status again by following the above procedures.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 1-12-88, Amended 3-4-92, 5-27-97, 11-25-98, Formerly 33-3.0085, Amended 8-1-00, 1-2-02, 11-3-03, 2-18-04, 12-10-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Upchurch, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 23, 2013

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Resource Management**

RULE NOS.:	RULE TITLES:
62-4.001	Scope of Part I
62-4.050	Procedures to Obtain Permits and Other Authorizations; Applications
62-4.200	Scope of Part II

PURPOSE AND EFFECT: The fees charged by the Department (DEP) to process applications, notices, and petitions for environmental resource permit (ERP) activities regulated under Part IV of Chapter 373, F.S., are being amended. These amendments will be made in paragraphs 62-4.050(4)(h) and (i), F.A.C. These amendments are made in conjunction with amendments to Chapter 62-330, F.A.C., to implement the statewide environmental resource permit (SWERP) rule authorized by Section 373.4131, F.S. The processing fees apply to both DEP and the Northwest Florida Water Management District (NFWFMD) for applications, notices, and petitions processed by either Agency within the NFWFMD. The fees also will apply to DEP statewide when it is responsible for the review and agency action on an ERP activity; separate rulemaking to amend processing fees has been noticed by the water management districts when they are responsible for the review and agency action on an ERP activity in accordance with the Operating Agreements incorporated by reference between the agencies in Chapters

62-113 and (currently) 62-346, F.A.C. Overall, the rule amendments will simplify the ERP processing fee schedule (to make it easier for staff and the public to determine the correct processing fee), while keeping the overall fees collected as revenue-neutral as possible (although fees for some activities will decrease, while others will increase). The proposed minor revisions to Rules 62-4.001 and 62-4.200, F.A.C., are necessary to account for the repeal of rules under Chapters 62-343 and 62-346, F.A.C. that will occur concurrently with the SWERP rulemaking.

SUMMARY: Amended processing fees for applications, notices, and petitions for ERP permits, mitigation bank permits, formal determinations of the landward extent of wetlands and other surface waters, requests for verification of exemptions and general permits, modifications, and variances. Amending Rules 62-4.001 and 62-4.200, F.A.C., to remove references to Chapters 62-343 and 62-346, F.A.C., which will be repealed.

OTHER RULES INCORPORATING THIS RULE: 40C-1.603, 40D-1.607, 40E-1.607, 62-4.052, 62-4.053, 62-4.080, 62-45.110, 62-110.107, 62-113.200, 62-210.300, 62-210.310, 62-210.900, 62-213.420, 62-330.201, 62-343.020, 62-343.070, 62-343.090, 62-343.100, 62-343.130, 62-346.071, 62-528.300, 62-528.440, 62-528.455, 62-528.630, 62-555.401, 62-555.405, 62-555.520, 62-555.528, 62-555.536, 62-604.600, 62-620.100, 62-620.310, 62-620.320, 62-620.325, 62-620.335, 62-620.710, 62-621.300, 62-621.500, 62-624.100, 62-624.300, 62-640.300, 62-673.310, 62-673.320, 62-701.315, 62-701.320, 62-709.300, 62-710.800, 62-711.300, 62-730.220, 62-737.800, and 62B-49.006, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed revisions to Rules 62-4.001 and 62-4.200, F.A.C. will not affect other rules, but will simply update references to the ERP program which, under SWERP, will be governed under Chapter 62-330, rather than Chapters 62-343 and 62-346, F.A.C. The proposed revisions will have no effect upon Rules 62-4.053 and 62-4.080, or upon Rules under Chapters 62-45, 62-110, 62-210, 62-213, 62-528, 62-555, 62-604, 62-620, 62-621, 62-624, 62-640, 62-673, 62-701, 62-709, 62-710, 62-711, 62-730, or 62-737, F.A.C., which are not directly related to the ERP program. Chapters 62-343 and 62-346, F.A.C., will be repealed upon the effective date of the SWERP rule, so there will be no effect on applications, notices, and petitions under that chapter that are complete as of that effective date. Applicants who submitted an application under either of those chapters, but have not had their application deemed complete by DEP, as well as permittees under those chapters who propose a major modification to their permit will be subject to permitting under Chapter 62-330, F.A.C., and the new fees as adopted under the proposed amendments to Rule 62-4.050, F.A.C. Water Management District (WMD) Rules 40C-1.603,

40D-1.607, 40E-1.607, F.A.C., containing references to Rule 62-4.050 will be amended by each WMD, under separate rulemaking, which will also become effective concurrently with the SWERP rules under Chapter 62-330, F.A.C. Therefore the proposed revisions to Chapter 62-4, F.A.C., will not affect the operation of those rules. Applicants who submitted an application under Chapter 62B-49, F.A.C., but have not had their application deemed complete by DEP as of the effective date of the SWERP rule, as well as permittees under that chapter who propose a major modification to their permit will be subject to the new fees as adopted under the proposed amendments to Rule 62-4.050, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that the proposed revisions to Rule 62-4.050, F.A.C., will have an 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.

DEP has prepared a SERC for Rule 62-4.050, F.A.C., because it determined that the proposed revisions will have an impact on certain small business. DEP has determined that the proposed revisions to Rules 62-4.001 and 62-4.200, F.A.C., will have no such effects.

DEP has assessed the potential costs associated with the proposed revisions to Rule 62-4.050, F.A.C. Based on that assessment, an indeterminate number of small businesses (and others) will be subject to either higher or lower application processing fees for certain Individual or Conceptual Approval Environmental Resource Permits. The increase or decrease in those fees (relative to existing fees) for a given applicant will depend on several aspects of the applicant's proposed project, including acres of work within wetlands or other surface waters, number of new boat slips or total project area. Available data do not allow an accurate estimation of the number of small business applicants who may be subject to a different (either higher or lower) fee under the proposed rule. However, based on an estimation of the total annual fees expected to be collected (by both DEP and NFWFMD), the proposed rule is expected to result in a net decrease of approximately \$17,750 per year, in the total fees collected by the two agencies, statewide. DEP estimates this to be an approximately 0.67% reduction, relative to existing annual average fees collected. These findings are discussed in greater detail within the SERC.

DEP 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: Not Applicable.

Any person who wishes to provide information regarding the 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: 373.026, 373.043, 373.044, 373.109, 373.113, 373.4131, 373.414, 373.4145, 373.418, 373.421, 403.021, 403.031, 403.061, 403.087, 403.088, 403.704(30), 403.805 FS.

LAW IMPLEMENTED: 373.026, 373.044, 373.109, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.021, 403.031, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7) 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: May 31, 2013, 10:00 a.m. (EST)

PLACE: This hearing will be broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://www2.gotomeeting.com/register/121790234>.

Alternatively, persons may view the webinar at the following location where staff will be present to accept comments: Department of Environmental Protection, Bob Martinez Bldg., Room 609, 2600 Blair Stone Rd., Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. 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: Alice Heathcock, 2600 Blair Stone Road, M.S. 2500, Tallahassee, FL 32399-2400, 850-245-8483, alice.heathcock@dep.state.fl.us or facsimile 850-245-8499. (OGC No. 12-1507)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-4.001 Scope of Part I.

This part sets forth procedures on how to obtain a permit from the State of Florida Department of Environmental Protection. This part also provides requirements and procedures for the issuance, denial, renewal, extension, transfer, modification, suspension, and revocation of any permit required by the Department of Environmental Protection. Except as otherwise

provided in Chapter ~~62-330, 62-343 or 62-346~~, F.A.C., or in the rules of the water management districts adopted by reference ~~thereunder, under Chapter 62-330, F.A.C.~~; this part shall not apply to activities regulated under Part IV of Chapter 373, F.S. However, this Part shall continue to apply to those activities grandfathered under Sections 373.4131(4), 373.414(11), (12)(a), (13), (14), (15), (16), and 373.4145(6), F.S. This Part shall not preclude the application of any other permit requirements or procedures for certain types of facilities as contained in other chapters of Title 62, F.A.C. Specific Authority 373.026, 373.043, 373.044, 373.109, 373.113, 373.4131, 373.4145, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088 FS. Law Implemented 373.026, 373.044, 373.109, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.021, 403.031, 403.061, 403.087, 403.088 FS. History—New 5-17-72, Formerly 17-4.01, Amended 8-31-88, Formerly 17-4.001, Amended 7-4-95, 10-1-07, [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]

62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications.

(1) through (3) No change.

(4) Processing fees are as follows:

(a) through (g) No change.

(h) Environmental Resource Permits. Processing fees required by the Department and the Northwest Florida Water Management District (NFWFMD) for activities regulated under Chapter 62-330, F.A.C., are listed below. For purposes of determining the applicable processing fee, the terms “activity,” “project,” “project area,” and “works” are as defined in Section 2.0 of the Applicant’s Handbook Volume I incorporated by reference in paragraph 62-330.010(4)(a), F.A.C. For individual, conceptual approval or standard general permit applications under Part IV of Chapter 373, F.S., that involve a combination of the fee categories listed in subparagraphs 1. and 2. below, the highest fee in these subparagraphs that applies to the project in question shall be the correct application fee.

1. Activities qualifying Agency’s electronic self-certifi

a. Self-certification in accordance with the general permit under Section 403.814(12), F.S. \$0

b. Self-certification for activities other than those under Section 403.814(12), F.S. \$0

2. Determination of qualification for an activity

exemption

a. Under Rules 62-330.050 and 62-330.051, F.A.C. \$100

b. Under Rule 62-330.0511, F.A.C. \$0

3. Determination of qualification to use a general permit \$250

4. Individual or conceptual approval permit, excluding permits for a mitigation bank:

a. New application – the processing fee for a new permit application shall be as determined from the categories below:

(I) Total project area of less than 10 acres and less than 1 acre of works in, on, or over wetlands and other surface waters, and less than 10 new boat slips \$420

(II) Project exceeds any of the thresholds in 4.a.(I), above, but involves a total project area of less than 40 acres, less than 3 acres of works in, on, or over wetlands and other surface waters, and less than 30 new boat slips \$1,500

(III) Project exceeds any of the thresholds in 4.a.(II), above, but involves a total project area of less than 100 acres, less than 10 acres of works in, on, or over wetlands and other surface waters, and less than 50 new boat slips \$5,000

(IV) Project exceeds any of the thresholds in 4.a.(III), above, but involves a total project area of less than 640 acres, and less than 50 acres of works in, on, or over wetlands and other surface waters \$9,000

(V) Project exceeds any of the thresholds in 4.a.(IV), above

\$14,000

(VI) Project exclusively for agricultural or silvicultural purposes; the fee for projects that are solely for agricultural or silvicultural purposes shall be the same as that required by the Water Management District in which the majority of the project area is located, in accordance with Rule 40A-44.201, incorporated by reference herein; and Rules 40B-1.706, 40C-1.603, 40D-1.607, or 40E-1.607, F.A.C., as applicable, as incorporated by reference in Rule 62-330.071, F.A.C.

The fee shall be the same as that required by the Water Management District in which the majority of the project area is located

conceptual approval permit solely to retrofit an existing stormwater management system or to add treatment to and reduce stormwater pollutant loadings from an existing stormwater management system

(IX) Individual permit to construct, alter, maintain or operate a project that is consistent with a valid conceptual approval permit

50% of the fee otherwise required for an individual permit under 4.a.(I) through (VIII), above, but not below the minimum required processing fee of \$250

b. Major modification exceeding any of the thresholds in subsection 62-330.315(3), F.A.C.

Same fee as for new permit for the same activity under 4.a.(I) through (IX), above

5. Individual or conceptual approval permit for a mitigation bank:

a. New application

\$6,050

b. Major modification exceeding any of the thresholds in subsection 62-330.315(3), F.A.C.:

(I) Major modification

\$1,340

affecting one of the following: the service area, credit assessment, success or release criteria, hydrologic structures or alterations, elimination of lands, monitoring or management plans, or construction or mitigation design that does not increase the project area

(II) Affecting two of the components in 5.b.(I), above

\$2,680

(III) Affecting three of the components in 5.b.(I), above

\$4,020

(IV) All other major modifications

\$6,050

c. Mitigation bank credit release

\$330

d. Mitigation bank credit withdrawal

\$0

6. Minor modification of an individual or conceptual approval permit, including a

(VII) Individual or conceptual approval permit solely for environmental restoration or enhancement, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S. For purposes of this provision, the term “environmental restoration or enhancement” means an action or actions designed and implemented solely to convert degraded or altered uplands, wetlands, or other surface waters to intact communities typical of those historically present, or to improve the quality and condition of currently degraded wetlands or other surface waters to a more healthy, functional, and sustaining condition for fish, wildlife, and listed species

\$250

\$250

(VIII) Individual or

permit for a mitigation bank, that does not exceed any of the thresholds in subsection 62-330.315(3), F.A.C.:

a. Extension of permit duration, where not exempt from payment of fees under Florida Statutes \$80

b. To correct minor errors that do not involve technical review \$0

c. To to transfer ownership of a permit or to transfer the permit to an operation and maintenance entity \$0

d. All other minor modifications \$250

7. Variance or waiver:

a. Under Section 120.542, F.S. \$0

b. Under Section 373.414(17), F.S. \$170

8. Fee reduction for applications for an individual or conceptual approval permit or modification thereof submitted using the Agency's electronic application system where the processing fee in (h)4. or 5., above exceeds \$250 Fee shall be reduced by \$100, but not below the minimum required processing fee of \$250

~~1. Individual and Conceptual Approval Permits (those systems that involve 1 acre or more of construction or alteration in, on or over wetlands or other surface waters, involve 10 or more new boat slips, are capable of impounding more than 120 acre feet, serve a total land area of 100 acres or more, or provide for the placement of 12 acres or more of impervious surface):~~

~~a. For a system that involves less than 1 acre of construction or alteration in, on or over wetlands or other surface waters and involves less than 10 new boat slips but reaches any of the following three thresholds:~~

~~(I) Is capable of impounding more than 120 acre feet;~~

~~(II) Serves a total land area of 100 acres or more; or~~

~~(III) Provides for the~~ \$3,510

~~placement of 12 acres or more of impervious surface~~

~~b. For a system involving the following total acreage of construction or alteration in, on~~

~~or over wetlands or other surface waters:~~

~~(I) 100 acres or more~~ \$14,020

~~(II) 50 acres up to less than~~ \$11,220

~~100 acres~~

~~(III) 10 acres up to less~~ \$9,120

~~than 50 acres~~

~~(IV) 5 acres up to less than~~ \$7,710

~~10 acres~~

~~(V) 2 acres up to less than~~ \$5,610

~~5 acres~~

~~(VI) 1 acre up to less than 2~~ \$4,210

~~acres~~

~~e. For a system involving 10 or more new boat slips and either capable of impounding 40 acre feet or more, serving a total land area 40 acres or more, providing for the placement of 12 acres or more of impervious surface, or involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with the following number of new slips:~~

~~(I) 50 or more~~ \$9,120

~~(II) 30 to 49~~ \$7,710

~~(III) 10 to 29~~ \$5,610

~~d. For a system involving 10 or more new boat slips and capable of impounding less than 40 acre feet, serving a total land area less than 40 acres, providing for the placement of less than 12 acres of impervious surface, and not involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with the following number of new slips:~~

~~(I) 50 or more~~ \$5,610

~~(II) 30 to 49~~ \$4,210

~~(III) 10 to 29~~ \$2,110

~~e. For a system involving a new Class I solid waste disposal facility~~ \$10,520

~~f. Major modification of an existing Class I solid waste disposal facility~~ \$11,920

~~g. Systems solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.~~

~~\$250~~

~~2. Standard Permits and Standard General Permits (those systems below the thresholds listed in subparagraph 1. above):~~

~~a. For a system serving a project with a total land area of 40 or more acres, up to 100 acres, with the following additional activities:~~

~~(I) Both the construction of 1 to 9 new boat slips and the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters less than 1 acre and more than 0 acre~~

~~\$2,110~~

~~(II) Either the construction of 1 to 9 new boat slips or the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters less than 1 acre and more than 0 acre~~

~~\$1,410~~

~~(III) No construction or alteration in, on or over wetlands or other surface waters~~

~~\$1,340~~

~~b. For a system serving a project with a total land area less than 40 acres and more than 1 acre, with the following additional activities:~~

~~(I) 3 to 9 new boat slips~~

~~\$990~~

~~(II) 1 to 2 new boat slips~~

~~\$850~~

~~(III) Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters of more than 0 acre, but less than 1 acre~~

~~\$850~~

~~e. For a system serving a project with a total land area of less than 1 acre, with the following additional activities:~~

~~(I) 3 to 9 new boat slips~~

~~\$850~~

~~(II) 1 to 2 new boat slips~~

~~\$430~~

~~(III) Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters less than 1 acre and more than 0 acre~~

~~\$710~~

~~d. Systems solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.~~

~~\$250~~

~~3. Mitigation Banks~~

~~a. Mitigation Bank Permit, other than Conceptual Approval~~

~~\$6,050~~

~~b. Credit Release (credit available for sale)~~

~~\$330~~

~~c. Credit Withdrawal (actual use of credit)~~

~~\$0~~

~~d. Mitigation Bank Conceptual Approval Permit~~

~~\$6,050~~

~~e. Major modifications involving changes to one or more of the following components: service area; credit assessment; success or release criteria; hydrologic structures or alterations; constructions or mitigation design that does not increase the project area; elimination of lands; or monitoring or management plans;~~

~~(I) Affecting one of the above components~~

~~\$1,340~~

~~(II) Affecting two of the above components~~

~~\$2,680~~

~~(III) Affecting three of the above components~~

~~\$4,020~~

~~4. Environmental Resource "Stormwater" Permit for a~~

system serving a project with a total land area less than 40 acres and:

a. Involving no construction or alteration in, on or over wetlands or other surface waters; or \$420

b. That is solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S. \$250

5. Verification of qualification to use a Noticed General Permit, except \$250

a. Paving of existing county or municipally owned roads under Rule 62 341.448, F.A.C. \$0

b. Environmental enhancement and restoration activities conducted by the U.S. Army Corps of Engineers under Rule 62 341.486, F.A.C. \$0

6. Variances:

a. Under Section 373.414(17), F.S.

(I) From the prohibition of work in Class II Waters, approved for shellfish harvesting \$170

(II) Other variances \$830

b. Under Section 120.542, F.S. \$0

7. Modifications:

a. Major modifications of Individual (Including Conceptual Approval) and Standard General Permits, as defined in paragraph 62-343.100(1)(b), F.A.C., and mitigation bank permits under Chapter 62-342, F.A.C., that increase the project area or involve four or more of the components listed in sub-

subparagraph 62-4.050(4)(h)3.e., F.A.C., other than for Class I solid waste disposal facilities or as otherwise specified above;

b. Minor modifications of Individual (including Conceptual Approval) and Standard General Permits, and mitigation bank permits, where the modification will not require substantial technical evaluation by the Department, will not lead to substantially different environmental impacts or will lessen the impacts of the original permit, and as further defined in paragraph 62-343.100(1)(a), F.A.C., other than for Class I solid waste disposal facilities:

(I) To correct minor errors or typographical mistakes and that do not involve technical review \$0

(II) To incorporate changes requested by the Department or required through permits issued by other regulatory agencies, and to change due dates for reporting or performance deadlines when such changes in the due date do not involve any new work, any new work locations, or any new activities, and will not alter, replace, or otherwise eliminate the requirements for otherwise performing the work required by the permit \$0

(III) That consist of transfers of permits or time extensions \$80

(IV) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise \$250

~~eliminates the work authorized by the permit when the original permit fee of the issued permit is less than \$300, except for modifications to permits issued pursuant to Section 403.816, F.S.~~

~~(V) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is more than or equal to \$300, except for permits issued pursuant to Section 403.816, F.S.~~ \$420

~~(VI) For minor modifications of Individual and Conceptual Approval Permits for Class I solid waste disposal facilities~~ \$2,110

~~8. Verification that an activity is exempt from regulation under Section 403.813, F.S., or Part IV of Chapter 373, F.S.~~ \$100

~~(i) Determination of the landward extent of wetlands and other surface waters:~~

~~1. Informal determination — fees shall be based on the acreage of the entire property for which the request applies, as follows:~~

~~a. Total area to be included in the determination is up to 1 acre~~ \$100

~~b. Additional fee per acre (or portion thereof) beyond the first acre; total fee not to exceed \$500~~ \$50

~~2. Petition for formal determination :a. Petition application fees shall~~

~~be based on the acreage of the entire property for which the petition is filed, as follows: according to the following schedule:~~

~~(I) More than 0 acres less than or equal to 1 acre~~ \$350

~~a. Total area to be included in the determination is less than 10 acres~~ \$780

~~(II) More than 1 acre and less than or equal to 10 acres~~

~~b. Total area to be included in the determination is at least 10, but less than 40 acres~~ \$1,060

~~(III) More than 10 acres and less than or equal to 40 acres~~

~~c. Total area to be included in the determination is at least 40, but no more than 100 acres~~ \$2,110

~~(IV) More than 40 acres and less than or equal to 100 acres~~

~~d. Additional fee per 100 acres (or portion thereof) beyond the first 100 acres~~ \$290

~~(V) For property greater than 100 acres in size, the fee will be \$2,110 plus an additional \$290 for each additional 100 acres (or portion thereof) that exceeds the first 100 acres.~~

~~(VI) For a new formal determination for single family residences of less than or equal to five acres within the territory of the South Florida District Office of the Department, under subsection 62 343.040(3), F.A.C.~~ \$300

~~3. Reissuance of a formal determination, in accordance with section 7.2.4 of Applicant's Handbook Volume I.~~ \$350

~~b. For a new formal determination that covers property on which a valid formal determination exists, provided that the petition for the new formal determination is filed within 60 days of the date of expiration of the existing~~

~~formal determination and the physical conditions on the property have not changed, other than changes authorized by a permit, so as to alter the boundaries of surface waters or wetlands, and provided the methodology for determining the extent of surface waters and wetlands authorized by Sections 373.421 and 373.4211, F.S., has not been amended since the previous formal determination.~~

~~2. Requests for Informal Determinations \$100~~

~~(j) through (z) No change.~~

~~(5) through (8) No change.~~

~~Rulemaking Authority 373.026, 373.043, 373.109, 373.4131, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805 FS. Law Implemented 373.109, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7) FS. History—New 5-17-72, Amended 6-19-74, 7-8-82, Formerly 17-4.05, Amended 11-15-87, 8-31-88, 10-3-88, 4-4-89, 3-19-90, 6-11-90, 3-7-91, 3-18-91, 5-30-91, 10-30-91, 11-16-92, 12-21-92, 7-11-93, 2-2-94, Formerly 17-4.050, Amended 11-23-94, 4-30-95, 7-4-95, 12-15-98, 10-22-00, 6-1-01, 1-30-03, 2-19-03, 4-3-03, 5-1-03, 2-7-06, 10-31-07, 4-21-09. [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]~~

~~62-4.200 Scope of Part II.~~

~~This Part sets forth additional requirements for certain Department permits, exemptions from permitting, requirements for mixing zones and zones of discharge, and related requirements. Except as otherwise provided in Chapter 62-330, F.A.C., or in the rules adopted by reference thereunder, under Chapter 62-330 or by Chapter 62-343 or 62-346, F.A.C., this Part shall not apply to activities regulated under Part IV of Chapter 373, F.S. However, this Part shall continue to apply to those activities grandfathered under Sections 373.4131(4), 373.414(11), (12)(a), (13), (14), (15), (16) and 373.4145(6), F.S.~~

~~Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.109, 373.113, 373.4131, 373.4145, 373.418, 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 373.026, 373.044, 373.109, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088 FS. History—New 5-17-72, Formerly 17-4.20, Amended 8-31-88, Formerly 17-4.200, Amended 7-4-95, 10-1-07. [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of~~

Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]

NAME OF PERSON ORIGINATING PROPOSED RULE:

Mark Thomasson, Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2013

DATE THE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: The Notice of Proposed Rule Development for Rule 62-4.050 was published on January 15, 2013. The Notice of Proposed Rule Development for Rule 62-4.001 and 62-4.200 was published on May 3, 2013.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-45.001 General Requirements

64B8-45.002 Continuing Education Approval

64B8-45.005 Performance of Pro Bono Services

PURPOSE AND EFFECT: The Board proposes the rule amendments to remove auditing of licensee continuing education requirements, add continuing education credit for preceptor, and increase credits for pro bono services.

SUMMARY: Continuing education auditing and credit hours.
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 Statement of Estimated Regulatory Costs (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: 456.013(7), (8), (9), 468.507 FS.

LAW IMPLEMENTED: 456.013(7), (8), (9), 468.514, 468.515 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-45.001 General Requirements.

(1) As a condition of biennial licensure renewal all licensees shall complete a minimum of thirty (30) hours of continuing education in dietetics and nutrition practice within the twenty-four (24) month period prior to the expiration date of the license, of which no more than ten (10) hours may be in management, risk management, personal growth, and educational techniques. Up to twenty (20) hours of credit shall be accepted per biennium for approved home study courses. Those persons certified for licensure in the second half of the biennium are exempt from the continuing education requirements for that biennium. One hour of continuing education equals a minimum of fifty (50) minutes of instruction.

(2) through (3) No change.

(4) The licensee shall retain for 4 years certificates of attendance or other records to document the completion of the continuing education requirement. ~~The Council will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met.~~

(5) through (7) No change.

Rulemaking Authority 456.013(7), (8), (9), 468.507 FS. Law Implemented 456.013(7), (8), (9), 468.514, 468.515 FS. History—New 12-5-90, Amended 1-1-92, 9-24-92, 5-6-93, Formerly 21M-51.001, Amended 9-28-93, Formerly 61F6-51.001, Amended 1-2-95, 11-12-95, Formerly 59R-45.001, Amended 9-26-01, 3-4-02, 3-24-03, 4-30-06, 7-8-09, 2-3-10,_____.

64B8-45.002 Continuing Education Approval.

(1) through (2) No change.

(3) A preceptor may earn 2 hours of continuing education credit for each 100 hours of supervised practice experience, up to a maximum of 8 hours per biennium. To be eligible for the credit, the preceptor must participate as the primary preceptor for a potential licensee. The primary preceptor is expected to maintain documentation of the persons trained, number of hours supervised, subject matter, and dates of training.

~~(4)(3)~~ Acceptable subject matter for continuing education programs include:

(a) through (f) No change.

~~(5)(4)~~ Nonacceptable subject matter for continuing education programs include:

(a) through (f) No change.

Rulemaking Authority ~~456.013(7), (8), (9),~~ 468.507 FS. Law Implemented 468.514, 468.515 FS. History—New 12-5-90, Amended 1-1-92, 9-24-92, Formerly 21M-51.002, Amended 11-4-93, Formerly 61F6-51.002, Amended 12-28-94, 11-12-95, Formerly 59R-45.002, Amended 9-26-01, 5-22-06, 7-8-09,_____.

64B8-45.005 Performance of Pro Bono Services.

(1) Up to six (6) ~~four~~ hours per biennium of continuing education credit may be fulfilled by the performance of pro bono services to the indigent as provided in Section 456.013(9), F.S., or to underserved populations, or in areas of critical need within the state where the licensee practices.

(2) No change.

Rulemaking ~~Specific~~ Authority 456.013(9), 468.507 FS. Law Implemented 468.514, 456.013(9) FS. History—New 9-28-93, Amended 2-8-94, Formerly 61F6-51.005, 59R-45.005, Amended 9-26-01, 12-23-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practices Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 22, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-37.001	Compliance with Certification for Persons Providing Child Welfare Services
65C-37.002	Approval Process for Third Party Credentialing Entities
65C-37.003	Core Competencies
65C-37.004	Approval Process for Pre-Service Curriculum

PURPOSE AND EFFECT: These rules outline the department’s approval process for nonprofit organizations to become child welfare third-party credentialing entities and the process the department will use when approving pre-service training curriculum.

SUMMARY: This chapter implements the requirement in Chapter 2011-163, Laws of Florida, by establishing the process for department approval of nonprofit organizations to become a third-party credentialing entity; the process for revocation of third-party credentialing entity status; the process for review and approval of preservice curriculum and

core competencies; and setting core competencies. The chapter title and rule titles have changed since the Notice of Rule Development on 10/1/2012.

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 department used a checklist to conduct an economic analysis and determine If there was an adverse impact or regulatory costs of the rule that exceeded the criteria in Section 120.541(2)(a), F.S.. Based upon this analysis, the department has determined that this chapter 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.

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 used a checklist to conduct an economic analysis and determine If there was an adverse impact or regulatory costs of the rule that exceeded the criteria in Section 120.541(2)(a), F.S.. Based upon this analysis, the department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 402.40(60 FS).

LAW IMPLEMENTED: 402.40, 402.731 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: Eleese Davis, (850)717-4650, Eleese_davis@dcf.state.fl.us or 1317 Winewood Blvd, Building 1, Room 303B, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 65C-37
CHILD WELFARE CREDENTIALING ENTITIES AND
PRESERVICE CURRICULUM REVIEW

<u>65C-37.001</u>	<u>Third-party Credentialing Entities Application and Review Process</u>
<u>65C-37.002</u>	<u>Revocation of Third-party Credentialing Entity Status</u>
<u>65C-37.003</u>	<u>Preservice Curriculum and Core Competencies Review Process</u>
<u>65C-37.004</u>	<u>Core Competencies for Child Welfare Professionals</u>

65C-37.001 Third-party Credentialing Entities' Application and Review Process.

(1) Each applicant for third-party credentialing entity status shall electronically submit to the department the following documentation:

(a) Proof of nonprofit status;

(b) To ensure standardization of third-party credentialing entities and the integrity of the child welfare certification, proof that the applying agency has accreditation from the National Commission for Certifying Agencies or has applied for accreditation through the Commission, and has completed the Commission's self-assessment checklist;

(c) Listing of professional requirements and standards that child welfare applicants must achieve in order to obtain and maintain a certification;

(d) Examination instruments used to assess mastery of core competencies and proof that they comply with the National Commission for Certifying Agencies' certification and psychometric standards;

(e) Professional code of ethics and disciplinary process for all persons holding child welfare certification, including a process for immediate notification to employing agencies upon indication that one of their employees has violated the code of ethics;

(f) Description of the applying entity's database of all persons holding child welfare certification, that includes any history of ethical violations and how the database will be available to the public;

(g) Listing of the annual continuing education requirements for persons holding child welfare certification;

(h) Description of the qualifications of continuing education providers that will provide continuing education opportunities for those certified.

(2) Upon receipt of an application, the department shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information.

(a) The applicant shall have 30 days to submit additional information.

(b) For good cause shown, the department will grant a request for an extension of time for submitting the additional information.

(c) An application is complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired.

(d) An application must be approved or denied within 90 days after receipt of a completed application.

(3) Each applicant shall be given written notice, personally or by mail, that the department has granted or denied the application to become a credentialing entity. The notice will state with particularity the grounds or basis for the issuance or denial of the application.
Rulemaking Authority 402.40(6) FS. Law Implemented 402.40, 402.731 FS. History–New _____.

65C-37.002 Revocation of Third-party Credentialing Entity Status.

(1) No revocation, suspension, annulment, or withdrawal of any department approved credentialing entity can be made unless the department has served, by personal service or certified mail, an administrative complaint which affords reasonable notice to the credentialing entity of facts or conduct which warrant the intended action. The department shall take such action when the credentialing entity no longer meets the requirements in section 402.40, Florida Statutes.

(2) If the department finds that immediate serious danger to the public safety or welfare requires emergency suspension, restriction, or limitation of a credentialing entity, the department may take such action if:

(a) The action is necessary to protect the public interest under the emergency procedure, and

(b) The department states in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public safety or welfare and its reasons for concluding that the procedure used is fair under the circumstances.

Rulemaking Authority 402.40(6) FS. Law Implemented 402.40, 402.731 FS. History–New _____.

65C-37.003 Preservice Curriculum and Core Competencies Review Process.

(1) Each entity seeking approval for core competencies and preservice curriculum shall electronically submit to the department the following documentation for review:

(a) The core competencies and a validation study of the core competencies if they differ from the core competencies referenced in Rule 65C-37.004, F.A.C.;

(b) The preservice curriculum and a description of the methodology used for curriculum design;

(c) A description of how the core competencies are implemented into the preservice curriculum.

(2) Upon receipt of the documentation listed in paragraphs 65C-37.004(1)(a)-(c), F.A.C., the department shall examine the documents and, within 45 days after such receipt, notify the requesting entity of any apparent errors or omissions and request any additional information.

(a) The requesting entity shall have 45 days to submit additional information.

(b) For good cause shown, the department will grant a request for an extension of time for submitting the additional information.

(c) The core competencies and preservice curriculum must be approved or denied within 90 days after receipt of all documentation.

(3) Each applicant shall be given written notice, personally or by mail that the department approves or disapproves the preservice curriculum.

(4) Each applicant shall be given written notice, personally or by mail that the department approves or disapproves the core competencies.

(5) Approved curriculum must be revised and submitted to the department within 30 days of new rule promulgation, state statute implementation, changes in federal laws and regulations, and changes in department policies that affect core competencies and curriculum design.

(6) The department shall review and approve all curriculum revisions using the same method as indicated in subsections (1) through (3) above.

Rulemaking Authority 402.40(6) FS. Law Implemented 402.40, 402.731 FS. History–New _____.

65C-37.004 Core Competencies for Child Welfare Professionals.

The department approved core competencies for child welfare professionals is hereby incorporated by reference and is available by contacting the Office of Child Welfare at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

Rulemaking Authority 402.40(6) FS. Law Implemented 402.40(6), 402.731 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Eleese Davis, (850)717-4650, Eleese_davis@dcf.state.fl.us or
 1317 Winewood Blvd, Building 1, Room 303B, Tallahassee,
 Florida 32399

NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 26, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: May 8, 2013

**DEPARTMENT OF CHILDREN AND FAMILY
 SERVICES**

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-38.002	Child Abuse, Neglect, Abandonment Investigations
65C-38.003	Relative and Non-Relative Placements
65C-38.004	Foster Care Licensure
65C-38.005	Adoptions

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to establish standards for evaluating information contained in the Florida Safe Families Network (FSFN) automated system relating to a person who must be screened for purposes of making a placement decision.

SUMMARY: This chapter implements Chapter 2008-245, Laws of Florida, by establishing requirements for conducting abuse and neglect record checks of the Florida Safe Families Network; out-of-state abuse and neglect record checks; and establishes the standards that will be used when evaluating information obtained from abuse and neglect record checks. The chapter title and rule titles have changed since the Notice of Rule Development was published on 1/8/2013.

**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 department used a checklist to conduct an economic analysis and determine If there was an adverse impact or regulatory costs of the rule that exceeded the criteria in Section 120.541(2)(a), F.S.. Based upon this analysis, the department has determined that this chapter 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. 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 used a checklist to conduct an economic analysis and determine If there was an adverse impact or regulatory costs of the rule that exceeded the criteria in Section 120.541(2)(a), F.S.. Based upon this analysis, the department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.0138 FS.
 LAW IMPLEMENTED: 39.0138, 39.521 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: Eleese Davis, (850)717-4650, Eleese_davis@dcf.state.fl.us or 1317 Winewood Blvd, Building 1, Room 303B, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 65C-38
ABUSE RECORDS CHECKS FOR THE INVESTIGATION
OF REPORTS OR ABUSE, NEGLECT, OR
ABANDONMENT AND FOR THE PLACEMENT OF
CHILDREN

<u>65C-38.001</u>	<u>Definitions</u>
<u>65C-38.002</u>	<u>Child Abuse, Neglect, and Abandonment</u> <u>Record Checks</u>

65C-38.001 Definitions.

(1) "Florida Safe Families Network" is the Department's Statewide Automated Child Welfare Information System (SACWIS) and serves as the electronic case record for all child abuse and neglect records.

(2) "Verified finding" means a finding by a child protective investigator that there is a preponderance of credible evidence that specific harm or threat of harm to a child was the result of abuse, abandonment, or neglect.

(3) "Foster Care" when used in the Chapter means the 24-hour substitute care for children placed away from their parents or guardians and for whom the agency has placement and care responsibility as defined in the Code of Federal Regulation, 45C-1355.20. This includes, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the

foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

Rulemaking Authority 39.012, 39.0121, 39.0138 FS. Law Implemented 39.0138 FS. History--New _____.

65C-38.002 Child Abuse, Neglect, and Abandonment Record Checks.

(1) The department and its designated agents shall conduct a check of the Florida Safe Families Network on all persons, including parents, being considered by the department or it's designated agents for placement of a child, including all prospective foster or adoptive parents, unlicensed relative caregiver, nonrelatives, and all members of the household, 12 years of age and older, of the person being considered. This includes placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre adoptive homes. A child is in foster care in accordance with the definition in Rule 65C-38.001, F.A.C., applies regardless of whether payments are made by the State or local agency for the care of the child or whether adoption subsidy payments are being made prior to the finalization of an adoption.

(2) An out-of-state child abuse and neglect records check shall be initiated for any person 18 years of age or older who resided in another state during the preceding five years.

(3) The child abuse and neglect record check must ensure that no persons considered for placement of a child have a verified finding of abuse or neglect that led to any of the following actions:

(a) Child fatality;

(b) Removal of a child; or

(c) Termination of parental rights.

(4) The court may review a decision of the department to deny placement of a child based on the results of the child abuse and neglect record check. The review may be upon the motion of any party, the request of any person who has been denied a placement by the department, or on the court's own motion. The court shall prepare written findings to support its decision.

(5) A person who is seeking placement of a child but is denied the placement because of the results of a child abuse and neglect records check has the burden of setting forth sufficient evidence to show that the person will not present a danger to the child if the placement of the child is allowed.

Rulemaking Authority 39.012, 39.0121, 39.0138 FS. Law Implemented 39.0138, 39.521 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eleese Davis, (850)717-4650, Eleese_davis@dcf.state.fl.us or 1317 Winewood Blvd, Building 1, Room 303B, Tallahassee, Florida 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-3.002
 RULE TITLE: Repeal of Chapters 27473 and 30665, Collier County Special Acts

PURPOSE AND EFFECT: The purpose of this rule amendment is to repeal two Special Acts of Local Application for Collier County. The first act (Chapter 27473) prohibits the use of artificial light while spearing or gigging fish in state waters off Collier county, while the second (Chapter 30665) prohibits harvesting any fish from waters off Collier County using a spear, gig, or other spearing device. In February, the FWC received a letter from the Collier County Board of Commissioners requesting that FWC repeal these two Special Acts of Local Application, stating that the rules are antiquated and not in the public's best interest.

The effect of this rule amendment will be to allow spearing (spearfishing, gigging, and bowfishing) and allow the use of lights when gigging and spearfishing in the state waters off Collier County. As a result of this rule amendment, all statewide regulations regarding spearing will apply in Collier County. This rule amendment will also remove regulatory impediments for divers interested in using spears to remove non-native, invasive lionfish from the waters off Collier County.

SUMMARY: Chapter 68B-3, F.A.C., would be amended to repeal Chapters 27473 and 30665, two Special Acts of Local Application which prohibit using artificial light while spearing or gigging (Ch 27473), and harvesting any fish using any spearing device (30665) in state waters off Collier County.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission's regular meeting June 11, 2013, 1:00 p.m. – 5:00 p.m. and June 12-13, 2013, 8:30 a.m. – 5:00 p.m.

PLACE: Hilton Garden Inn Lakeland, 3839 Don Emerson Drive, Lakeland, Florida 33811

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 ADA Coordinator, at (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-3.002 Repeal of Chapters 27473 and 30665, Collier County Special Acts of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of Collier County Special Acts of Local Application, Chapter 27473, Laws of Florida (1951), and Chapter 30665, Laws of Florida (1955), will not adversely affect the marine resources of Collier County or of the State of Florida, therefore Collier County Special Acts Chapter 27473, Laws of Florida (1951), and Chapter 30665, Laws of Florida (1955), are hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: **RULE TITLE:**

68B-5.006 Lionfish

PURPOSE AND EFFECT: The purpose of this rule amendment is to waive the requirement for a recreational fishing license for divers harvesting lionfish, provided harvest is only with the following gears: hand held net, pole spear, Hawaiian sling, or other spearing device specifically designed and marketed exclusively for lionfish. The rule amendment will also allow unlimited harvest of lionfish for both recreational and commercial fishermen by establishing a no bag limit policy and stating that 100 pounds of lionfish is not considered a commercial quantity. The effect of this rule amendment will be to facilitate the removal of non-native, invasive lionfish from state waters off Florida.

SUMMARY: Rule 68B-5.006, F.A.C., would be created to waive the requirement for a recreational fishing license for divers harvesting only lionfish while using certain gear, and allow unlimited harvest of lionfish for both recreational and commercial fishermen.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required. 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission’s regular meeting June 11, 2013, 1:00 p.m. – 5:00 p.m. and June 12-13, 8:30 a.m. – 5:00 p.m.

PLACE: Hilton Garden Inn Lakeland, 3839 Don Emerson Drive, Lakeland, Florida 33811

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-5.006 Lionfish.

(1) For purposes of this rule:

(a) “Diver” means any person who is wholly or partially submerged in the water, and is equipped with a face mask, face mask and snorkel, or underwater breathing apparatus.

(b) “Lionfish” means any fish of the species *Pterois volitans* or *Pterois miles*, or any part thereof.

(2) A recreational fishing license is not required for harvesting lionfish by divers only if using the following gear:

(a) Hand held net,

(b) Pole spear,

(c) Hawaiian sling, or

(d) any other spearing device specifically designed and exclusively marketed towards lionfish.

(3) Lionfish shall have no commercial or recreational bag limit. Commercial licensing requirements apply for anyone harvesting for commercial purposes.

(4) Nothing herein shall be interpreted as allowing harvest while using a rebreather as prohibited by subsection 68B-4.012(2), F.A.C.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-20.003	Spearing, Statewide Regulation; Prohibition Against Powerheads, Bangsticks, and Rebreathers; Repeal of Certain Special Acts

PURPOSE AND EFFECT: The purpose of this rule amendment is to allow spearfishing in state waters off Collier County. Spearfishing is currently prohibited in state waters off Collier County in accordance with Chapter 30665, Special Acts of Local Application: Collier County and by Chapter 68B-20, F.A.C., via reference to Section 379.2425, F.S. In February, the FWC received a letter from the Collier County Board of Commissioners stating that the prohibition on spearfishing was antiquated and not in the public’s best interest and requesting that FWC repeal Chapter 30665, Special Acts of Local Application: Collier County, in order to allow spearfishing in the state waters off their county. This rule amendment would repeal the prohibition on spearfishing in state waters off Collier County upon concurrent repeal of Chapter 30665.

The effect of this rule amendment will to allow spearfishing in the state waters off Collier County. As a result of this rule amendment, all current statewide regulations regarding spearing will apply in Collier County. This rule amendment will also remove regulatory impediments for divers interested in using spears to remove non-native, invasive lionfish from the waters off Collier County.

SUMMARY: Rule 68B-20, F.A.C., would be amended to explicitly allow spearfishing in state waters off Collier County, allowing the existing statewide spearing regulations to apply in those waters.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission’s regular meeting June 11, 2013, 1:00 p.m. – 5:00 p.m. and June 12-13, 2013, 8:30 a.m. – 5:00 p.m.

PLACE: Hilton Garden Inn Lakeland, 3839 Don Emerson Drive, Lakeland, Florida 33811

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-20.003 Spearing, Statewide Regulation; Prohibition Against Powerheads, Bangsticks, and Rebreathers; Repeal of Certain Special Acts.

(1) Spearing is lawful in all salt waters and salt tributaries located in the State of Florida except:

(a) As provided in Section 379.2425, F.S. Notwithstanding the prohibition contained in that section, spearfishing is allowed in state waters off Collier County except as prohibited in this chapter and elsewhere in Division 68B, Florida Administrative Code; and

(b) As prohibited in this chapter, and elsewhere in Division Title 68B, Florida Administrative Code.

(2) through (8) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New 6-17-85, Amended 1-1-98, Formerly 46-20.003, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-43.001	Purpose and Intent; Repeal of Statutory Provisions; Designation as Restricted Species
68B-43.002	Definitions
68B-43.003	Size Limit; Bluefish to be Landed in Whole Condition
68B-43.004	Bag Limits
68B-43.005	East Coast Commercial Harvest: Daily Vessel Harvest and Possession Limit; Season Harvest Limit; Gear Specifications

PURPOSE AND EFFECT: When the FWC’s bluefish rule was updated in 1995 following the adoption of the Net Limitation Amendment, an allowance for the use of gear which is illegal in state waters was inadvertently left in. The rule also includes an outdated commercial quota implemented under the Mid-Atlantic Fishery Management Council’s (MAFMC) Fishery Management Plan for the Bluefish Fishery (FMP), which was written in cooperation with Atlantic States Marine Fisheries Commission and South Atlantic Fishery Management Council. The current quota is updated annually, while the rule references a static quota set in 1995. The purpose of this rule amendment is to remove outdated provisions; clarify that the size limit, landed in whole condition requirement, and recreational bag limit extend into federal waters; and reformat the rule to conform to the new style developed under the FWC’s 68B rule cleanup process.

SUMMARY: The rule amendments would remove gear specifications for the bluefish fishery which are inconsistent with statewide gear regulations, the Florida Constitution, and the federal net fisheries in which bluefish are taken as bycatch. The rule amendments would also allow the commercial fishery on the Atlantic coast to remain open until the annual quota set by the MAFMC and NOAA Fisheries is met.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission’s regular meeting June 11, 2013, 1:00 p.m. – 5:00 p.m. and June 12-13, 8:30 a.m. – 5:00 p.m.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-43.001 Purpose and Intent; ~~Repeal of Statutory Provisions;~~ Designation as a Restricted Species.

(1) The purpose and intent of this chapter are to protect and conserve Florida's bluefish resources and assure the continuing health and abundance of the species. It is also the intent of the Commission to manage bluefish in such a manner as to permit an equitable statewide commercial harvest of the species.

~~(2) It is the intent of this chapter to expressly effect the repeal of and replace Section 370.11(2)(a)1., F.S. (1993); and the remainder of Section 370.11(2)(a), F.S. (1993); as it pertains to bluefish.~~

~~(2)(3)~~ Bluefish are hereby designated as a restricted species pursuant to Section 379.101(32), F.S.

~~(4) This rule chapter shall take effect on July 1, 1993.~~

PROPOSED EFFECTIVE DATE: September 1, 2013

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. History—New 7-1-93, Formerly 46-43.001, Amended 9-1-13.

(Substantial rewording of Rule 68B-43.002 follows. See Florida Administrative Code for present text.)

68B-43.002 Definitions.

As used in this rule chapter:

(1) "Bluefish" means any fish of the species *Pomatomus saltatrix*, or any part thereof.

(2) "Atlantic Region" means all state and federal waters of the Atlantic Ocean north and east of the Dade-Monroe County Line.

PROPOSED EFFECTIVE DATE: September 1, 2013

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-17-93, Formerly 46-43.002, Amended 9-1-13.

(Substantial rewording of Rule 68B-43.003 follows. See Florida Administrative Code for present text.)

68B-43.003 Size Limit; ~~Bluefish to be Landed in Whole Condition Requirement.~~

(1) Size Limit – A person may not harvest or possess within or without Florida Waters or land a bluefish that is less than 12 inches in fork length.

(2) Landed in Whole Condition Requirement – A person harvesting bluefish within or without Florida Waters shall land each bluefish in whole condition. A person may not possess within or without Florida Waters a bluefish that has been beheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned. This provision will not be construed to prohibit evisceration (gutting) of a bluefish, or removal of gills from a bluefish.

PROPOSED EFFECTIVE DATE: September 1, 2013

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-17-93, Amended 8-31-98, Formerly 46-43.003, Amended 9-1-13.

(Substantial rewording of Rule 68B-43.004 follows. See Florida Administrative Code for present text.)

68B-43.004 Bag and Vessel Limits.

(1) Recreational Bag Limit – A recreational harvester may not harvest or land within or without Florida Waters per day more than 10 bluefish or possess within or without Florida Waters more than 10 bluefish.

(2) Commercial Limits –

(a) Commercial Bag Limit – A commercial harvester may not harvest from the Atlantic Region or land per vessel per day more than 7,500 pounds of bluefish from the Atlantic Region or possess in the Atlantic Region more than 7,500 pounds of bluefish. This provision will not be construed to authorize harvest or possession of bluefish in excess of the applicable vessel limits. Bluefish harvested For Commercial Purposes in the Atlantic Region must be landed in that region.

(b) During any season closure pursuant to paragraph 68B-43.005(1), no person shall harvest or possess bluefish in a quantity in excess of the bag limit established by paragraph 68B-43.004(1) while in or on the waters of the Atlantic Region or land bluefish in a quantity in excess of the bag limit established by paragraph 68B-43.004(1) from the Atlantic Region.

PROPOSED EFFECTIVE DATE: September 1, 2013

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-17-93, Formerly 46-43.004, Amended 9-1-13.

(Substantial rewording of Rule 68B-43.005 follows. See Florida Administrative Code for present text.)

~~68B-43.005 Commercial Season East Coast Commercial Harvest: Daily Vessel Harvest and Possession Limit; Season Harvest Limit; Gear Specifications.~~

Commercial harvest for bluefish is permitted between January 1 and December 31 each year unless closed earlier as follows:

(1) If the total commercial harvest of bluefish from the Atlantic Region is projected to reach the annual quota provided to Florida by the Mid-Atlantic Fisheries Management Council and NOAA Fisheries pursuant to 50 C.F.R. § 648.162 (2/13), the season for commercial harvest of bluefish in such waters shall be closed by the Executive Director of the Fish and Wildlife Conservation Commission upon notice and in the manner provided in Section 120.81(5), Florida Statutes. If the season is closed pursuant to this paragraph, it shall not reopen until the following January 1.

(2) During any season closure pursuant to paragraph (1), no person shall purchase or sell any bluefish harvested during the closure from the Atlantic Region.

PROPOSED EFFECTIVE DATE: September 1, 2013

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-17-93, Amended 10-4-95, Formerly 46-43.005, Amended 9-1-13.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 28, 2012

Section III
Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-8.002	Definitions
59A-8.003	Licensure Requirements
59A-8.004	Licensure Procedure
59A-8.0095	Personnel
59A-8.022	Clinical Records
59A-8.0245	Advance Directives
59A-8.027	Emergency Management Plans

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 27, February 8, 2013 issue of the Florida Administrative Register.

The changes to 59A-8.0095(1), (2) are in response to written comments received from persons working for home health agencies. The remaining changes are made based on comments received from the Joint Administrative Procedures attorney. The changes are as follows:

59A-8.002 Definitions. No change.

59A-8.003 Licensure Requirements.

(1) The issuance of an initial license shall be based upon compliance with Chapter 400, Part III, F.S., and this rule as evidenced by a signed and notarized, complete and accurate home health agency application, as referenced in subsection 59A-35.060(1)(m) ~~59A-8.004(1)~~, F.A.C., and the results of a survey conducted by an accrediting organization as required in Section 400.471, F.S.

(3) Surveys of Accredited Home Health Agencies:

(a) It is the responsibility of the home health agency to request exemption from state licensure surveys pursuant to Section 400.471(2), F.S., by submitting documentation of accreditation by an approved accrediting organization and the most recent survey from the accrediting organization to the AHCA Home Care Unit.

(b) Home health agencies that complete (a) will not be subject to licensure surveys by AHCA except under the following circumstances:

1. The home health agency HHA has been denied accreditation, has received a preliminary determination of denial of accreditation, or has received a provisional, conditional, or deferred accreditation report from the accrediting organization on its most recent survey, or

2. The home health agency HHA has received full accreditation but has not authorized the release of the report to the AHCA, or has not ensured that AHCA has received the accrediting organization’s report.

(6) An application package for a change of ownership shall be made on a form prescribed by AHCA, as referenced in paragraph 59A-35.060(1)(m), F.A.C.

(d) Failure to apply for a change of ownership of a licensed home health agency as required by Sections 408.806(2)(b) ~~and 400.471~~, F.S., shall result in a fine set and levied by AHCA pursuant to Section 400.474(1)(2)(a) and 408.813(3)(b), F.S. This is also applicable to owners who incorporate and do not report this change of ownership to the home health agency.

Rulemaking Authority 400.497 FS. Law Implemented 400.464, 400.471, 400.474, 400.484, 400.497 FS., 408.806, 408.807, 408.810 FS. History—New 4-19-76, Formerly 10D-68.03, Amended 4-30-86, 8-10-88, 5-30-90, 6-12-91, Formerly 10D-68.003, Amended 4-27-93, 10-27-94, 1-30-97, 1-17-00, 7-18-01, 9-22-05, 8-15-06, 3-29-07, _____.

59A-8.004 Licensure Procedure.

(4) An applicant for initial license shall sign the form AHCA 3110-1026, Attestation of Compliance with Distance Requirements, March 2013 ~~April 2010~~, which is incorporated by reference, pursuant to Section 400.471(7), F.S. The form may be obtained at the AHCA web site, <http://ahca.myflorida.com/homecare>; at the site, select “Home Health Agency” and then select the “Application” tab.

Rulemaking Authority 400.497 FS. Law Implemented 400.471, 400.512, 408.810, 408.806, 408.8065, 408.809 FS. History—New 4-19-76, Formerly 10D-68.04, Amended 4-30-86, 8-10-88, 5-30-90, 6-12-91, 10-6-91, Formerly 10D-68.004, Amended 4-27-93, 10-27-94, 1-30-97, 1-17-00, 7-18-01, 9-22-05, 8-15-06, 3-29-07, _____.

59A-8.0095 Personnel.

(1) Administrator.

(b) If an agency changes administrator the agency shall notify the AHCA Home Care Unit office in Tallahassee as required in 59A-35.110(1). Notification shall consist of submission of the person’s name and a statement that the person meets the qualifications in Sections 400.476(1) and 400.462(1), F.S. Send the notification by email, fax or mail to HQAHOMEHEALTH@ahca.myflorida.com, fax (850)922-5374, or AHCA Home Care Unit, 2727 Mahan Drive, Mail

Stop 34, Tallahassee, Florida 32308. The administrator also must submit level 2 screening, pursuant to Section 408.809, F.S. and Rule 59A-35.090, F.A.C., or inform the Home Care Unit that level 2 screening was previously submitted.

(2) Director of Nursing.

(d) Pursuant to Section 400.497(5)(a), F.S., ~~the~~ The director of nursing shall establish a process to verify that skilled nursing and personal care services were provided. ~~The home health agency must be able to validate that patient or client care was provided as ordered and specified in the plan of care or written agreement. When requested by an AHCA employee, the director of nursing shall provide~~ The surveyor may request a certified report that lists ~~verifies~~ the home health services provided by a specified direct service staff person or contracted staff person for a specified time period as permitted in 400.497(5)(b), F.S. A certified report shall be in the form of a written or typed document or computer printout and signed by the director of nursing. The report must be provided to the surveyor within two hours of the request, unless the time period requested is longer than one year, then the report must be provided within three hours of the request.

(e) The director of nursing shall establish, ~~and document~~ an ongoing quality assurance program. The program shall include at least quarterly, documentation of the review of the care and services of a sample of both active and closed clinical records by the director of nursing or his or her delegate. The director of nursing assumes overall responsibility for the quality assurance program. ~~The director of nursing may delegate some of the record review to registered nurses or therapists when there are therapy patient records to review.~~

(5) Home Health Aide and Certified Nursing Assistant

(j) A licensed home health agency may choose to administer the Home Health Aide Competency Test, form number AHCA 3110-1007, February, 2001, incorporated by reference, in lieu of the forty hours of training required in paragraph 59A-8.0095(5)(d), F.A.C. This test is designed for home health agencies to determine competency of potential employees. Home health agencies may obtain the form by sending a request to HQAHOMEHEALTH@ahca.myflorida.com. This written and practical test can only be used by licensed only agencies. Medicare and Medicaid home health agencies must follow the training requirements in 42 Code of Federal Regulations 484.

(k) Home health aides and CNA's must receive in-service training each calendar year, ~~pursuant to Section 400.497(1), F.S.~~ Training must be provided to obtain and maintain a certificate in cardiopulmonary resuscitation. Medicare and Medicaid agencies should check federal regulations for additional in-service training requirements.

(l) Responsibilities of the home health aide and CNA shall include:

1. The performance of all personal care activities contained in a written assignment by a licensed health professional employee or contractor of the home health agency and which include assisting the patient or client with personal hygiene, ambulation, eating, dressing, shaving, physical transfer, and other duties as assigned;

2. Maintenance of a clean, safe and healthy environment, which may include light cleaning and straightening of the bathroom, straightening the sleeping and living areas, washing the patient's or client's dishes or laundry, and such tasks to maintain cleanliness and safety for the patient or client;

3. Other activities as taught by a licensed health professional employee or contractor of the home health agency for a specific patient or client and are restricted to the following:

- a. Assisting with reinforcement of dressing;
- b. Assisting with tasks associated with elimination:
 - i. Toileting;
 - ii. Assisting with the use of the bedpan and urinal;
 - iii. Providing catheter care including changing the urinary catheter bag;
 - iv. Collecting specimens;
 - v. Emptying ostomy bags, or changing bags that do not adhere to the skin;
- c. Assisting with the use of devices for aid to daily living, such as a wheelchair or walker;
- d. Assisting with prescribed range of motion exercises;
- e. Assisting with prescribed ice cap or collar;
- f. Doing simple urine tests for sugar, acetone or albumin;
- g. Measuring and preparing special diets;
- h. Measuring intake and output of fluids; and
- i. Measuring temperature, pulse, respiration or blood pressure.

4. Keeping records of personal health care activities; ~~and~~

5. Observing appearance and gross behavioral changes in the patient or client, reporting to the registered nurse; ~~and~~

6. Supervision of self-administered medication in the home is limited to the following:

- a. Obtaining the medication container from the storage area for the patient or client;
- b. Ensuring that the medication is prescribed for the patient or client;
- c. Reminding the patient or client that it is time to take the medication as prescribed; and
- d. Observing the patient or client self-administering the medication.

59A-8.022 Clinical Records.

(6) The following applies to signatures in the clinical record:

(a) No change.

(b) Alternative Signatures. ~~4~~. Home health agencies that maintain patient records by computer rather than hard copy may use electronic signatures. However, all such entries must be appropriately authenticated and dated. Authentication must include signatures, written initials, or computer secure entry by a unique identifier of a primary author who has reviewed and approved the entry. The home health agency must have safeguards to prevent unauthorized access to the records and a process for reconstruction of the records in the event of a system breakdown.

59A-8.0245 Advance Directives.

(3) Pursuant to Section 400.487(7), F.S., a home health agency may honor a DNRO as follows: ~~(a)~~ Cardiopulmonary resuscitation may be withheld or withdrawn from a patient only if a valid Do Not Resuscitate Order (DNRO) is present, executed pursuant to Section 401.45, F.S. The Department of Health has developed a DNRO form that is described and available to the public as stated in Rule 64J-2.018, F.A.C.

59A-8.027 Emergency Management Plans.

(1) Pursuant to Section 400.492, F.S., each home health agency shall prepare and maintain a written comprehensive emergency management plan, in accordance with criteria shown in the "Comprehensive Emergency Management Plan (CEMP)," AHCA Form 3110-1022, Revised ~~March 2013~~ ~~May 2010~~, incorporated by reference. This document is available from the Agency for Health Care Administration at http://ahca.myflorida.com/MCHQ/Emergency_Activities/index.shtml and shall be used as the format for the home health agency's emergency management plan. The plan shall describe how the home health agency establishes and maintains an effective response to emergencies and disasters.

The following changes have been made to the Attestation of Compliance with Distance Requirements form incorporated by reference in subsection 59A-8.004(4):

The signature of a notary public and the reference to the date the law became effective are removed from the form.

The following changes have been made to the Comprehensive Emergency Management Plan form incorporated by reference in subsection 59A-8.027(1):

On page 1 of the form, the quotation of Section 381.0303(7) is corrected. On page 5, the reference to subsection 59A-8.027(12) was updated to (13) since the paragraph numbering changed. Also, on page 5, item C.5., the term "voluntary cessation" was replaced with "inability to operate."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Menard, Supervisor, Home Care Unit, Bureau of Health Facility Regulation, Anne.Menard@ahca.myflorida.com, (850)412-4385

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-13.008
 RULE TITLE: Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 31, February 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-13.008 has been changed to include the following revised subsection (4):

(4) TRAP WORKING REGULATIONS.

(a) through (b) No change.

(c) During any time of the year when it is legal to transport stone crab traps, a harvester shall ~~may~~ obtain permission from the Division of Law Enforcement to allow another person to transport, deploy, pull, or retrieve his or her traps. Permission shall ~~may~~ be granted upon receipt of a written statement signed by both the commercial harvester seeking to have his or her traps pulled and the person designated to pull the traps. Such written statement shall contain the following:

1. through 5. No change.

6. The dates the other person will be transporting, deploying, pulling or retrieving the traps.

Permission to pull traps in this manner shall be obtained daily by telephone from the Division of Law Enforcement for a maximum of 5 days without renewal or extension of the request. Permission to have traps pulled by another person for a longer period of time, must be based on extraordinary circumstances such as severe personal or family illness or accident or major equipment problem, and shall be obtained through petition to the Division of Law Enforcement on Commission Form DMF-SL3030 (02-13) (Stone Crab Trap Pulling Petition) found online at: www.flrules.org, herein incorporated by reference, and shall ~~will~~ be granted upon such conditions as the division deems appropriate for the protection of the resource. It shall be the responsibility of the commercial harvester, or a member of the harvester's immediate family, to petition the division. The petition shall include a complete description of the extraordinary circumstances with corroborating documentation, the amount of additional time requested, the number of traps to be pulled, and a signed

notarized statement from the other person, attesting to his/her willingness and ability to pull these traps during this time period as well as an awareness of all rules governing the stone crab fishery. The person designated to pull the petitioner's traps is required to establish a float plan with Division of Law Enforcement Dispatch for each day traps will be pulled prior to pulling traps. If the person designated to pull the petitioner's traps does not possess a saltwater products license with restricted species and stone crab endorsements, the petitioner, as the license holder of record must possess a vessel saltwater products license and shall be held accountable for the designee's compliance with all regulations governing the stone crab fishery.

(d) through (e) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History–New 7-1-00, Amended 7-22-01, 7-15-04, 7-13-08,_____.

No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:
68B-24.006 Gear: Traps, Buoys, Identification Requirements, Prohibited Devices
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 31, February 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-24.006 has been changed to include the following revised subsection (7):

(7) During any time of the year when it is legal to transport spiny lobster traps, a harvester shall ~~may~~ obtain permission from the Division of Law Enforcement to allow another person to transport, deploy, pull, or retrieve his or her traps. Permission shall ~~may~~ be granted upon receipt of a written statement signed by both the commercial harvester seeking to have his or her traps pulled and the person designated to pull the traps. Such written statement shall contain the following:

(a) through (e) No change.

(f) The dates the other person will be transporting, deploying, pulling or retrieving the traps.

Permission to pull traps in this manner shall be obtained daily by telephone from the Division of Law Enforcement for a maximum of 5 days without renewal or extension of the request. Permission to have traps pulled by another person for a longer period of time, must be based on extraordinary

circumstances such as severe personal or family illness or accident or major equipment problem, and shall be obtained through petition to the Division of Law Enforcement on Commission Form DMF-SL5030 (02-13) (Spiny Lobster Trap Pulling Petition) found online at: www.flrules.org, herein incorporated by reference, and shall ~~will~~ be granted upon such conditions as the division deems appropriate for the protection of the resource. It shall be the responsibility of the commercial harvester, or a member of the harvester's immediate family, to petition the division. The petition shall include a complete description of the extraordinary circumstances with corroborating documentation, the amount of additional time requested, the number of traps to be pulled, and a signed notarized statement from the other person, attesting to his/her willingness and ability to pull these traps during this time period as well as an awareness of all rules governing the spiny lobster fishery. The person designated to pull the petitioner's traps is required to establish a float plan with Division of Law Enforcement Dispatch for each day traps will be pulled prior to pulling traps. If the person designated to pull the petitioner's traps does not possess a saltwater products license with restricted species and a crawfish endorsement, the petitioner, as the license holder of record must possess a vessel saltwater products license and shall be held accountable for the designee's compliance with all regulations governing the spiny lobster fishery. Permission to pull another's traps shall not be granted to a person holding a commercial dive permit.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-87, Amended 7-2-90, 3-1-92, 7-1-92, 6-1-94, 10-4-95, 9-30-96, 6-1-99, Formerly 46-24.006, Amended 7-1-01, 7-9-02, 7-7-03, 4-1-04, 7-1-08,_____.

No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:
68B-45.004 Regulation and Prohibition of Certain Harvesting Gear
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 31, February 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-45.004 has been changed to include the following revised subsection (10):

(10) During any time of the year when it is legal to transport blue crab traps, a harvester shall ~~may~~ seek permission from the Division of Law Enforcement to allow

the use of another vessel owned by the same harvester or another person to transport, deploy, pull, or retrieve his or her traps. Permission ~~shall~~ ~~will~~ be granted upon receipt of a written statement signed by the commercial harvester seeking to have his or her traps pulled and by the person designated to pull the traps, if applicable, which statement also shall contain the following:

(a) through (e) No change.

(f) The dates the other person or vessel will be transporting, deploying, pulling or retrieving the traps.

Permission to pull traps in this manner shall be obtained daily by telephone from the Division of Law Enforcement for a maximum of 5 days without renewal or extension of the request. Permission to have traps pulled using another vessel owned by the same harvester or by another person for a longer period of time must be based on extraordinary circumstances such as severe personal or family illness or accident or major equipment problem, and shall be obtained through petition to the Division of Law Enforcement on Commission Form DMF-SL4590 (02-13) (Blue Crab Trap Pulling Petition) found online at: www.flrules.org, herein incorporated by reference, and ~~shall~~ ~~will~~ be granted upon such conditions as the Division deems appropriate for the protection of the resource. It shall be the responsibility of the commercial harvester, or a member of the harvester’s immediate family, to petition the Division. The petition shall include a complete description of the extraordinary circumstances with corroborating documentation, the amount of additional time requested, the number of traps to be pulled, and ~~if designating another person, a signed~~ notarized statement from the other person, attesting to his/her willingness and ability to pull these traps during this time period as well as an awareness of all rules governing the blue crab fishery ~~spiny lobster fishery~~. The person designated to pull the petitioner’s traps is required to establish a float plan with Division of Law Enforcement Dispatch for each day traps will be pulled prior to pulling traps. If the person designated to pull the petitioner’s traps does not possess a saltwater products license with restricted species and a blue crab endorsement, the petitioner, as the license holder of record must possess a vessel saltwater products license and shall be held accountable for the designee’s compliance with all regulations governing the blue crab fishery.

(g) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 9-30-96, 1-1-98, 6-1-99, Formerly 46-45.004, Amended 2-28-02, 10-21-04, 3-1-05, 3-30-06, 9-21-06, 10-15-07, 1-26-11,_____.

No other changes were made to the rule amendments as proposed.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.: RULE TITLES:

69B-228.180 Forms

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 33, February 18, 2013 issue of the Florida Administrative Register.

1. Paragraph (1)(q) has been amended and paragraph (1)(r) has been added to Rule 69B-228.180 to read:

(q) DFS-H2-2081 5-Hour Law and Ethics Update eff. 10/14

(r) DFS-H2-2111 5-Hour Law and Ethics Update – Bail Bonds eff. 10/14

2. Subsection (13) of Rule 69B-228.220 has been changed to read:

(13) Effective October 1, 2014, a curriculum outline for a 5-hour law and ethics update course shall be approved by the Department on Form DFS-H2-2081, “5-hour Law and Ethics Update,” or Form DFS-H2-2111, “5-hour Law and Ethics Update – Bail Bonds,” which are incorporated by reference in Rule 69B-220.180, F.A.C.

3. Subsection (13)(b) of Rule 69B-228.220 has been changed to read:

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

1. Regulatory Awareness.
2. Insurance Law and Updates.
3. Ethical Requirements.
4. Industry Trends.
5. Disciplinary Trends and Case Studies.
6. Premium Discounts.
7. Suitability of Products and Services.

4. Paragraph (13)(d) of Rule 69B-228.220 has been changed to read:

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

5. The Department has also made changes to Form DFS-H2-2081 to clarify that the insurance law and updates, ethical requirements and industry trends refer to Florida licensed insurance professionals. A copy of either of the forms can be obtained by contacting Jean Jeune at (850)413-5411 or Jean.Jeune@myfloridacfo.com.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 6, 2013, the Department issued a Final Order that was in response to a Petition for Variance from Ramada, filed April 11, 2013, and advertised on April 15, 2013 in Vol. 39, No. 73, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.3.2, 3.10.4(e), and 2.7.4 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators stop switch on top of car, platform guards and restricted door openings because the Petitioner has not demonstrated that the purpose of the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-118).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)922-2756.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 3, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Building 1, 2, 3 & 4 Grande Villas. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file

comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-132).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 6, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Surf Dweller Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.27.3.2 and 2.27.3.3.7, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators phase I emergency recall and phase II emergency in-car operation by fire alarm initiating devices which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-133).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Department of Legal Affairs, Florida Council on the Social Status of Black Men and Boys announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2013, 9:00 a.m. –5:00 p.m.;

TELEPHONE: (850)414-3369

LOCATION: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819

DATE AND TIME: May 30, 2013, 3:45 p.m. –5:15 p.m.;

TELEPHONE: (850)414-3369

PLACE: LOCATION: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819

Please be advised that meeting locations and times maybe subject to change. For updates please visit <http://www.cssbmb.com>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. 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: Bureau of Criminal Justice Programs at (850)414-3300.

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission Training Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 22, 2013, 1:30 p.m.

PLACE: This is a telephone conference call which can be attended via the internet and telephone. Go to the web site <https://www2.gotomeeting.com/join/772127794>, then dial(888)808-6959, meeting ID: 772-127-794; pass code is 6517811543

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Hazardous Materials Training Symposium. 2. Report on Revision/Update of Existing Protocols.

A copy of the agenda may be obtained by contacting: Florida Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Florida Division of Emergency Management, (850)413-9970. 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).

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting of The State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, June 13, 2013, 2:00 p.m. – 4:00 p.m.

PLACE: Town of Davie – Planning & Zoning Division, 6591 Orange Drive, Davie, FL 33060, (954)797-1075

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained online at www.sfrpc.com/sr7/htm or by contacting: the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

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: South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency at (954)967-4152, Ext. 40 (TDD). If any person decides to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee 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 South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-1.1011: Submitting Notice of Intent for Consumptive Use Permits Under Rule 40C-20.042, F.A.C.

40C-1.1012: Submitting Notice of Intent for Consumptive Use Permits Under Chapter 40C-22, F.A.C.

40C-1.603: Permit Fees

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

DATE AND TIME: May 22, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: City of Sanford, 300 North Park Ave., Sanford, Florida 32771

DATE AND TIME: May 23, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District (SJRWMD) is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) with the five water management districts (WMDs) to increase consistency in the consumptive use permit (CUP) rules of the WMDs. This rule development will make appropriate rule amendments to SJRWMD's Chapters 40C-1, 40C-2, 40C-20, and 40C-22, F.A.C., and the Applicant's Handbook: Consumptive Uses of Water, to address the following goals of DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. The District published a Notice of Rule Development to begin rulemaking on July 20, 2012. Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshops.

A copy of the draft rules will be available at <http://floridaswater.com/ruledevelopment/> by Wednesday, May 15, 2013.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)-326-3026 or wgaylord@sjrwmd.com

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

- 40C-2.031: Implementation
- 40C-2.041: Permits Required
- 40C-2.042: General Permit by Rule
- 40C-2.051: Exemptions
- 40C-2.101: Publications Incorporated by Reference
- 40C-2.301: Conditions for Issuance of Permits
- 40C-2.331: Modification of Permits
- 40C-2.381: Limiting Conditions
- 40C-2.900: Forms and Instructions

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

DATE AND TIME: May 22, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: City of Sanford, 300 North Park Ave., Sanford, Florida 32771

DATE AND TIME: May 23, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District (SJRWMD)

is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) with the five water management districts (WMDs) to increase consistency in the consumptive use permit (CUP) rules of the WMDs. This rule development will make appropriate rule amendments to SJRWMD's Chapters 40C-1, 40C-2, 40C-20, and 40C-22, F.A.C., and the Applicant's Handbook: Consumptive Uses of Water, to address the following goals of DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. The District published a Notice of Rule Development to begin rulemaking on July 20, 2012.

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WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

- 40C-20.011: Policy and Purpose
- 40C-20.042: General Permit for Water Use
- 40C-20.301: Conditions for Issuance of Authorization
- 40C-20.321: Duration of Permit
- 40C-20.900: Forms and Instructions

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

DATE AND TIME: May 22, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: PLACE: City of Sanford, 300 North Park Ave., Sanford, Florida 32771

DATE AND TIME: May 23, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District (SJRWMD) is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) with the five water management districts (WMDs) to increase consistency in the consumptive use permit (CUP) rules of the WMDs. This rule development will make appropriate rule amendments to SJRWMD's Chapters 40C-1, 40C-2, 40C-20,

and 40C-22, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water, to address the following goals of DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. The District published a Notice of Rule Development to begin rulemaking on July 20, 2012.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

A copy of the draft rules will be available at <http://floridaswater.com/ruledevelopment/> by Wednesday, May 15, 2013.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026 or wgaylord@sjrwmd.com

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-22.001: Policy and Purpose

40C-22.020: Noticed General Permit for Fire Protection Purposes

40C-22.030: Noticed General Permit for Short-term Construction Dewatering

40C-22.900: Forms and Instructions

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

DATE AND TIME: May 22, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: City of Sanford, 300 North Park Ave., Sanford, Florida 32771

DATE AND TIME: May 23, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The St. Johns River Water Management District (SJRWMD) is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) with the five water management districts (WMDs) to increase consistency in the consumptive use permit (CUP) rules of the WMDs. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, and 40C-22, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water, to address the following goals of DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the

environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. The District published a Notice of Rule Development to begin rulemaking on July 20, 2012.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops. A copy of the draft rules will be available at <http://floridaswater.com/ruledevelopment/> by Wednesday, May 15, 2013.

A copy of the agenda may be obtained by contacting: Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026 or wgaylord@sjrwmd.com.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Big Cypress Basin announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2013, 8:00 a.m.

PLACE: Big Cypress Basin Service Center, 2660 Horseshoe Drive N, Naples, FL 34104

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Conduct regular Big Cypress Basin Board business.

A copy of the agenda may be obtained by contacting: Barbra Pinx, (239)263-7615, x 7602.

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: Barbra Pinx, (239)263-7615, x 7602. 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: Barbra Pinx, (239)263-7615, x 7602.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Commission for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2013, 9:00 a.m.

PLACE: Clay County Council on Aging, 604 Walnut Street, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission business.

A copy of the agenda may be obtained by contacting: Vicki Scheffer, 605 Suwannee St., MS-49, Tallahassee, FL 32399, (850)410-5700 or (800)983-2435.

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: Vicki Scheffer, 605 Suwannee St., MS-49, Tallahassee, FL 32399, (850)410-5700 or (800)983-2435. 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 ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATES AND TIME: May 9, 2013, June 13, 2013, 12:00 Noon – 2:00 p.m.

PLACE: Orlando Public Library – Magnolia Room, 101 E. Central Blvd., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: East Central Florida District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323, or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: the program at the above telephone number. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, “the Commission”. The Florida Building Commission, ENERGY Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2013, 10:00 a.m. – 12:00 Noon

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 (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=179739032&UID=1382634187&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=179739032&UID=1382634187&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:

Call-in toll-free number: (888)6703525 (US), Call-in number: (720)3891212 (US), Attendee access code: 606 232 6940

PUBLIC POINT OF ACCESS: Suite 90, 1940 N Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make recommendations regarding a request for declaratory statement and other business for the Commission:

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436, Website: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436. 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. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax (850)414-8436, website: www.floridabuilding.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", Code Administration Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 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 (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=179739157&UID=1382637282&RT=MIMxMQ%3D%3D>

2. If requested, enter your name and email address.

3. If a password is required, enter the meeting password: (This meeting does not require a password.)

4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=179739157&UID=1382637282&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:

Call-in toll-free number: 1(888)670-3525 (US), Call-in number: 1(720)389-1212 (US), Attendee access code: 606 232 6940

Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and make recommendations regarding a request for declaratory statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the

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

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

For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850)487-1824 or fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION". The Florida Building Commission, MECHANICAL Technical Advisory Committee CONCURRENT with the ENERGY Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2013, 10:00 a.m. – 12:00 Noon

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 (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=179739032&UID=1382634187&RT=MIMxMQ%3D%3D>

2. If requested, enter your name and email address.

3. If a password is required, enter the meeting password: (This meeting does not require a password.)

4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=179739032&UID=1382634187&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:

Call-in toll-free number: 1(888)670-3525 (US), Call-in number: 1(720)389-1212 (US), Show global numbers: Attendee access code: 606 232 6940

PUBLIC POINT OF ACCESS: Suite 90, 1940 N Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make recommendations regarding a request for declaratory statement and other business for the Commission:

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The State Revolving Fund Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2013, 2:00 p.m. – 3:00 p.m.

PLACE: Room 535, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on proposed changes to the Fiscal Year 2013 Drinking Water State Revolving Fund priority list. Action will be taken under Chapter 62-552, F.A.C., to add new construction projects that submitted planning documents, biddable plans and specifications, and permits by May 13, 2013, and pre-construction projects that submitted a complete Request for Inclusion by that date, to the contingency or fundable portion of the priority list based on availability of funds. Projects shall be subject to a segment cap limit.

The Department may approve, modify, or deny the proposed actions at the meeting. Prior to Department action at the meeting, all interested persons will have the opportunity to

speak regarding any proposed actions. After the meeting, the Department will file the Notice of Final Agency Action (Notice). A copy of the Notice will be sent to local governments sponsoring the projects at issue and to any person submitting a request either at the meeting or to the Department's contact given below no later than 5:00 p.m. on the first business day after the meeting.

A copy of the agenda may be obtained by contacting: Venkata Panchakarla, State Revolving Fund Program, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, or by phone at (850)245-8366 or by e-mail at Venkata.Panchakarla@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: Venkata Panchakarla. 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: Venkata Panchakarla.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 16, 2013, 10:30 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 or by e-mail at 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: Steve.Cioccia at (850)245-8513. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing and Council on Certified Nursing Assistants announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 5, 2013, 2:00 p.m.; Thursday, June 6, 2013, 8:30 a.m.; Friday, June 7, 2013, 8:30 a.m.

PLACE: Tampa Marriott Westshore, 1001 Westshore Plaza, Tampa, FL 33609, (813)287-2555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wednesday, 8:30 a.m. CNA Council meets to discuss general business.

Wednesday, 2:00 p.m. Credentials "A" Committee.

Wednesday, 2:00 p.m. Education and Credentials "B" Committee .

Thursday, 8:30 a.m. Disciplinary Hearings

Friday, 8:30 a.m. General business.

To view the public agenda materials visit: <http://www.doh.state.fl.us/mqa/nursing/nur-meeting.html>

A copy of the agenda may be obtained by contacting: visiting www.FloridasNursing.gov or Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board, (850)245-4125. 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.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: Thursday, May 23, 2013, 2:00 p.m. – 4:00 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: The Board of Pharmacy website: http://www.doh.state.fl.us/mqa/pharmacy/ph_meeting.html under "Agendas and

Notices" 7 days prior to the meeting date. You may also contact: the Board of Pharmacy, (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 10 days before the workshop/meeting by contacting: The Board of Pharmacy 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: The Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 or (850)245-4292.

DEPARTMENT OF HEALTH

Division of Environmental Health

The Radiologic Technologist Probable Cause Panel announces a public meeting to which all persons are invited. DATE AND TIME: Thursday, May 30, 2013, 10:00a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Certification Unit of EMT/Paramedic/Rad Tech, (850)245-4910.

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: Certification Unit of EMT/Paramedic/Rad Tech, (850)245-4910. 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: Certification Unit of EMT/Paramedic/Rad Tech, (850)245-4910.

NORTHWOOD SHARED RESOURCE CENTER
The Northwood Shared Resource Center (NSRC) Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 16, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 N. Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes, Committee Reports, Strategy for the Future – Billing – Rates – Services and NSRC Updates.

A copy of the agenda may be obtained by contacting: Jane Geier@nsrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)487-9442. 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: Jane Geier@nsrc.myflorida.com, (850)487-9442.

SOUTHWOOD SHARED RESOURCE CENTER

The Southwood Shared Resource Center announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 13, 2013; 3:00 p.m.

PLACE: SSRC Administrative Offices, Conference Room 101, 2002 Old St. Augustine Road, Building C, Tallahassee, FL; conference call: (888)670-3525; participant passcode: 7934058106#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Finance and Budget Workgroup.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.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: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

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

DATE AND TIME: June 12, 2013, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Agenda topics may include approval of minutes; legislative update; market conduct exam; operations and financial reports; and committee reports on return of premium dividend; program to eliminate 2012 Subplan D deficit; 2013 loss ratio selection; Operations Manual; review of rates, rating plans & policy forms and associated matters to include application forms; policy administration & managed care service provider selection; NCCI Affiliation Agreement; 2012 Operations Report; disaster recovery matters; agency authorization process; agency producer agreement; agency producer termination, suspension or revocation; agency producer fees; report on agency producer activities; 2012 financial audit; update on federal tax matters; 2013 Audit & Investment Committee meeting schedules; Audit Committee Charter procedures checklist; auditor confirmation; investment marketplace update; portfolio compliance review; investment policy & guidelines review; investment manager performance; safety program; and market assistance plan.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408., or from the FWCJUA's website, www.fwcjua.com.

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

NONE

**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**

HILLSBOROUGH COUNTY AVIATION AUTHORITY
HCAA RFQ 13-411-020 Taxiway J Bridge Reconstruction
HILLSBOROUGH COUNTY AVIATION AUTHORITY
(AUTHORITY)
Request for Qualifications
Solicitation Number 13-411-020
Project Number 5895 14

Sealed qualifications for the Taxiway J Bridge Reconstruction will be received from Design-Build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Airport Business, Active Solicitations on Wednesday May 8, 2013 by 5:00 p.m.

**Section XII
Miscellaneous**

EXPRESSWAY AUTHORITIES

Orlando-Orange County Expressway Authority

Orlando-Orange County Expressway Authority to Hold
Community Open House

SR 417 Widening Project (Between Curry Ford Road and
Lake Underhill Road) and

SR 408/SR 417 South Interchange Project
Community Open House

To Be Held on June 4, 2013

The Orlando-Orange County Expressway Authority announces a community open house meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 4, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: Faith Assembly of God Church, 9307 Curry Ford Road, Orlando, FL 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Orlando-Orange County Expressway Authority invites the public to attend a community open house to preview the upcoming State Road 417 (Central Florida GreeneWay) Widening Project between Curry Ford Road and Lake Underhill Road and the future State Road 408 (Spessard L. Holland East-West Expressway) / State Road 417 South Interchange Project.

The public will be able to view maps, drawings, 90% complete design plans and other pertinent information about these projects. The meeting will be an open house format where the public will be able to obtain project information and speak with members of the project team.

A copy of the meeting documents may be obtained by contacting: Public Information Officer, Brian Hutchings, Orlando-Orange County Expressway Authority, 4974 ORL Tower Road, Orlando, FL 32807, (407)383-4817 or email: construction@oocea.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Expressway Authority at least seven (7) days before the meeting by contacting Mr. Hutchings at (407)383-5817 or email construction@oocea.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need
EXEMPTION

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Manatee District: 6
 ID # E130005 Decision: A Issue Date: 5/2/2013
 Facility/Project: Manatee Palms Youth Services Hospital.
 Applicant: Premier Behavioral Solutions of Florida, Inc.
 Project Description: Add four intensive residential treatment facility beds for children and adolescents.
 Proposed Project Cost: \$0.00

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Intent to Grant Variance

RULE NO.: RULE TITLE:
 62-4.242: Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement
 62-4.244: Mixing Zones: Surface Waters

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., to the U.S. Army Corps of Engineers, Mobile District, Attn: Michael F. Malsom, 109 Saint Joseph Street, Mobile, Alabama 36602, as agent for and on behalf of BMCM Glen Bucklin, Officer in Charge, U.S. Coast Guard Station Destin, (File no. 46-0066622-002-EV), from the provisions of paragraph 62-4.244(5)(c), F.A.C. to allow a mixing zone for turbidity greater than 150 meters, and from the provisions of the antidegradation sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to allow turbidity levels at the edge of the mixing zone within Outstanding Florida Waters (OFWs) to exceed background levels within Choctawhatchee Bay and East Pass, a Class II, OFW Prohibited and Conditionally Approved for Shellfish Harvesting. The petition for variance was received on November 1, 2012. The Department intends to grant the proposed variance because there are no practicable means known or available for the adequate control of the turbidity involved. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 160 W. Government Street, Pensacola, Florida 32502, Telephone: (850)595-8300.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S., is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rules 28-106.111(2) and 62-110.106(3)(a), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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.
