

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: **RULE TITLE:**
 33-203.601 Employee Benefit Trust Fund
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify what documentation is necessary when completing and submitting Form DC2-356, EBTF Expenditure & Check Request.
SUBJECT AREA TO BE ADDRESSED: Employee Benefit Trust Fund,
RULEMAKING AUTHORITY: 945.215, 945.21501 FS.
AW IMPLEMENTED: 945.215, 945.21501 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-203.601 Employee Benefit Trust Fund.
 - (1) through (8) No change.
 - (9) Institutions requesting to withdraw money from the fund for purchases not assigned to their level of approval shall submit a request to the central office team describing the need for the funds and cost estimate for the project. The request will be submitted utilizing Form DC2-356, EBTF Expenditure & Check Request. Form DC2-356 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. <http://www.flrules.org/Gateway/reference.asp?No=Ref-02319>. The effective date of this form is 3-13.
 - (10) No change.
- Rulemaking Authority 945.215, 945.21501 FS. Law Implemented 945.215, 945.21501 FS. History—New 4-13-08, Amended 6-7-12, 3-10-13,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: **RULE TITLE:**
 33-601.201 Inmate Work Program
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to make it clear that Department officials

have final authority over the work assignments of inmates housed in private facilities.
SUBJECT AREA TO BE ADDRESSED: Inmate Work Program.
RULEMAKING AUTHORITY: 20.315, 944.09 FS.
LAW IMPLEMENTED: 944.09, 944.10(7), 946.002, 946.006(3), 946.40(1), 946.511(1)(b) FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.201 Inmate Work Program.
- (1) through (6) No change.
- (7) Department of Corrections representative at private facilities shall review and approve all inmate job placements to include outside jobs and all high risk inside assignments.
Rulemaking Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 944.10(7), 946.002, 946.006(3), 946.40(1), 946.511(1)(b) FS. History—New 10-8-76, Amended 4-19-79, Formerly 33-3.03, Amended 2-26-86, 1-28-98, Formerly 33-3.003, Amended 11-8-00,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid
RULE NO.: **RULE TITLE:**
 59G-7.007 Health Insurance Premium Payment Program
PURPOSE AND EFFECT: The purpose of new Rule 59G-7.007 is to implement the Health Insurance Premium Payment Program to reimburse recipients for premiums paid to employer health coverage plans.
SUBJECT AREA TO BE ADDRESSED: Health insurance premium payment program; participation; cost effectiveness determination; premium payments.
RULEMAKING AUTHORITY: 409.919 FS.
LAW IMPLEMENTED: 409.977(4) FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lee Peacock, Third Party

Liability, 2727 Mahan Drive, Mail Stop 19, Tallahassee, Florida 32308-5407, telephone: (850)412-4139, e-mail: lee.peacock@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-7.007 Health Insurance Premium Payment Program.

(1) Under the Health Insurance Premium Payment (HIPP) program the Agency for Health Care Administration (Agency) shall provide financial assistance to pay for the cost of health care premiums, pursuant to subsection 409.977(4), Florida Statutes. This would include wrap around services such as coinsurance, deductibles, and non-covered Medicaid required services. The amount of financial assistance provided for each recipient may not exceed the amount of the Medicaid Managed Care Premium that would have been paid for that recipient.

(2) Participation.

(a) Recipients must enroll in or be enrolled in and maintain their Employer Sponsored Insurance (ESI) or other insurance coverage during the period of participation.

(b) Participation in the program shall be subject to a determination by the Agency of cost effectiveness and subsequent re-determinations at least annually.

1. For Medicaid recipients with access to ESI for whom the Agency has made a determination of cost effectiveness, participation shall be mandatory.

2. For Medicaid recipients with access to ESI through a spouse or other family member or other insurance for whom the Agency has made a determination of cost effectiveness, participation shall be voluntary.

(c) Medicaid recipients with access to ESI or other insurance for whom the Agency has made a determination of non-cost effectiveness may choose to voluntarily participate and receive a partial reimbursement of their ESI or other insurance premium.

(d) HIPP participation may terminate upon any of the following events:

1. Loss of Medicaid eligibility.
2. Loss of access to ESI or other insurance.
3. A determination of non-cost effectiveness.
- (3) Cost effectiveness determination.

(a) When determining cost effectiveness the following data elements shall be considered:

1. The amount of the Medicaid Managed Care Premium that would have been paid for that recipient.
2. The amount of the monthly ESI or other insurance premium reimbursement.
3. The amount of the wrap around services determined by the average monthly fee for service expenditures for recipients with other comparable insurance coverage.

4. The amount of the monthly administrative cost.

(b) The calculation used to determine cost effectiveness shall be: $a \geq (b+c+d)$. The Medicaid Managed Care Premium (a), must be greater than or equal to the recipient's share of the ESI or other insurance premium reimbursement (b), plus the amount of the cost for wrap around services (c), plus the amount of any administrative cost (d).

(c) The calculation used to determine the amount of a partial payment of a recipient's ESI or other insurance premium when it is determined that participation is not cost effective shall be: $a-(c+d) = b$. The Medicaid Managed Care Premium (a), minus the amount of the cost for wrap around services (c), plus the amount of any administrative cost (d), equals the amount of the partial ESI or other insurance monthly premium that can be paid (b).

(4) Premium payments.

(a) Any financial assistance provided towards the payment of a recipient's ESI or other insurance premium shall be in the form of a reimbursement issued after the Agency's receipt of the proper documentation. Recipients must pay their ESI or other insurance premium and file a claim, with supporting documentation, for reimbursement.

Rulemaking Authority 409.919 FS. Law Implemented 409.977(4) FS. History--New _____.

Section II Proposed Rules

DEPARTMENT OF CORRECTIONS

RULE NOS.: RULE TITLES:

33-602.210 Use of Force

33-602.212 Escort Chair

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the use of the camera during a reactionary use of force, the use of force on inmates in mental health settings, how to complete Form DC6-230, Report Of Force Used, and the role of the warden in reviewing uses of force. The proposed rule also updates definitions, amends Form DC6-216, eliminates the use of Form DC6-213, changes engagement distances on specialty impact munitions and adds the use of noise flash distraction devices. The proposed rule explains the use of escort chairs to transport inmates around the secure compound under specific circumstances.

SUMMARY: The proposed rule is needed to clarify the use of the camera during a reactionary use of force, the use of force on inmates in mental health settings, how to complete Form DC6-230 and the role of the warden in reviewing uses of force. The proposed rule is needed to update definitions, amend forms, amends the use of specialty impact munitions, and explain the use of escort chairs to transport inmates around the secure compound under specific circumstances.

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: 776.07, 944.09, 944.35 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:

33-602.210 Use of Force.

(1) No change.

(2) Definitions.

(a) Direct Firing – The practice of firing specialty munitions directly into a group of rioters ~~from a distance of greater than 20 feet and~~ with a target area of the waist or below from a minimum distance designated by the manufacturer of the munitions.

(b) Correctional Emergency Response Team– A team comprised of staff trained in special tactics including the use of lethal force for the intervention and resolution of life-threatening crisis events.

~~(c)(b)~~ Emergency Action Center – The unit located in the Central Office charged with receiving reports regarding serious incidents, such as riots and escapes, from all Department of Corrections’ (Department) facilities and reporting the information to the proper authorities. This unit also receives requests for criminal histories, warrant confirmations, and offender location requests from law enforcement agencies throughout the United States.

~~(d)(e)~~ Incident Commander – The employee responsible for the management of emergency incidents, such as riots and natural disasters.

~~(e)(d)~~ Less Than Lethal Nondeadly Force – Any force that is neither intended nor likely to cause death or serious bodily harm.

~~(f)(e)~~ Organized Use of Force – Any force that may be administered to control, escort, or geographically relocate any inmate when the immediate application is not immediately necessary to prevent a hazard to any person.

~~(g)(f)~~ Reactionary Use of Force – Any force that must be administered quickly or immediately to compel the cessation of an inmate’s violence or resistance to orders.

~~(h)(g)~~ Reasonable Force – Any force that is not excessive for protecting oneself or another or for gaining an inmate’s compliance with a lawful order.

(i) Rapid Response Team – A team comprised of Correctional Officers specially trained in less lethal and lethal munitions, chemical munitions, crowd control, and riot suppression.

~~(j)(h)~~ Rubber Ball Rounds – Multiple pellets fired from cartridges at the lower extremities of rioters and designed to inflict pain compliance.

~~(k)(i)~~ S-2 – The mental health classification denoting mild impairment in the ability to meet the ordinary demands of living within general inmate housing (which includes segregation) due to a diagnosed mental disorder. The impairment in functioning is not so severe as to prevent satisfactory adjustment in general inmate housing with provision of mental health services. Clinical management of the disorder may require at least periodic administration of psychotropic medication, which the inmate may exercise his or her right to refuse.

~~(l)(j)~~ S-3 – The mental health classification denoting moderate impairment in the ability to meet the ordinary demands of living within general inmate housing, due to a diagnosed mental disorder. The impairment in functioning is not so severe as to prevent satisfactory adjustment in general inmate housing with provision of mental health services. Clinical management of the disorder may require at least periodic administration of psychotropic medication, which the inmate may exercise his or her right to refuse.

~~(m)(k)~~ Shift Supervisor – The highest ranking correctional officer of the on-duty shift.

~~(n)(l)~~ Skip Firing – The practice of firing specialty impact munitions 5-7 feet in front of rioters, thereby deflecting the munitions into the legs of the rioters.

~~(o)(m)~~ Serious Bodily Injury – A physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

~~(p)(n)~~ Specialty Impact Munitions – Munitions designed to incapacitate, distract, and control a subject with a relatively low likelihood of life-threatening injury.

~~(q)(o)~~ Wooden Baton Rounds – Multiple wooden projectiles fired from a 37/40-mm weapon, designed to be skip fired into the lower extremities of rioters to inflict pain compliance.

(3) A video camera operator shall commence recording all reactionary use of force incidents upon arrival at the scene as soon as possible. All organized use of force incidents shall be video recorded unless exigent or emergency circumstances prevent such action. Except in the circumstances described in sub-subparagraph ~~(9)(8)(n)~~2.e., video recordings shall continue uninterrupted from commencement until the situation is stable and under control and the inmate is placed in a secure cell or transport vehicle for transfer. Additionally, the camera operator shall, to the best of his or her ability, ensure that all staff actively involved in any use of force and captured within the view finder of the camera is identified by rank/title and name.

(a) The shift supervisor during any organized use of force shall include in each video recorded markers of the following:

1. through 7. No change.

8. through 16. No change.

(b) through (d) No change.

(e) In the event of a reactionary use of force, once the camera operator and shift supervisor arrive on the scene, the shift supervisor – upon assessing the situation and being properly briefed – shall:

1. Make a brief statement noting the reason(s) for the use of force. This shall be prior to the conclusion of recording;

2. The rank/title and name of staff involved in the use of force;

3. The rank/title and name of any staff who were present, but not involved in the use of force;

4. The name and DC number of the inmate(s) involved;

5. The type and amount of force used;

6. Any other pertinent information that he or she deems relevant.

(4) through (6) No change.

(7) Inmates shall not be carried, dragged, or lifted by restraint devices. This shall not be construed to prohibit the use of an escort chair pursuant to Rule 33-602.212, F.A.C.

(8) Hands-on physical force shall not be used if injury is less likely to occur by using chemical agents, specialty impact munitions, or EIDs. Batons, chemical agents, EIDs, specialty impact munitions, and other authorized less lethal weapons shall not be used on inmates who are assigned to inpatient mental health care in an infirmary, transitional care unit, crisis stabilization unit, corrections mental health institution, or other mental health treatment facility, as such facilities are

defined in Rule 33-404.103, F.A.C., except when attempts by available mental health staff to otherwise de-escalate and resolve the situation are unsuccessful and it appears reasonably necessary to:

(a) Prevent an inmate or inmates from taking control of the health unit, or to subdue a take-over of the health unit.

(b) Prevent an inmate or inmates from taking a hostage or to help free a hostage.

(c) Prevent an inmate or inmates from escaping.

(d) Stop an assault on staff or other inmates when other means of intervention are likely to be ineffective or pose a risk of injury to the intervening staff.

(e) Disarm an inmate in possession of a weapon capable of causing injury to staff when other possible means of disarming the inmate pose a risk of injury to the staff involved.

~~(9)(8)~~ Use of Chemical Agents. All chemical agents shall be used with caution and in accordance with the manufacturer's instructions.

(a) The following chemical agents are authorized for use by the Department:

1. through 2. No change.

~~3. CN – Chloroacetophene – An agent that causes tearing of the eyes, nasal discharge, and skin and upper respiratory irritation. CN projectiles, grenades, and thermal foggers shall only be used within institutions, upon Department of Corrections property, in response to unauthorized mass gatherings, disturbances involving multiple inmates, or for crowd control. CN shall not be authorized for use after the expiration date noted on the canister.~~

(b) No change.

(c) Chemical agents shall only be used when the use of force is authorized and the level of force is necessary to prevent injuries to staff or inmates including any self injurious behavior exhibited by inmates.

(d) through (j) No change.

(k) All chemical agent dispensers shall be numbered and recorded on Form DC6-216, Chemical Agent Accountability Log. Form DC6-216 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01699>. The effective date of the form is 7-25-02. Form DC6-216 shall be maintained in any location where chemical agents are stored. Chemical agent dispensers shall be weighed prior to issuance and upon return to storage. The shift supervisor shall verify the weight of chemical agent dispensers upon return to storage. Additionally, the shift supervisor shall ensure all issued chemical agent dispensers are accounted for and recorded on Form DC6-216. The chief of security shall monitor the

canister weights following each use of chemical agents to ensure the contents are consistent after a reported use of force and recorded on Form DC6-216.

(l) Issuance and use of chemical agents:

1. through 2. No change.

3. For those security positions assigned to housing units with a secure officer's station, an MK-4 sized canister or equivalent OC dispenser will be passed on from shift to shift and accounted for on Form DC6-209, Housing Unit Log, at the beginning of each shift with an entry for each canister indicated by canister number and officer initials who is assigned that canister. Form DC6-209 is incorporated by reference in Rule 33-601.800, F.A.C. Canisters that are not being worn by staff on shifts that have fewer assigned staff will remain in the officer station, stored in a secure, locked cabinet or drawer designated for this purpose. The number of chemical agent canisters assigned to a housing unit shall not exceed the maximum number of staff (officer and sergeant) assigned for the highest staffed shift per the institutional post chart. Any evidence of tampering, broken or missing seal, or signs that the canister is not functional will be immediately reported to the shift officer in charge. Additionally, on Form DC6-210, Incident Report, will be completed by the end of the officer's shift and a replacement of the canister will occur completed and a replacement made. Form DC6-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, FL 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01697>. The effective date of the form is 12-12. The canisters will be inventoried and inspected once per week by the arsenal sergeant with appropriate entry placed on the Housing Unit Log.

4. through 5. No change.

6. Chemical agent dispensers shall be securely encased and attached to the officer's belt. Each chemical agent dispenser shall be secured within a pouch or to a holstering device by a numbered, breakable seal. ~~Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned and the seal number on the dispenser he or she received. Form DC6-213 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01698>. The effective date of the form is 12-12.~~ Officers shall examine the condition of the canister and the safety seal at the time of receiving or being issued any chemical dispenser to ensure that the canister is not damaged and that the seal is intact and report any alteration or broken seal to the shift supervisor. Shift supervisors shall examine the seal of any chemical dispenser reported to be

altered, broken, or manipulated and upon confirmation of alteration, breakage, or manipulation shall report the observation on Form DC6-210, Incident Report, prior to the end of the shift. The sergeant in charge of the arsenal shall maintain a master inventory of all individual chemical agent dispensers in storage. The master inventory shall indicate the weight of each dispenser at the time the original seal is attached and shall annotate the weight of the dispenser any time a dispenser is returned with a broken seal on Form DC6-216, Chemical Agent Accountability Log, and replace the seal or attach a new one. The arsenal sergeant shall report any discrepancies in the weight of the dispenser to the chief of security and complete Form DC6-210.

(m) through (o) No change.

(p) Medical requirements:

1. Inmates who have been administered any chemical agent shall be constantly monitored by a staff member or officer for no less than one (1) hour after application. The affected inmate shall remain in a standing or sitting position. The monitoring staff members or officers shall immediately seek medical attention by the appropriate medical staff or competent medical authority any time signs of respiratory distress, labored breathing, excessive or persistent coughing, or chest or arm pain are evident or if unconsciousness occurs or other signs of medical distress are observed. The absence of medical staff on scene does not preclude taking action as an emergency responder.

2. through 7. No change.

8. The shift supervisor shall comply with provisions stated in paragraph ~~(10)(9)~~(h) if, upon consultation with medical services staff, he or she is advised a decontamination shower is necessary for the safety of the inmate or the failure to complete a decontamination shower is a hazard to the inmate. The inmate shall be relocated to a decontamination cell.

a. through b. No change.

9. through 10. No change.

~~(10)(9)~~ Non-deadly Force. In accordance with Section 944.35, F.S., officers are authorized to apply lawful and reasonably necessary physical force to:

(a) through (h) No change.

~~(11)(10)~~ Only reasonable, lawful, and the minimal amount of force necessary shall be employed to control the situation. Force shall not be used solely as a response to verbal abuse. Utilization of the custodial touch, with the hand firmly grasped around the inmate's triceps or elbow, during internal transport of restrained inmates when resistance is not encountered shall not be considered a use of force when the transport hold is for the safety of the inmate or officer. The warden or designee shall be consulted and must authorize any organized use of force prior to application. The warden or

designee shall be notified without unnecessary delay any time a reactionary use of force incident occurs and circumstances did not permit obtaining authorization prior to the use of force. The person who was responsible for requesting authorization to use force shall prepare, date, and sign Form DC6-232, Authorization for Use of Force, either prior to or immediately after the end of the shift when force was used. Form DC6-232 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01701>. The effective date of the form is 9-99. If the authorization for an organized use of force is granted after normal working hours, the authority granting the action shall complete and sign Form DC6-232 within one day following the incident, excluding weekends and holidays.

(12)(44) Any time force is used, the officer initially using force shall complete Form DC6-230, Report of Force Used. The completed form must contain a clear and comprehensive narrative of the circumstances ~~shall include the events~~ that led to the use of force, the specific justification and necessity for the use of force, and a description of the actual events that occurred as well as, and the post-event actions. An incident report prepared by the author of the DC6-230, Report of Force Used, may be referenced in Section A., Narrative of Pre-event, and attached to the report to provide additional detail regarding the justification and necessity for using force. If more than one officer was involved in the use of force, the initial officer using force shall complete the report. Any participant who objects to information recorded by the reporting officer or who has additional observations to add to the narrative or description of the incident written by the reporting officer shall complete and attach Form DC6-230, Report of Force Used. No officer or employee shall receive discipline for providing updated information to a use of force report, provided the updated information is presented without unnecessary delay after discovery of the discrepancy. Updates or addendums recorded on any Form DC6-230, Report of Force Used, should be completed and forwarded to the warden not later than one (1) business day (excluding weekends and holidays) following the date that the original Form DC6-232, Authorization for Use of Force, is signed and dated.

(a) Form DC6-230, Report of Force Used, shall be completed by those staff involved in any application of force, reactionary or organized, that occurred during their shift. Form DC6-230 shall be completed no later than the end of the shift during which the use of force occurred. The warden or designee is authorized to permit a delay of completing required use of force reports for up to 72 hours when circumstances prohibit completion of the reports by the end of the shift. All reports must be typed. No use of force report

may be altered, changed, or destroyed by any employee. Officers may submit amendments to a report at any time with authorization from the warden or designee. The warden or designee shall then appoint a staff member of equal or higher rank than those involved in the use of force incident to collect all pertinent information and required documentation. This information shall include the reports of all involved staff who do not agree with the account as reported in the DC6-230 or the statements of staff witnesses, inmate witnesses, or the inmate subject. All inmate statements (subject and witnesses) shall be made in writing using Form DC6-112C, Witness Statement. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. Any employee who witnesses but does not participate in a use of force and suspects inappropriate action shall complete Form DC6-210, Incident Report. The warden shall ensure that Form DC4-701C, Emergency Room Record, and Form DC4-708, Diagram of Injury, are included in the review of all uses of force and also forwarded with the rest of the required documentation to the Office of the Inspector General – Use of Force Unit. The Office of Inspector General field offices within each region shall provide the institutions, via electronic mail, with a use of force number once one is assigned and entered into the Office of Inspector General electronic logging system.

(b) The warden or designee shall conduct a preliminary review of facts recorded in reports to determine if the application or demonstration of force was lawful and a procedurally appropriate application. All use of force incidents involving physical force will be reviewed by a designee of the rank of Correctional Officer Major or above and shall include a review of all videotapes of the incident. The warden shall ensure that any ~~or~~ designee that reviews any shall review all use of force incident conducts the review in a comprehensive manner and that, in addition to procedural concerns, the review ensure that the force used was necessary, justified, proper, and not excessive reports. Any time improperly applied or unlawful use of force is indicated in a report, the warden ~~or designee~~ shall personally review ~~any available video recording of~~ the incident. The warden shall personally review the reports, and all videotapes of any use of force incident that results in outside medical treatment for the involved inmate; this includes transfers to another correctional facility specifically for medical treatment. The warden shall consult with the Health Service Administrator or other medical personnel as appropriate, regarding the nature of the injuries and required treatment determined to be necessary by the outside medical entity and incorporate this information into the determination if the force used was excessive, improper, or unnecessary.

(c) If during any part of the review process there is any indication of excessive, improper, or unnecessary force, the

~~reviewer will notify the warden, who shall conduct a personal review of all pertinent information, reports, documentation, and videotapes and notify the Office of the Inspector General – Chief or Assistant Chief of Investigations in Central Office within one business day. Any time a warden or designee assigned to review and evaluate use of force reports suspects the application of force was contrary to this rule or was unlawful, he or she shall notify the Office of Inspector General without unnecessary delay.~~

(d) The warden or designee shall review the information and note any inappropriate actions in memorandum and attach the information to Form DC6-230, Report of Force Used. The warden or designee's signature in the Warden's Review signature block on Form DC6-230 indicates that the review of the reports, and videotapes as required, did or did not reveal, in addition to procedural concerns, any indication of excessive, improper, or unnecessary force. All videotape recordings of force applications and the original and one copy of Form DC6-230 shall be forwarded to the Office of Inspector General within eleven (11) business days. Requests for extensions for DC6-230s to be forwarded after eleven (11) days shall require authorization from the Assistant Secretary of Institutions and the Inspector General or designee. Requests for extensions for submission of DC6-230s beyond eleven (11) days may be granted if required staff is unavailable for signatures due to extended leave or similar circumstances, e.g., a staff member was injured in the use of force, etc., and major incidents occurring at the institution necessitate an extension, e.g., a riot or other major disturbance, nature disaster evacuation, etc.

(e) through (q) No change.

~~(13)(12)~~ Use of Deadly Force. For the purposes of this rule, deadly force refers to force that is likely to cause death or great bodily harm. An officer is authorized to use deadly force only when the officer believes that such force is necessary to prevent imminent death or great bodily harm to him or herself or another.

(a) through (b) No change.

(c) Shot guns are approved for use by the Department's designated armed response team, Rrapid Rresponse Tteams, Correctional Emergency Response Teams and/or other trained staff as authorized by the Assistant Secretary of Institutions for use during riots and mass disturbances. The type of authorized lethal or non-lethal ammunition used will be at the discretion of the Incident Commander. Only #6 shot is authorized to be discharged from shotguns during attempts to cease riots or mass disturbances unless otherwise specifically authorized by the warden or designee.

(d) through (j) No change.

~~(14)(13)~~ Use of Deadly Force to Prevent Escape or to Recapture Escapee. Officers are authorized to use force,

including deadly force, as necessary to prevent the escape of an inmate from a correctional institution.

(a) No change.

(b) Apprehension of escaped inmates once they are outside an institutional perimeter.

1. No change.

2. The officer in charge of the incident shall be the Iincident Ccommander until relieved by a higher authority or the incident is turned over to a law enforcement agency or the Office of Inspector General. ~~The Iincident Ccommander~~ of the escape attempt shall determine when active recapture efforts are terminated. Upon order of incident termination, the Iincident Ccommander of the escape attempt may provide assistance to any law enforcement agency that is conducting an investigation of the incident. Officers who are utilized to assist outside law enforcement agencies are authorized to use deadly force pursuant to Florida law.

3. No change.

(c) No change.

~~(15)(14)~~ Other authorized uses of force. The use of electronic immobilization devices (EIDs), batons, chemical agents, specialty impact munitions, or other less lethal weapons within institutions shall be authorized only by the warden or designee. Such weapons shall be utilized by officers who have completed training on their use and shall be used in accordance with manufacturer specifications. ~~Hands on physical force shall not be used if injury is less likely to occur by using chemical agents, specialty impact munitions, or EIDs. Batons, chemical agents, EIDs, specialty impact munitions, and other authorized less lethal weapons shall not be used on inmates who are assigned to inpatient mental health care in an infirmary, transitional care unit, crisis stabilization unit, corrections mental health institution, or other mental health treatment facility, as such facilities are defined in Rule 33-404.103, F.A.C., except when attempts by available mental health staff to physically control dangerous or violent behavior are unsuccessful.~~

(a) No change.

(b) Specialty impact munitions. Specialty impact munitions shall be used primarily by the Department's designated armed response teams, Rrapid Rresponse Tteams, Correctional Emergency Response Teams and/or trained staff as authorized by the Assistant Secretary of Institutions for use and correctional emergency response teams during riots and disturbances and to respond to staff assaults. They are intended as a less lethal alternative to the use of deadly force. Specialty impact munitions shall not be used on anyone other than an inmate during an authorized use of force.

1. The following specialty impact munitions have been approved for use by the Department:

- a. ~~37/40-mm rubber ball pellet rounds (minimum engagement distance is 15 feet);~~
- b. ~~12 gauge rubber ball pellet rounds – high velocity (minimum engagement distance is 15 feet);~~
- c. ~~12 gauge rubber ball pellet rounds – low velocity (minimum engagement distance is 3 feet);~~
- d. ~~12 gauge drag stabilized (bean bag) rounds (minimum engagement distance is 15 feet);~~
- e. ~~37/40-mm wooden baton rounds (minimum engagement distance is skip fired 6 feet in front of target, no direct fire);~~
- f. ~~Stinger rubber ball grenades (no minimum engagement distance stun grenade);~~
- g. ~~40mm impact munitions 40 mm exact/direct impact (OC, marking and inert foam) long range rounds/short range (minimum engagement distance is 5 feet); and~~
- h. ~~40mm impact munitions 40 mm exact/direct impact (OC, marking and inert foam) short range rounds/long range (minimum engagement distance is 25 feet).~~

2. Specialty impact munitions engagement distance will be in accordance with training and dependent on the situation and the level of force required to resolve the situation.

~~3.2. Selection and deployment of specialty impact munitions during a riot or disturbance or other instance where less lethal force options are needed shall be authorized by the Secretary, regional director, or warden or designee. The use of all specialty impact munitions shall be supervised by the tactical field operations leaders, designated armed response team, rapid response team or correctional emergency response team leader.~~

~~4.3. Specialty impact munitions shall only be used after all other reasonable alternatives to regain control have been exhausted and their use is necessary. They are intended to be used as an interim force response between the use of chemical agents and lethal force.~~

5.4. Specialty impact munitions shall not be deployed in the direction of any individual in a manner contrary to the manufacturer's directions or at a distance of less than that recommended by the manufacturer, unless the threat of bodily harm or death justifies the escalation to deadly force.

~~6.5. Storage of Specialty Impact Munitions.~~

a. through c. No change.

7.6. After each use of specialty impact munitions, exposed inmates shall be examined by medical personnel.

~~8.7. In any case where specialty impact munitions are deployed, the incident shall be recorded on Form DC6-230, Report of Force Used.~~

(c) No change.

1. through 8. No change.

9. Noise flash distraction devices. Noise flash distraction devices shall be used primarily by the Department's Rapid Response Teams, Correctional Emergency Response Teams and/or other trained staff as authorized by the Assistant Secretary of Institutions for the purpose of creating a momentary diversion to assist correctional staff in restoring order in hostile situations. These situations include hostage rescue, crowd control and certain escape and recapture efforts.

a. The following noise flash distraction devices have been approved for use by the Department:

i. Hand-launched, reloaded noise flash distraction devices (non-launchable);

ii. Hand-launched, single use noise flash distraction devices;

iii. Shotgun-launched (aerial distraction) noise flash distraction devices.

~~(16)(15) Medical Attention Following Use of Force. Appropriate medical treatment shall be provided immediately or, in the case of a riot or other man-made or natural disaster, as soon as possible following resolution of the riot or disaster. Any treatment or follow-up action shall be documented on Form DC6-230, Report of Force Used. A Qualified Health Care Provider shall examine any person physically involved in a use of force to determine the extent of injury, if any, and shall prepare a report that shall include a statement of whether further examination by a physician is necessary. Any noticeable physical injury shall be examined by a physician, and the physician shall prepare a report documenting the extent of the injury and the treatment prescribed. Such report shall be completed within one (1) business day of the incident and shall be submitted to the warden for initial review. The qualified health provider and physician shall use Form DC4-701C, Emergency Room Record, to document an examination following use of force. Form DC4-708, Diagram of Injury, shall be used along with Form DC4-701C to document observed or known physical injuries. A copy of the report, including referenced forms, shall be attached to Form DC6-230. The original reports shall be filed in the inmate's medical record.~~

~~(17)(16) No weapon shall be issued for any purpose other than the authorized use of force or to a certified training officer for the purpose of approved training without prior written authorization from the warden or designee.~~

Rulemaking Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, 8-4-08, 1-6-09, 5-26-09, 4-8-10, 9-13-10, 3-22-11, 12-16-12, _____.

33-602.212 Escort Chair.(1) Definitions.

(a) Emergency Action Center – The unit located in the Central Office charged with receiving reports regarding serious incidents, such as riots and escapes, from all Department of Corrections’ (Department) facilities and reporting the information to the proper authorities. This unit also receives requests for criminal histories, warrant confirmations, and offender location requests from law enforcement agencies throughout the United States.

(b) Escort Chair – A manufactured chair with wheels that the Secretary authorizes that is used to escort inmates under specific circumstances. The chair allows the inmate to be restrained at the ankles, waist and shoulders with secure straps.

(c) Spit Net/Shield- A material or device used to cover the facial area of an inmate to prevent the spitting or expelling of bodily fluids onto other people.

(d) Use of Force – The physical force used on an inmate only when and to the degree that reasonably appears necessary to control the inmate’s behavior.

(2) The escort chair shall only be used under the following circumstances:

(a) The inmate is housed in one of the following statuses:

1. Close management;

2. Confinement (administrative or disciplinary);

3. Death row;

4. Maximum management;

5. Mental health status (crisis stabilization unit, transitional care unit, self-harm observation status, etc.); and

(b) The inmate needs to be transported within the secure compound from one location to another location for a documentable reason such as, but not limited to, a callout, appointment, or treatment; and

(c) The inmate presents an imminent danger of physical harm or injury to himself or others or has a prior history of self injurious behavior, assaultive behavior or violent behavior or has a prior history of uncooperative or combative behavior during escorts; and/or

(d) The inmate is being escorted to the medical unit for pre-confinement physical and additional force is used on the inmate.

(3) Security staff, upon receiving approval in accordance with subsection (4) of this rule, are authorized to escort inmates meeting the criteria listed in subsection (2) of this rule in an escort chair.

(a) The escort chair shall not be used in such a manner as to cause physical injury to an inmate, as a form of physical punishment, or in lieu of psychiatric restraints.

(b) An inmate shall not be deprived of food, water or use of the restroom facilities for an unreasonable period of time while in the escort chair.

(c) The escort chair will be used for escort purposes only. The use of the escort chair to either punish or retaliate against an inmate is strictly prohibited.

(d) Inmates shall not be utilized to push the escort chair.

(e) Escort chairs shall not be placed in vehicles when inmates are restrained in the escort chairs.

(f) The inmate shall be removed from the chair upon arrival at the destination and returned to the chair for the return escort.

(g) If the inmate does not offer resistance to placement into the escort chair, the completion of Form DC6-230, Institutions Report of Force Used. If at any time the inmate offers resistance, this shall constitute a physical use of force and the guidelines in Rule 33-602.210, F.A.C., shall be followed. Form DC6-230, Institutions Report of Force Used, is incorporated by reference in Rule 33-602.210, F.A.C.

(h) The placement into the escort chair and application of the restraints shall be videotaped and Form DC6-210, Incident Report, shall be completed. The videotape and the completed Form DC6-210 shall be forwarded to the Warden or the Duty Warden for review within one working day. Form DC6-210, Incident Report, is incorporated by reference in Rule 33-602.210, F.A.C.

(i) The Warden or the Duty Warden shall forward any instances where he or she is concerned the rules related to escort chair use were not complied with to the Office of the Inspector General for appropriate handling.

(4) In all instances, the Warden or Duty Warden shall be contacted by the Shift Supervisor and shall give his permission prior to use of the escort chair. The Shift Supervisor shall provide the Warden or Duty Warden the rationale for using the escort chair and document it on Form DC6-2068, Escort Chair Inmate Observation Log. Form DC6-2068 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

(5) In all instances, the medical department shall be contacted by the Shift Supervisor and the medical staff member on duty shall conduct a review of the inmate’s medical condition and document on Form DC6-2068, Escort Chair Inmate Observation Log, that the use of the escort chair will not threaten the health of the inmate.

(6) For those inmates spitting or expelling bodily fluids on employees or with a documented history of such behavior, a spit net/shield may be placed over the head of the inmate and Form DC6-280, Special Management Spit Shield Status Request, shall be completed in accordance with Department

procedure 602.028(1), (3). Form DC6-280 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

(7) Staff conducting the escort shall carry a spit net/shield during the escort in the event the inmate begins behavior warranting its use.

(8) The spit net/shield shall be secured in such a manner in order to allow normal breathing capabilities. Medical personnel shall assess the inmate during and subsequent to placing the spit net/shield over the inmate's head to ensure that the inmate can breathe sufficiently.

(9) If any staff member observes that the restraints appear to be restricting circulation to the hands or feet, the officer will confer with his supervisor prior to adjusting the restraints.

(10) The Shift Supervisor shall ensure that Form DC6-2068, Escort Chair Inmate Observation Log, is initiated and that all facts concerning the inmate are continuously documented. Form DC6-2028 must be completed any time an inmate is placed in an escort chair and restrained.

(11) Responsibility for the inmate restrained in the escort chair is assigned to the on-duty Shift Supervisor who, when relieved of duties, shall update the on-coming Shift supervisor of all relevant facts. Once the inmate is secured in the escort chair, the Shift Supervisor is not required to be present during the remainder of the escort.

(12) Chemical agents shall not be administered to an inmate while he is restrained in an escort chair.

(13) Form DC6-2028, Escort Chair Inmate Observation Log, shall be retained by the Warden for a period of three years. A copy of Form DC6-2028 shall be forwarded to the Regional Director.

(14) Videotaping of escort chair use shall begin prior to the inmate being removed from his cell and shall not end until the inmate is secure back in a cell.

(a) A lead-in statement with the rationale for the use of the escort chair shall be provided on camera by the Shift Supervisor, Confinement Lieutenant, or Close Management Lieutenant, which shall include:

1. The date and time;
2. His name and rank;
3. The camera operator's name and rank;
4. The inmate's name and DC number; and

(b) The video recording shall continuously run until the escort is complete and shall encompass the following:

1. The lead-in statement specified in paragraph (14)(a) of this rule;

2. The statement from the Shift Supervisor to the inmate that physical force will be used to place the inmate in the escort chair if there is a refusal or resistance;

3. Any response by the inmate;

4. The actual placement of the inmate in the escort chair;

5. The actual transport to the destination. For medical or mental health treatment this recording, for confidentiality purposes, shall be handled in accordance with Rule 33-602.210, F.A.C.;

6. The actual removal of the inmate from the escort chair at the destination;

7. The inmate's behavior upon arrival at the destination;

8. The actual placement of the inmate in the escort chair at the destination for the return trip;

9. The action during the trip;

10. Securing of the inmate in a cell; and

11. Any unusual events that occur during the time the inmate is in the escort chair.

(15) If the inmate refuses or offers active physical resistance when being placed in the escort chair, staff may utilize the minimum physical force necessary to secure the inmate in the escort chair.

(a) The Shift Supervisor shall make a determination whether to cancel the escort or use force to gain the compliance of the inmate for the escort.

(b) The Duty Warden shall be consulted and give his permission prior to use of physical force.

(c) In spontaneous use of force incidents when circumstances do not permit prior approval, the Duty Warden shall be notified immediately following any use of force incident.

(d) If force is used all reporting and review requirements outlined in Rule 33-602.210, F.A.C., shall apply.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.35 FS. History—New _____.

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 18, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: April 26, 2013

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-6.011	Policy and Purpose
40A-6.101	Content of Application
40A-6.321	Duration of Permits
40A-6.331	Revocation and Modification of Permits
40A-6.351	Transfer of Permits
40A-6.481	Remedial and Emergency Measures

PURPOSE AND EFFECT: The purpose of the amendments is to clarify existing language, stream line the rule and correct outdated sections. The effect of the rule changes will be a more correct rule without increasing the costs or regulatory burdens on either the District or the regulated public.

SUMMARY: The rule amendment eliminates the use of the word may and other language that is not necessary for implementation of the rule. It also updates references to deleted sections and updates the permit transfer process. The Application form is changed to require only a copy and is properly incorporated into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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: 373.044, 373.117, 373.171, 373.418 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.087, 373.0103, 373.413, 373.416, 373.426, 373.426, 373.429, 373.436, 373.439 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

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: Lance Laird, 185 Redstone Avenue, Crestview, FL 32539. 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: Lance Laird, 185 Redstone Avenue, Crestview, FL 32539

THE FULL TEXT OF THE PROPOSED RULE IS:

40A-6.011 Policy and Purpose.

(1) The rules of this chapter are published to provide protection for the works of the District by establishing procedures to be followed by those who find it necessary to connect to, withdraw water from, discharge water into, place construction within or across, or to otherwise make use of the works of the District. State law prohibits such work unless approved by the Governing Board of the District.

(2) "The Works of the District" shall be specifically named in this chapter as these works are established by the Governing Board.

~~(3) This chapter should be read in conjunction with Chapter 373, Florida Statutes.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.087, 373.103, 373.139 FS. History--New 4-14-80, Formerly 16G-6.01, Amended 10-29-80, 3-2-00,_____.

40A-6.101 Content of Application.

(1) All permit applications under this chapter shall be filed with the Governing Board on NWFWMD Form No. 67 "Northwest Florida Water Management District Works of the District Permit Application"(effective August 1, 2013), ~~appropriate forms provided by the District,~~ which is hereby incorporated by reference. Copies of the form may be obtained from the District's website www.nwfwmd.state.fl.us. All applications shall be signed by the owner, lessee, or their authorized agent, of the land included in or adjacent to that portion of the works of the District involved in the proposal or by the owner, lessee, or their authorized agent, of the land served if the proposal is a drainage or withdrawal.

(2) Each permit application shall include:

(a) No change.

(3) A request for additional information will be submitted to the applicant as soon as possible, but in no case later than 30 days following receipt of the application. The request will contain a list of all information required to complete action on the permit. Final action on the application will be taken within 60 days following receipt of all required information or a request from the applicant to consider the application complete and to begin processing.

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.084, 373.085(1), 373.413, 373.416, 373.426 FS. History--New 4-1-80, Amended 2-1-82,_____.

40A-6.321 Duration of Permits.

~~The permit becomes effective upon the date of delivery to the permittee and is valid for the period stated on the permit unless cancelled by the District pursuant to subsection 40A-6.331(1), F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.084, 373.085(1), 373.413, 373.416, 373.426 FS. History--New 4-14-80, Repealed_____.

40A-6.331 Revocation and Modification of Permits.

(1) The Board ~~shall~~ may revoke or modify a permit pursuant to Sections 373.429 and 373.436, F.S., or at any time, if it determines that the permitted work or works has become a danger to the public health or safety; ~~or~~ violates the conditions of the permit; ~~or~~ upon request of the holder of the permit.

(2) through (3) No change.

(4) If the Executive Director determines that the continued exercise of the permit ~~might~~ endangers lives or property, he ~~shall~~ may, with the concurrence of the Governing Board, order a temporary suspension of the construction, alteration, repair, or operation of the work or works until the hearing is concluded, or ~~may~~ take such action as authorized under Rule 40A-6.481, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.085(1), 373.119, 373.413, 373.416, 373.426, 373.429, 373.436 ~~9~~ FS. History--New 4-14-80, Formerly 16G-6.33, Amended_____.

40A-6.351 Transfer of Permits.

(1) Upon notice that the ownership of the land adjacent to that portion of the project works involved in the permit, or the land served if the permit is a drainage or withdrawal connection, has changed, the permit shall be transferred to the new owner. Until properly transferred, the original owner shall remain responsible for the proper operation and maintenance of the facility.

(2) If not properly transferred within 30 days of the sale of the facility or lands on which the facility is located, the permittee shall inform the transferee of the use limitations associated with the permitted facility. The transferee shall execute an affidavit acknowledging his awareness of the conditions and restrictions associated with the permit issued by the District.

~~Upon request, a valid permit may be transferred by the Governing Board from the permittee to a new owner or lessee. The request of District authorization for transfer shall be made in letter form by the new owner, lessee, or authorized agent, wherein it is agreed that all terms and conditions attending the issuance of the original permit are understood and agreed to. Acceptable proof shall be provided to the District of~~

~~ownership of the land adjacent to that portion of the project works involved in the permit, or the land served if the permit is a drainage or withdrawal connection.~~

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.084, 373.085(1), 373.413, 373.416(2), 373.426 FS. History--New 4-14-80, Formerly 16G-6.35, Amended_____.

40A-6.481 Remedial and Emergency Measures.

(1) Upon completion of any inspection provided for by Section 373.423, F.S. ~~Rule 40A-6.461, F.A.C.~~, the Executive Director shall determine if any alterations or repairs are necessary in order to comply with the provisions of Chapter 373, Florida Statutes, or any regulations, permit, or order issued thereunder, and order that such alterations or repairs shall be made within a time certain, which shall be a reasonable time. The owner of such work or works shall be served with the order to make such alterations or repairs. The owner of such work or works may file a written petition within fourteen (14) days after such order is served for a hearing in accordance with Chapter 120, Florida Statutes. If, after such order becomes final, the owner of such work or works shall fail to make the specified alterations or repairs, the Board ~~shall~~ may, ~~at its discretion~~, cause such alterations or repairs to be made or employ other means as necessary to protect public safety as authorized by Section 373.439, F.S.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.119, 373.436, 373.439 FS. History--New 4-14-80, Formerly 16G-6.48, Amended_____.

40A-6.901 Forms and Instructions.

Application for a permit under provisions of this chapter shall be submitted on ~~form~~ NWFWMD Form No. 67, which may be obtained from the Northwest Florida Water Management District, 152 Water Management Drive, Havana, FL 32333-9700, (850)539-5999. Copies can also be obtained at the District's website, www.nwfwmd.state.fl.us.

Rulemaking Authority 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.084, 373.085, 373.413, 373.416, 373.426 FS. History--New 4-14-80, Amended 2-1-82,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lance Laird

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George Roberts, Chairman, Northwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 28, 2012

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
64B1-4.0011 Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: The Board proposes this rule amendment to clarify the Board's interpretation of Section 457.105(2)(b), F.S.

SUMMARY: The rule amendments are necessary to clarify the requirements of Section 457.105(2)(b), F.S., regarding Documentation Necessary for Licensure Application.

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: 457.104 FS.

LAW IMPLEMENTED: 456.048, 457.105 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: Anthony Jusevitch, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.0011 Documentation Necessary for Licensure Application.

(1) A properly completed application shall be submitted on Department of Health Form Acupuncture Application for Licensure with Instructions, DH-MQA 1116, 9/12 ~~4/2/09~~,

adopted and incorporated herein by reference as this Board's application and available on the web at www.doh.state.fl.us/mqa/acupunct. To complete the application attach the appropriate fees and supporting documents and submit it to the address listed on the instructions ~~Board Office~~.

(2) No change.

(3) 60 college credit hours shall mean 60 academic credit hours. An accredited postsecondary institution is an institution ~~that is accredited by an the U.S. Department of Education or a regional accrediting agency body~~ recognized by the U.S. Department of Education.

Rulemaking Authority 457.104 FS. Law Implemented 456.048, 457.105 FS. History--New 2-18-98, Amended 10-11-04, 5-25-09, 8-5-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 16, 2013

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

NONE

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:
11B-27.00212: Maintenance of Officer Certification
The Criminal Justice Standards and Training Commission hereby gives notice: The Criminal Justice Standards and Training Commission has issued an order. On April 26, 2013, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-

27.00212(7), F.A.C., by Mario Badia. Petitioner wished to waive that portion of the rule which requires an officer to obtain employment within four years of separating from employment with an employing agency. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 39, Number 84, on April 30, 2013.

On May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's four years to become employed will expire on May 22, 2013. That is around the time when the Petitioner will be given his Panel Interview Board prior to being hired at the Osceola County Sheriff's Office. The Commission found that the purposes of the underlying statute, Section 943.1395(1), F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has six months from the date of the final order in this matter to become employed as a law enforcement officer.

A copy of the Order or additional information may be obtained by contacting Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:

11B-27.002: Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

The Criminal Justice Standards and Training Commission hereby gives notice: The Criminal Justice Standards and Training Commission has issued an order. On April 3, 2013, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C., by the Florida Department of Agriculture and Consumer Services (FDACS) on behalf of Ismith Bocaille. Petitioner wished to waive that portion of the rule which requires an officer to obtain employment within four years of beginning basic recruit training. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 38, Number 71, on April 11, 2013.

On May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission

found that the purposes of the underlying statute, Section 943.13, F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has thirty days from the date of the Commission vote in this matter to employ Ismith Bocaille as a law enforcement officer.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:

11B-27.00212: Maintenance of Officer Certification

The Criminal Justice Standards and Training Commission hereby gives notice: The Criminal Justice Standards and Training Commission has issued an order. On April 16, 2013, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.00212(6), F.A.C., by the Florida Fish & Wildlife Conservation Commission on behalf of Investigator John E. Brown. Petitioner wished to waive that portion of the rule which requires an officer to become automatically separated from employment and the officer's certificate to become inactive if the employing agency does not file the Mandatory Retraining Report form CJSTC 74 by the June 30 deadline. Notice of receipt of the petition was published in the Florida Administrative Register Volume 39, Number 76, on April 18, 2013.

On May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, Section 943.13, F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner shall be deemed to have filed the forms CJSTC 74 on behalf of Investigator Brown for the period 2000 to 2012. Investigator Brown shall not incur a break in service as a result of this situation.

A copy of the Order or additional information may be obtained by contacting:

Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-35.009: Exemption from Basic Recruit Training

The Criminal Justice Standards and Training Commission hereby gives notice: The Criminal Justice Standards and Training Commission has issued an order. On May 2, 2013, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-35.009(8), F.A.C., from Christian Michael Eriksen, to cover six months prospectively from April 20, 2013. The Petitioner wished to waive that portion of the rule that requires an officer to obtain employment within four years of the beginning date of required proficiency demonstration completed to obtain an out-of-state equivalency of training exemption from full basic recruit training. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 39, Number 87, on May 3, 2013.

On May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The application of the rule violates the principles of fairness in Petitioner's situation because he has in hand a conditional offer of employment. Petitioner will suffer economic hardship under the rule as it is applied. The Commission found that the purposes of the underlying statute, Section 943.1395(1), F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has from April 20, 2013, to October 20, 2013, to become employed as a law enforcement officer.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.013: Canine Team Certification

The Criminal Justice Standards and Training Commission hereby gives notice: The Criminal Justice Standards and Training Commission has issued an order on May 9, 2013.

On April 15, 2013, the Criminal Justice Standards and Training Commission, received a petition for a waiver of subsections 11B-27.013(2) and (5), F.A.C., by Bradford county Sheriff's Office on behalf of Sergeant Lee Gartno and K-9 Bara. The rule requires canine teams to complete 400 hours of instruction prior to certification and to successfully complete an addition 40 hours recertification course. The Petition supported the waiver by asserting that the K-9 team did, indeed, complete all course work required for certification on December 6, 2011, and completed all course work for recertification on December 13, 2012. The Petition stated that a form CJSTC 70 was filed in both instances. However, a review of the forms revealed that they were not signed by the evaluator, as required. During all times pertinent to this rule waiver request, the K-9 team was actively deployed. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 39, Number 76 on April 18, 2013.

On May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner failed to demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, which is to ensure that canine teams have sufficient training, will not be met by granting this waiver request. The Commission denied the Petitioner's request for a waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on May 8, 2013, it has issued an order granting a variance.

Petitioner's Name: Town Shores Master Association, Inc. – File Tracking No.13-4148.

Date Petition Filed: March 6, 2013.

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation.

Date Petition Published in the Florida Administrative Register: March 12, 2013.

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

that on May 8, 2013, it has issued an order granting a variance.

Petitioner's Name: Alvarado Condominium Association, Inc. – File Tracking No.

13-4152

Date Petition Filed: April 8, 2013

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: April 12, 2013

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, x. 2298, water.variances@watermatters.org.

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 8, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palm’s West Children’s Hospital. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters’ emergency 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 (VW2013-140).

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-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on April 26, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Cubano Cafe located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink and share warewashing, food preparation and food storage areas within another licensed food service establishment under different ownership on the same premises.

The Petition for this variance was published in Vol. 39/84 on April 30, 2013. The Order for this Petition was signed and approved on May 6, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure the three-compartment sink, food preparation and storage areas within Centerplate @ PHSDR V Kitchen (SEA5811092) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and are available during all hours of operation.

If the ownership of Centerplate @ PHSDR V Kitchen (SEA5811092) changes (Centerplate Hospitality Venture), an updated signed agreement for use of the shared facilities is required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 30, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Paragraph 3-305.14, 2009 FDA Food Code, Paragraph 6-202.15, 2009 FDA Food Code, Paragraph 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from McClover Catering Truck 2 located in Pompano Beach. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 39/86 on May 2, 2013. The Order for this Petition was signed and approved on May 8, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance

and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that on April 30, 2013, the Board of Psychology received a petition for Chrissyl L. Shaw, seeking a variance or waiver of paragraph 64B19-11.001(4)(b), Florida Administrative Code, which states that a passing score on the Florida laws and rules examination shall cease to be valid eighteen (18) months after the Board's letter to the applicant advising that the applicant has passed the Florida laws and rules examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology at the above address within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that on May 6, 2013, the Board of Psychology, received a petition for Stephen Craig Messer, seeking a variance or waiver of Rule 64B19-11.005, F.A.C., which requires that all applicants for licensure complete at least 2,000 hours of post-doctoral experience under a supervisor whose supervision comports with this rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology at the above address within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

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

DATE AND TIME: May 22, 2013, 3:00 p.m. (EST).

PLACE: Teleconference – number can be obtained from Phyllis Dill at (850)245-0392 or phyllis.dill@dbs.fldoe.org.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The purpose of this teleconference is to provide the Division of Blind Services comment on the State Plan Attachments for 2013.

A copy of the agenda may be obtained by contacting: no agenda.

For more information, you may contact Phyllis Dill at (850)245-0392 or phyllis.dill@dbs.fldoe.org.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: May 23, 2013, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: May 23, 2013, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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).

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REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: May 29, 2013, 10:00 a.m.

PLACE: Heartland Workforce Office Conference Room, 5901 US Hwy 27 South, Suite 1, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Heartland 2060 Consortium Partners Advisory Group of Heartland 2060 Regional Plan for Sustainable Development.

A copy of the agenda may be obtained by contacting: Shannon Brett, (863)534-7130, ext. 132.

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

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

DATE AND TIME: May 30, 2013, 8:30 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The land management review team will review management activities occurring on District lands, including an overview of FY 2012 management activities and an overview of lands in the Alapaha River Basin and Holton Creek Tract. A field trip to Jennings Bluff and Holton Creek Tract is included.

A copy of the agenda may be obtained by contacting: Bob Heeke, RGH@srwmd.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water

Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 20, 2013, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to hear presentations on and discuss: committee recommendation on available water use and demand data for the Regional Water Supply Plan, status of the NE Florida and SE Georgia Regional Groundwater Model Development, report on Lower Santa Fe MFLs and other items listed on the agenda. An opportunity for public comment will be provided near the end of the meeting. NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwm.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. 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: Julie Green, (386)329-4240, email: jgreen@sjrwm.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

The Agency for Health Care Administration, Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 21, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public

who wish to speak at this meeting must contact Vern Hamilton at (850)412-4154. The number of speakers is limited and accommodated in the order of notification to Mr. Hamilton. Because of unforeseen events that may cause changes, interested parties are encouraged to watch the website at: www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Nominations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 28, 2013, 1:30 p.m. (EST) or soon thereafter.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee including nominations of chair and vice chair for 2013-2014.

If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500 ext. 114 at least 48 hours prior to the date of the meeting.

Telephone Conference #: (888)392-4560.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 22, 2013, 9:30 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting.

Telephone Conference #: (888)392-4560

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The FLORIDA BUILDING COMMISSION, "the COMMISSION". The Florida Building Commission, REVISED ENERGY Technical Advisory Committee to run concurrently with the MECHANICAL Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: REVISED DATE: June 4, 2013, 10:00 a.m. until 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: Department of Business and Professional Regulation, Northwood Centre, 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The FLORIDA BUILDING COMMISSION, "the COMMISSION". The Florida Building Commission,

REVISED MECHANICAL Technical Advisory Committee CONCURRENT with the ENERGY Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: REVISED DATE: June 4, 2013, 10:00 a.m. until 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.

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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)6703525 (US)

Call-in number: 1(720)3891212 (US)

Show global numbers:

Attendee access code: 606 232 6940

PUBLIC POINT OF ACCESS: Department of Business and Professional Regulation, Northwood Centre, 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.

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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 BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 21, 2013, 1:00 p.m.

PLACE: Conference Call.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation.

A copy of the agenda may be obtained by contacting: Vicky Krentz at (888)862-7010.

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: Vicky Krentz at (888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL 33758, (888)862-7010, vicky@fmhrc.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

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

PLACE: The Clarion Inn & Suites, 20967 US Hwy 19 N, Clearwater, FL 33765

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for a grievance committee to consider a written grievance filed by an applicant (Asset

Management Acceptance Corp.) for payment or compensation from FMHRC who is dissatisfied with a decision of FMHRC's Board of Directors.

A copy of the agenda may be obtained by contacting: Vicky Krentz at (888)862-7010.

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: Vicky Krentz at (888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, P. O. Box 7848, Clearwater, FL 33765, (888)862-7010, vicky@fmhrc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Air Resource Management announces the opportunity for a hearing to which all persons are invited.

DATE AND TIME: June 14, 2013, 11:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blairstone Road, Room 195, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces the opportunity for the public to request a hearing or offer comments on its proposal to submit documentation to the U.S. Environmental Protection Agency (EPA) confirming that Florida complies with the requirements of section 110(a)(2) of the Clean Air Act with respect to implementation, maintenance, and enforcement of the 2010 revised National Ambient Air Quality Standard for sulfur dioxide. The submittal is not a proposed SIP revision, nonattainment SIP, or attainment plan; it is a confirmation that Florida's existing SIP meets the Clean Air Act's structural requirements. The Clean Air Act contains separate timelines for submittals addressing nonattainment areas. A public hearing will be held, if requested, at the date, time, and place given above. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any request for a public hearing must be submitted by letter or e-mail to Marnie Brynes at Department of Environmental Protection, Division of Air Resource Management, 2600 Blairstone Road, MS 5500, Tallahassee, Florida 32399-2400, or marnie.brynes@dep.state.fl.us, and received no later than June 12, 2013. Any comments must be submitted by letter or e-mail to Chad Stevens at the above address or chad.r.stevens@dep.state.fl.us, with a copy to Ms. Brynes, and received no later than June 12, 2013. If no request

for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at <http://sharepoint.dep.state.fl.us/PublicNotices/default.aspx>.

Persons may also contact Ms. Brynes at (850)717-9029 to find out if the hearing has been cancelled. The materials comprising DEP's proposed submittal to EPA are accessible from the above website by clicking on the June 14 hearing link. The materials may also be inspected during normal business hours at the DEP, Division of Air Resource Management office, Bob Martinez Center, 2600 Blairstone Road, Tallahassee, Florida, or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office.

For more information on this proposal or to obtain a copy of the hearing agenda, please contact Mr. Stevens by letter or e-mail, or by calling (850)717-9089.

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: Marnie Brynes at (850)717-9029 or marnie.brynes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2013, 9:00 a.m.

PLACE: Ravine Gardens State Park, Conference Room North & South, 1600 Twigg Street, Palatka, FL 32177

Interested parties who are not able to attend this meeting in person may participate via conference call by dialing toll free (888)670-3525 and entering passcode 6790547274#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2013-2017 Florida Greenways and Trails System Plan and other general business.

A copy of the agenda may be obtained by contacting: Angie Bright, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, FL 32399-3000. Ms. Bright may also be contacted by telephone at (850)245-2052 or by email to Angie.Bright@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 3 days before the workshop/meeting by contacting: Angie Bright, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department

of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, FL 32399-3000. Ms. Bright may also be contacted by telephone at (850)245-2052 or by email to Angie.Bright@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

RULE NO.: RULE TITLE:

64-3.010: Definitions

64-3.020: Eligibility Criteria for Special Needs Shelters

64-3.030: Guidelines for Special Needs Shelter Staffing Levels

64-3.040: Definition of Special Needs Shelter Supplies and Equipment

64-3.050: Special Needs Shelter Registration

64-3.060: Addressing the Needs of Families

64-3.070: Pre-event Planning Activities

64-3.080: Service Reimbursement

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

DATE AND TIME: Thursday, May 16, 2013, 9:30 a.m. – 11:30 a.m.

PLACE: 4025 Esplanade Way, Conference Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Special Needs Shelter Interagency Committee Meeting is being hosted by the Florida Department of Health, Bureau of Preparedness and Response, to identify and resolve challenges related to special needs shelters that are not currently addressed in the state comprehensive plan, relating to Rules 64-3.010, .020, .030, .040, .050, .060, .070, .080, F.A.C. The meeting shall also serve as a forum to develop policies and procedures which support sheltering best practices throughout the state. The continuation of the committee work assures the best quality service to clients with special medical needs and Florida's vulnerable population.

A copy of the agenda may be obtained by contacting: Bonnie Gaughan-Bailey, (850)245-4040, by email: bonnie_gaughan-bailey@doh.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 7 days before the workshop/meeting by contacting: Bonnie Gaughan-Bailey, (850)245-4040, by email: bonnie_gaughan-bailey@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

The Nursing Home Administrators announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 7, 2013, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W Causey, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the web at: www.doh.state.fl.us/mqa/nurshome/index.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Sherra W Causey. 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

Office of Statewide Research

The Department of Health announces public meetings to which all persons are invited.

DATES AND TIMES: May 28, 2013, 2:00 p.m. – 6:00 p.m.; May 29, 2013, 8:00 a.m. – 12:00 p.m.

PLACE: Florida Department of Health – Orange/Seminole Counties, 6101 Lake Ellenor Drive, Orlando, FL 32809; office: (407)858-1429.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Council business pertaining to the James and Esther King Biomedical Research Program and the Bankhead-Coley Cancer Research Program. Agenda and meeting materials located at www.floridabiomed.com.

A copy of the agenda may be obtained by contacting Sarah A. Hofmeister, (850)245-4444, ext. 3591.

For more information, you may contact: Sarah A. Hofmeister, Office of Public Health Research, (850)245-4444, ext. 3591.

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

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

DATE AND TIME: Wednesday, May 29, 2013, 2:00 p.m.
 PLACE: 1801 Hermitage Boulevard, Room 440C, Tallahassee, Florida 32308
 GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Chief Financial Officer's Treasury Investment Committee pursuant to Section 17.575, Florida Statutes. The purpose of the meeting is to provide an overview of Treasury operations and performance.
 A copy of the agenda may be obtained by contacting: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304.

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: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304. 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: Karen Ashworth, Florida Department of Financial Services, Division of Treasury, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-3304. PLEASE NOTE: The Hermitage Building is a secure facility. Persons wishing to attend should call Ms. Ashworth to obtain access to the elevator that accesses the Fourth Floor.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
 The Florida Cancer Control & Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2013, 10:00 a.m. – 4:00 p.m.
 PLACE: Moffitt Cancer Center, Stabile Research Building – Trustee Board Room, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Spring CCRAB/FCPC General Membership Meeting.
 A copy of the agenda may be obtained by contacting: Luke Ihnen, luke.ihnen@gmail.com, (478)232-9623.

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: Luke Ihnen, luke.ihnen@gmail.com, (478)232-9623. 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: Luke Ihnen, luke.ihnen@gmail.com, (478)232-9623.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The FWCIGA Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 31, 2013, 9:30 a.m.

PLACE: Tallahassee, Florida office.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee will meet regarding general business of the Committee. The agenda will include, but not be limited to: Minutes, AGFG Audit, Conflict of Interest Policy and Charter/Checklist.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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 3 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

The Florida Department of Transportation District Six announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, May 22, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: Allapattah Branch Library, 1799 NW 35 Street, Miami, FL 33142

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Hearing for roadway projects on State Road (SR) 27/NW 36 Street from Okeechobee Road to NW 23 Avenue and at the intersection of NW 27 Avenue, in Miami Dade County, to discuss the project's design and scope of work. The project identification numbers are 429343-1-52-01 and 429343-2-52-01. The public hearing will follow an informal, open house format allowing the public to arrive at any time from 6:00 p.m. to 8:00 p.m. A presentation will be conducted from 6:30 p.m. to 7:00 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will be available to discuss the project after the conclusion of the presentation.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: : Brian Rick at (305)470-5349 or in writing:

FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

Section VI
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Thomas R. Blake, In Re: Villa Capri Condominium Association, Inc., Docket No. 2013020037, filed on May 8, 2013. The petition seeks the agency's opinion as to the applicability of Section 718.111, Florida Statutes as it applies to the petitioner.

Whether an association rule regarding leasing of units is reasonable under a provision in the declaration authorizing association approval of leases in Villa Capri, Condominium under Section 718.111, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robin McDaniel, Division Clerk, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1424; robin.mcdaniel@myfloridalicense.com.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory

statement from Jack Glenn, Director of Technical Services for the Florida Home Builders Association. The petition seeks the agency's opinion as to the applicability of Section 903, Florida Building Code, Mechanical (2010) and Section 402.4.3, Florida Building Code, Energy Conservation (2010) as it applies to the petitioner.

Petitioner seeks clarification as to whether Section 903, Florida Building Code, Mechanical (2010) supersedes Section 402.4.3, Florida Building Code, Energy Conservation (2010).

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

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. Responses, motions to intervene, or requests for an agency hearing, Section 120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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
NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

School Districts

DCPS CCTV Replacement/Upgrades at John Love ES No. 73/M-83850/OFDC-ITB-016-13

DUVAL COUNTY PUBLIC SCHOOLS – ADVERTISEMENT FOR BIDS – Invitation To Bid for an Electrical Contractor. Publish Date – May 13, 2013. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D.

BIDS ARE DUE ON OR BEFORE May 22, 2013 AND WILL BE ACCEPTED UNTIL 2:00 PM. OFFICIAL PROJECT TITLE: CCTV Replacement/Upgrades at John Love Elementary School No. 73/DCSB Project No. M-83850/OFDC-ITB-016-13.

SCOPE OF WORK: The project consists of upgrading and replacing the existing CCTV system. Estimated construction cost is not to exceed \$90,000.

Contract documents for bidding may be obtained at the office of: ARC/4613 Phillips Highway, Suite 202/Jacksonville, FL 32207/(904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207.

Name of A/E Firm: John Searcy & Associates, Inc., 2700 University Blvd. W., Ste. B-4, Jacksonville, Florida 32217/(904)739-1231.

DCSB Point of Contact: Tony Gimenez (904)390-2945.

MBE Participation Goal: Encouragement.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 15, 2013 at 10:00 a.m. at John Love Elementary School No. 73, located at 1531 Winthrop Street, Jacksonville, FL 32206.

Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be

required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp.

The project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

Section XII
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Franklin Motor Sales, Inc. for the establishment of LMLL mcyl line

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Franklin Motor Sales, Inc., d/b/a 386 Motorsports, as a dealership for the sale of motorcycles manufactured by LML Limited (line-make LMLL) at 3566 West International Speedway Boulevard, Daytona Beach, (Volusia County), Florida 32124, on or after June 12, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Franklin Motor Sales, Inc., d/b/a 386 Motorsports, are dealer operator(s): Bruce J. Hunchard, 3566 West International Speedway Boulevard, Daytona Beach, Florida 32124; principal investor(s): Bruce J. Hunchard, 3566 West International Speedway Boulevard, Daytona Beach, Florida 32124.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Trey Duren, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Elite Trikes, LLC, for the establishment of HYOS mcY line
Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyosung Motors America, Inc., intends to allow the establishment of Elite Trikes, LLC, as a dealership for the sale of motorcycles manufactured by Hyosung (line-make HYOS) at 12395 Belcher Road, Largo, (Pinellas County), Florida 33773, on or after June 12, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Elite Trikes, LLC, are dealer operator(s): Jack Lavery, 12395 Belcher Road, Largo, Florida 33773 and Matthew Mosk, 12397 Belcher Road, #270, Largo, Florida 33773; principal investor(s): Jack Lavery, 12395 Belcher Road, Largo, Florida 33773 and Matthew Mosk, 12397 Belcher Road, #270, Largo, Florida 33773.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Tony Kim, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite C, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Motor Werks, LLC, for the establishment of FSTI mcY line
Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Franklin Motor Sales, Inc., d/b/a 386 Motorsports, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (line-make MOTI) at 3566 West International Speedway Boulevard, Daytona Beach, (Volusia County), Florida 32124, on or after June 12, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Franklin Motor Sales, Inc., d/b/a 386 Motorsports, are dealer operator(s): Bruce J. Hunchard, 3566 West International Speedway Boulevard, Daytona Beach, Florida 32124; principal investor(s): Bruce J. Hunchard, 3566 West International Speedway Boulevard, Daytona Beach, Florida 32124.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Trey Duren, Genuine Scooters LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the

Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Elite Trikes, LLC, for the establishment of HYOS mcy line
Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyosung Motors America, Inc., intends to allow the establishment of Elite Trikes, LLC, as a dealership for the sale of motorcycles manufactured by Hyosung (line-make HYOS) at 12395 Belcher Road, Largo, (Pinellas County), Florida 33773, on or after June 12, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Elite Trikes, LLC, are dealer operator(s): Jack Lavery, 12395 Belcher Road, Largo, Florida 33773 and Matthew Mosk, 12397 Belcher Road, #270, Largo, Florida 33773; principal investor(s): Jack Lavery, 12395 Belcher Road, Largo, Florida 33773 and Matthew Mosk, 12397 Belcher Road, #270, Largo, Florida 33773.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Tony Kim, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite C, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION
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The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 *et seq.*, Florida Statutes (F.S.), for the Big Bend Power Station (Big Bend), Power Plant Siting Application No. PA79-12, OGC Case No. 12-1619. Pursuant to Section 403.516(1)(c), F.S., the Department proposes to modify the Conditions for Big Bend to construct and operate a new lined gypsum storage area, paved haul roads and stormwater system and future conveying, transportation and storage facilities in accordance with the requirements of Consent Order 00-1275. Herein the Department is also initiating modifications pursuant to Section 403.516(1)(c), F.S., to incorporate a uniform set of general conditions consistent with recent site certifications, as well as update antiquated specific conditions that are no longer applicable or consistent with current regulations. Additionally, requirements included in Big Bend's federal NPDES and air construction and air Title V permits have been removed or revised accordingly.

A copy of the proposed modification may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, (850)717-9000. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

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.
