

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.715
 RULE TITLE: Visiting Application Initiation Process
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise Form DC6-111A to require the disclosure of a maiden name, criminal citations, and notices to appear to respond to criminal charges; to make technical changes to Form DC6-111B; and to revise the Spanish version of Forms DC6-111A and DC6-111B so that the language matches the English version of the forms.

SUBJECT AREA TO BE ADDRESSED: Requests for visiting privileges.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 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: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.715 Visiting Application Initiation Process.

(1) No change.

(2) The inmate shall be given up to fifteen copies of Form DC6-111A, Request for Visiting Privileges (<https://www.flrules.org/gateway/reference.asp?NO=Ref-00812>), and Form DC6-111B, Visitor Information Summary (<https://www.flrules.org/gateway/reference.asp?NO=Ref-00813>), within 24 hours after arrival at his or her permanent facility. Forms DC6-111A and DC6-111B are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of these forms is ~~October 1, 2014~~ October 1, 2014. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit Form DC6-111A until they reach ~~twelve~~ 12 years of age.

(a) through (b) No change.

(3) through (4) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 1-10-12, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Care Responsibility Program

RULE NOS.: 59H-1.0035, 59H-1.0045, 59H-1.0055, 59H-1.0065, 59H-1.008, 59H-1.010, 59H-1.014, 59H-1.015
 RULE TITLES: Definitions, County Financial Responsibility, Hospital Participation, Covered Services, Determination of a Qualified Indigent Patient, Reimbursement Procedures, Utilization Review, Administrative Hearings, Applicant's Rights and Responsibilities

PURPOSE AND EFFECT: Chapter 59H-1, F.A.C., will undergo rule development to clarify definitions, remove outdated language, update the reimbursement rate notification reference, clarify the timeliness of report submission requirements, amend rule to implement standards for overpayment to hospitals and parties with rights to the appeal process.

SUBJECT AREA TO BE ADDRESSED: Definitions, County Financial Responsibility, Hospital Participation, Covered Services, Determination of a Qualified Indigent Patient, Reimbursement Procedures, Utilization Review, and Administrative Hearings, Applicant's Rights and Responsibilities.

RULEMAKING AUTHORITY: 154.3105 FS.

LAW IMPLEMENTED: 154.304, 154.306, 154.308, 154.309, 154.31, 154.312, 154.314 FS.

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

DATE AND TIME: February 19, 2015, 9:30 a.m. – 10:30 a.m.

PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

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: Kirsten Jacobson, email: Kirsten.Jacobson@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kirsten Jacobson, email: Kirsten.Jacobson@ahca.myflorida.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.: RULE TITLES:
 61B-20.004 Definitions and Purpose
 61B-20.005 Educational Resolution
 61B-20.006 Enforcement Resolution, Costs and Civil Penalties

PURPOSE AND EFFECT: The Division proposes this rule amendment to update the condominium resolution guidelines for developer controlled associations to reflect legislative changes to Chapter 718, F.S., and provide clarification where needed.

SUBJECT AREA TO BE ADDRESSED: Condominium resolution guidelines for developer controlled associations.

RULEMAKING AUTHORITY: 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.301(5), 718.501(1)(d)4., 718.501(1)(m) 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.

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: Debbie Miller at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Miller at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.: RULE TITLES:
 61B-21.001 Definitions and Purpose
 61B-21.002 Educational Resolution
 61B-21.003 Enforcement Resolution and Civil Penalties

PURPOSE AND EFFECT: The Division proposes this rule amendment to update the condominium resolution guidelines for unit owner controlled associations to reflect legislative changes to Chapter 718, F.S., and provide clarification where needed.

SUBJECT AREA TO BE ADDRESSED: Condominium resolution guidelines for unit owner controlled associations.

RULEMAKING AUTHORITY: 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.501(1)(d)4., 718.501(1)(m) 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.

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: Debbie Miller at (850)488-1631. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Miller, Government Analyst I, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.: RULE TITLES:
 61B-77.001 Definitions and Purpose
 61B-77.002 Educational Resolution
 61B-77.003 Enforcement Resolution and Civil Penalties

PURPOSE AND EFFECT: The Division proposes this rule amendment to update the cooperative resolution guidelines for developer controlled associations to reflect legislative changes to Chapter 719, F.S., and provide clarification where needed.

SUBJECT AREA TO BE ADDRESSED: Cooperative resolution guidelines for developer controlled associations.

RULEMAKING AUTHORITY: 719.501(1)(f) FS.

LAW IMPLEMENTED: 719.301(5), 719.501(1)(d)4., 719.501(1)(m) 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.

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: Debbie Miller at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Miller at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771

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

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: **RULE TITLE:**

61H1-36.005 Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add failure to notify Board within 30 days of address change or failure to timely respond to a continuing education audit as violations for which a citation may be issued.

SUMMARY: Violations for which a citation may be issued regarding failure to notify Board within 30 days of address change or failure to respond regarding a continuing education audit will be added to the rule.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a 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: 455.224, 473.304 FS.

LAW IMPLEMENTED: 455.224 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: Voloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.005 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) through (f) No change.	
<u>(g) Failure to timely notify the Board office of change of address of record or mailing address. (subsection 61H1-26.005(2), F.A.C.)</u>	\$100 fine.
<u>(h) Failure to respond within 30 days of the specified date in a continuing education audit (Section 473.323(1)(a), and Rule 61-6.010, F.A.C.)</u>	\$250 fine.

(4) through (5) No change.

Rulemaking Authority 455.224, 473.304 FS. Law Implemented 455.224 FS. History—New 12-30-91, Formerly 21A-36.005, Amended 12-7-93, 5-23-94, 8-16-99, 5-11-03, 7-23-06, 7-28-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 19, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-5.005
RULE TITLE: Lionfish

PURPOSE AND EFFECT: The purpose of this rule revision is to prohibit breeding of lionfish in captivity except for research purposes. The effect of this effort will be to limit the potential release of additional lionfish intentionally bred belonging to the genus *Pterois* into Florida and to limit aquaculture of lionfish in the state of Florida to aquaculture for the purpose of raising juvenile and adult specimens and for the purpose of permitted research activities.

SUMMARY: Rule 68-5.005, F.A.C., will be revised to limit aquaculture to only raising juvenile and adult lionfish lawfully harvested from Florida Waters or adjacent waters. Breeding of lionfish or culturing of lionfish eggs or larvae will be limited to research on population control measures per a permit from the Florida Fish and Wildlife Conservation Commission.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting, November 20-21, 2014, 8:30 a.m. each day

PLACE: Hilton Key Largo Resort, 97000 Overseas Highway, Key Largo, FL 33037

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristen Sommers, Section Leader, Wildlife Impact Management Section, Division of Habitat and Species Conservation, 620 S. Meridian Street, Tallahassee, FL 32399-1600, (850)488-3831

THE FULL TEXT OF THE PROPOSED RULE IS:

68-5.005 Lionfish.

(1) through (3) No change.

(4)(a) Except as provided in subsection (b), a wholesale or retail dealer, or any other wholesale or retail establishment possessing live lionfish, or any hybrids ~~or eggs~~ thereof may only possess live lionfish harvested from Florida waters or adjacent federal waters. Any wholesale or retail establishment shall maintain the invoices, receipts, bills of sale, bills of lading, or other documentation affirmatively showing that that all lionfish possessed or purchased by the dealer have been sourced from Florida waters or adjacent federal waters.

(b) A wholesale dealer or retailer may possess and offer for sale live lionfish imported prior to August 1, 2014. However, the burden shall be upon any person possessing imported live lionfish to establish the chain of possession from the initial transaction after harvest, by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such live lionfish were imported and entered the state in interstate commerce prior to August 1, 2014. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute a violation of this section.

(5) No change.

(6) Any person engaged in aquaculture who possesses a valid certificate of registration from the Department of Agriculture and Consumer services issued pursuant to Chapter 597, F.S., and who is authorized to possess such species in accordance with Chapter 597, F.S., may raise juvenile or adult lionfish lawfully harvested from Florida waters or adjacent waters.

(7) Except for the activities authorized by a Conditional/Prohibited/Nonnative Species permit as provided in subsection (8) below, the harvest or possession of lionfish eggs or larvae for any purposes other than destruction is prohibited.

(8) The intentional breeding of lionfish or cultivation of lionfish eggs or larvae in captivity is prohibited except as authorized by Conditional/Prohibited/Nonnative species permit as provided in paragraphs (a) through (f) below:

(a) Eligibility.

1. A permit for research involving lionfish cultivation shall be issued only to a principal investigator who is a faculty member of a college or university, is affiliated with an accredited institution, or is a member of a federal, state or county agency.

2. Permits shall be issued only for the purposes of researching lionfish population control measures or mitigating negative impacts to native species and ecosystems.

(b) Lionfish cultivation held outdoors may only be held in a water body that has the lowest point of the top edge of its levee, dike, bank, or tank at an elevation of at least one foot above the 100-year flood elevation determined by reference to elevation maps issued by the National Flood Insurance Program, U.S. Department of Homeland Security. Such water body shall have no water discharge or shall be constructed with a barrier system designed to prevent escape of adults, juveniles, and eggs in the water effluent discharged from the permittee's property.

(c) Lionfish cultivation held indoors may only be held in culture systems having no water discharge, having a water discharge through a closed drain system, or other system designed to prevent discharge of water containing adults, juveniles and eggs from the permittee's property.

(d) A detailed research proposal shall accompany the application for the permit. The proposal shall state the research objectives, methodology and study duration, and outline planned safeguards to assure proper containment of the species. An annual record of progress toward the research project objectives shall be maintained, and such research proposal and record of progress shall be available for inspection upon request of Commission personnel.

(e) The permit shall expire 12 months from the date of issuance and shall not be renewed until a detailed report of research findings is received and approved by the Commission. The report shall include a description of activities undertaken in the permit period, progress toward research project objectives, and proposed additional activities to be undertaken during any renewal period. Such reports are public records subject to the requirements for public disclosure under Chapter 119, F.S.

(f) Any escape or release of lionfish, or the eggs thereof, shall be reported immediately to the Commission.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-14, Amended _____.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Thomas Eason, Director, Division of Habitat and Species Conservation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 7, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-5.006 Lionfish

PURPOSE AND EFFECT: The purpose of this rule amendment is to curtail the introduction of new lionfish into Florida waters via the aquaculture industry. Rule 68B-5.006, F.A.C., will be amended to prohibit the harvest and possession of lionfish eggs and larvae for any purpose other than destruction. The amendment would also prohibit captive breeding of lionfish, the cultivation of lionfish eggs or larvae, and authorize issuance of a research permit for the otherwise prohibited aquaculture of lionfish.

The effect of this rule will be to prevent the addition of new lionfish into Florida waters from the aquaculture industry. Prohibiting harvest and possession of lionfish eggs and larvae for purposes other than destruction will prevent harvest for

aquaculture purposes which would likely increase survivorship of these species at a life stage that is otherwise expected to be subject to higher mortality if left in the wild.

SUMMARY: This rule would prevent the introduction of new lionfish into Florida waters by the aquaculture industry by prohibiting captive breeding of lionfish, cultivating lionfish eggs or possessing lionfish eggs or larvae for any purpose other than destruction. The rule would continue to allow for research that could contribute to lionfish control by authorizing the issuance of a research permit for the otherwise prohibited aquaculture of lionfish.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

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

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

DATES AND TIME: During the Commission’s regular meeting November 20-21, 2014, 8:30 a.m. – 5:00 p.m.

PLACE: Hilton Key Largo Resort, 97000 Overseas Highway, Key Largo, Florida 33037

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-5.006 Lionfish.

(1) through (5) No change.

(6) In accordance with Rule 68-5.005, F.A.C., the intentional breeding of lionfish or cultivation of lionfish eggs or larvae in captivity is prohibited except as authorized by Conditional/Prohibited/Nonnative species permit.

(7) Except for activities authorized by Conditional/Prohibited/Nonnative species permit, the harvest or possession of lionfish eggs or larvae for any purpose other than destruction is prohibited.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-21-13, Amended 8-1-14.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

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 CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on September 15, 2014, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Youth and Family Alternatives, Inc. and Nattellie Garcia. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Dept. of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE
Division of Historical Resources

The Division of Historical Resources announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 21, 2014, 11:00 a.m. – 12:00 Noon

PLACE: Webinar/Room 404, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grants Management Webinar, intended to assist grant recipients in understanding the requirements in managing both Small Matching and Special Category Grant.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants staff at BHPgrants@flheritage.com or by calling 1(800)847-7278.

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: 1(800)847-7278. 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: Historic Preservation Grants staff at BHPgrants@flheritage.com or by calling 1(800)847-7278.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, October 16, 2014, 5:30 p.m. – 6:30 p.m. CDT

PLACE: Trinity Baptist Church, Fellowship Hall, 5301 U.S. Highway 90, Milton, Florida 32571

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent is to upgrade the existing median opening, modifying full access to a left turn median opening. This project also includes coordination efforts with Santa Rosa County for planned improvements to Pace Lane.

A copy of the agenda may be obtained by contacting: Mike Proctor, FDOT Project Manager, 6025 Old Bagdad Highway, Milton, FL 32583, toll-free (877)863-6782, or via email mike.proctor@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: Mike Proctor, 6025 Old Bagdad Highway, Milton, FL 32583, toll-free (877)863-6782, or via email mike.proctor@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).

DEPARTMENT OF ELDER AFFAIRS

The Florida Department of Elder Affairs, Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 23, 2014, 11:00 a.m.

PLACE: Conference call: 1(888)670-3525, conference code: 962-076-0613

GENERAL SUBJECT MATTER TO BE CONSIDERED: General update on Department programs.

A copy of the agenda may be obtained by contacting: Lisa Murray, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2130, email: murrayek@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by

contacting: Lisa Murray, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2130, email: murrayek@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lisa Murray, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2130, email: murrayek@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: October 20, 2014, 10:30 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Suite 101, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Management Services will conduct a public, mandatory pre-bid conference for Invitation to Bid (ITB) No.: DMS-14/15-004, entitled "Fire Sprinkler System Inspections."

The purpose of this pre-bid conference is to answer any questions or concerns vendors may have regarding the services sought by the Department or ITB.

This meeting may be attended telephonically by calling 1(888)808-6959. At the prompt, enter participant passcode: 1864478772#

This meeting is subject to cancellation. Further information and future updates regarding this meeting schedule or any future meetings will be available via the system of record, the Vendor Bid System, located at: http://www.myflorida.com/apps/vbs/vbs_www.search.criteria_form and searching for DMS-14/15-004.

Any person requiring a special accommodation due to a disability should contact the Department's Americans with Disabilities Act (ADA) Coordinator, Dan Callahan at (850)922-7535.

Requests for accommodation for this meeting must be made at least five workdays prior to the meeting. A person who is hearing or speech impaired can contact the ADA Coordinator by using the Florida Relay Service at (800)955-8771 (TDD).

A copy of the agenda may be obtained by contacting: Christina Espinosa, Procurement Officer, Departmental Purchasing, Department of Management Services, telephone: (850)410-2404, email: christina.espinosa@dms.myflorida.com.

For more information, you may contact: Christina Espinosa, Procurement Officer, Departmental Purchasing, Department of Management Services, telephone: (850)410-2404, email: christina.espinosa@dms.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

CANCELLED: October 17, 2014, 10:00 a.m.

PLACE: St. Johns River Water Management District, Governing Board Room, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

RESCHEDULED DATE AND TIME: November 13, 2014, 1:00 p.m.

PLACE: St. Johns River Water Management District, Governing Board Room, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: RESCHEDULED PUBLIC MEETING, CANCELLING OCTOBER 17. The Senate Bill 536, passed in the 2014 Legislative session, requires the Department of Environmental Protection to conduct a study on the expansion of use of reclaimed water, stormwater, and excess surface water in this state. The purpose of the meetings is to provide an overview of stakeholder input received to date, and to solicit additional input from interested parties.

A copy of the agenda may be obtained by contacting: Janet Llewellyn at (850)245-3139 or Janet.Llewellyn@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 48 hours before the workshop/meeting by contacting: Janet Llewellyn at (850)245-3139. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 23, 2014, 2:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me number: 1(888)670-3525, code: 9638257208

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
The Florida Department of Transportation (FDOT) District Six announces a public meeting to which all persons are invited.

DATE AND TIME: October 21, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: John D. Campbell Agricultural Center, 18710 SW 288 Street, Homestead, Florida 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for six safety enhancement projects along State Road (SR) 997/Krome Avenue from north of SW 288 Street to south of SW 136 Street, in Miami-Dade County, to discuss the project's design and scope of work. The project identification numbers are 434930-1/2/3/4/5/6-52-01. The public meeting will follow an informal format allowing the public to arrive at any time between 6:00 p.m. and 8:00 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will be available to discuss the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist Sandra Bello at (305)470-5349, email: sandra.bello@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 Ivette Ruiz-Paz at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: Ivette.ruiz-paz@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 Sandra Bello at (305)470-5349, email sandra.bello@dot.state.fl.us.

Section VII 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 Vincent L. Castellucci Jr., In Re: Celebration Point Master Association, Inc., Docket No. 2014039218, filed on September 17, 2014. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)(2), Florida Statutes, as it applies to the petitioner.

Whether a member of the Celebration Point Master Association's Board of Directors may be removed from the Board of Directors for not possessing firearms privileges under Section 718.112(2)(d)(2), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1486, Daniel.Brown@myfloridalicense.com.

Please refer all comments to: Brittany Finkbeiner, Chief Attorney, 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, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 William R. Wohlsifer, Esq., on behalf of Lorraine Bodek, Unit Owner, In Re: Lakeview Townhomes at the California Club Condominium Association, Inc., Docket No. 2014040305, filed on September 25, 2014. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(a), Florida Statutes, as it applies to the petitioner.

Whether Lakeview Townhomes at the California Club Condominium Association, Inc. may elect five members to the Board of Directors when the association’s bylaws specify the Board of Directors shall be comprised of three members under Section 718.112(2)(a), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1486, Daniel.Brown@myfloridalicense.com.

Please refer all comments to: Brittany Finkbeiner, Chief Attorney, 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, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from James Becker on October 6, 2014. The petition seeks the agency’s opinion as to the applicability of Chapter 61G4-15, F.A.C., as it applies to the petitioner.

The Petitioner seeks a declaratory statement as to which license his company should apply for pursuant to Chapter 61G4-15, F.A.C. None of the categories cover the scope of work that his company performs. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by email: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services (the “Department”) has issued an order disposing of the petition for declaratory statement filed by Concord Management, Limited (the “Petitioner”), on August 1, 2014. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published August 12, 2014, in Vol. 40, No. 156, of the Florida Administrative Register. The Petitioner sought a determination by the Department as to the interpretation of National Fire Protection Association Chapter 101 section 7.10.1.5.1 to determine whether, based on the specific facts described in the Petition, the exit and egress arrangement was readily apparent for all stories, including the first floor, of the apartment building. If so, the Petitioner sought a determination whether all exit signs could be removed from each story including the first floor of the building. The Department determined that the exit and egress arrangement is readily apparent for all stories of the building based on the specific configuration of the building, and the apartment building is not required to have exit signs in the exit areas described in the Petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5829 or by email: Melissa.dembicer@myfloridacfo.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

NONE

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.
