

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.010 **RULE TITLE:** Residents' Deposits of Money
PURPOSE AND EFFECT: The amendment removes language in paragraph (2)(a) of Rule 55-11.010, F.A.C. which conflicts with Section 296.12(2), Florida Statutes providing that interest earned on resident accounts may be withdrawn by the resident at will. The Department has consistently followed the statute's requirements, not the conflicting rule. Accordingly, there will be no adverse impact resulting from the rule amendment.

SUBJECT AREA TO BE ADDRESSED: The current rule provision governing management of the interest earned on resident trust accounts conflicts with statute.

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 296.12 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Darryl Griffin, FDVA, The Capitol, Suite 2105, 400 South Monroe Street, Tallahassee, Florida 32399-0001, (850)487-1533, x7713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-11.010 Residents' Deposits of Money.

(1) No change.

(2) A resident may voluntarily deposit moneys with the home at no charge to be made of the resident by the home.

~~(a) All interest earned on the residents' deposits shall be deposited to the Grants and Donations Trust Fund to be expended for the common benefit of the residents of the home, such as improved facilities, recreational equipment and recreational supplies subject to the requirements of Chapter 216, F.S.~~

~~(b) Each resident desiring to make a deposit of funds to the Residents' Deposit Trust Fund shall be informed of the above provision.~~

(3) Such moneys as a resident may have on deposit with the Residents' Deposit Trust Fund may be withdrawn, in whole or in part, at the request of the resident. A resident who requests a withdrawal between 9:00 a.m. and 11:00 a.m. on any

weekday, excluding holidays observed by state employees, will, by 2:00 p.m. of the day of the request is made, receive a check payable to the resident drawn on the Trust Fund. Except in an emergency, requests made after 11:00 a.m. will be handled on the next regular weekday.

(4) through (5) No change.

Rulemaking Specific Authority 296.04(2) FS. Law Implemented 296.11(3), 296.12, 296.13 FS., as amended by Chapter 92-80, Laws of Florida. History—New 5-29-90, Amended 11-19-92, 12-27-98, _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0451 **RULE TITLE:** Florida Education Finance Program Student Membership Surveys

PURPOSE AND EFFECT: The purpose and effect of this amendment is to extend the Florida Virtual School (FLVS) Survey Period 1 amendment deadline, allowing revisions to common student identifiers, to update the definition of certain students with disabilities who may be reported for Florida Education Finance Program (FEFP) student transportation funds, and to incorporate the full-time equivalent (FTE) student reporting instructions to meet state reporting requirements.

SUMMARY: The amendment deadline for Survey Period 1 for FLVS is extended to the Survey Period 2 amendment deadline, update the definition of certain students with disabilities, with regard to transported student membership surveys, and incorporation of the FTE student reporting instructions.

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: Based on past agency experiences with amending the membership survey deadlines, the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes, because the amendment will not cost school districts additional expenditure for implementation.

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: 1001.02(1), (2)(n), 1011.60(1), 1011.62(1) FS.

LAW IMPLEMENTED: 1011.61, 1011.62(1), 1011.68 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 18, 2014, 9:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fl DOE.org>).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Bureau Chief of School Business Services, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0451 Florida Education Finance Program Student Membership Surveys.

(1) The Commissioner shall prescribe the methods for completing and reporting full-time equivalent (FTE) student membership surveys and transported student membership surveys in each school district for the Florida Education Finance Program in the publication titled "FTE General Instructions, 2013-14." (insert link) which is hereby incorporated by reference in this rule. The instructions may be obtained from the Bureau of School Business Services, Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The methods prescribed shall include but not be limited to the following:

- (a) Uniform dates for each survey within the fiscal year.
- (b) Instructions for completing the surveys.
- (c) Instructions for reporting the data to the Department.
- (d) Instructions for maintaining student records for audit purposes.

(2) The Commissioner shall have the authority to establish for any school district or school an alternate date for a full-time equivalent membership survey or transported student membership survey within nine (9) weeks of the regular statewide survey if evidence is submitted by the school district that which indicates an abnormal fluctuation in student membership has occurred at the time of the statewide survey. The alternate date shall be established by the Commissioner prior to conducting the survey. In determining what constitutes an abnormal fluctuation, the Commissioner shall examine the historical trends in student membership and limit consideration

to changes in which there is a variation in excess of twenty-five (25) percent in any school, or five (5) percent in the district between the membership count at the time of the statewide membership count and the alternate membership count due to factors such as major student boycotts; civil disturbances; in-migration or out-migration in agricultural, industrial, and federal installations or contractors; or providential causes beyond the control of the district school board.

(3) No change.

(4) During the year, at least four (4) full-time equivalent student membership surveys shall be conducted under the administrative direction of and on a schedule provided by the Commissioner. The second period and the third period full-time equivalent student membership survey for students in a program scheduled for one hundred eighty (180) school days, or the hourly equivalent as provided in Rule 6A-1.045111, F.A.C., shall each be equal to ninety, one hundred eightieths (90/180) of the school year, or the hourly equivalent. Students in a program scheduled for less than one hundred eighty (180) school days, or the hourly equivalent as provided in Rule 6A-1.045111, F.A.C., in any full-time equivalent student membership survey shall be a fraction of a full-time equivalent member as provided in Section 1011.61(1), F.S. The four (4) survey periods, insofar as practicable, shall be scheduled to take the extended school year, staggered school year, and other variations of or from the regular one hundred eighty (180) day school year into consideration. School districts may submit amendments to student membership survey data in accordance with the following schedule: Survey Period 1 (July) may not be amended after September 30 following the survey except that the Florida Virtual School, established in Section 1002.37, F.S., may amend a common student identifier until the Survey Period 2 amendment deadline; Survey Period 2 (October) may not be amended after March 31 following the survey; Survey Period 3 (February) may not be amended after July 31 following the survey; Survey Period 4 (June) may not be amended after August 31 following the survey, or until a membership survey audit as required by Rule 6A-1.0453, F.A.C., has been completed, whichever shall take place first. Such amendments that which are submitted too late to be reviewed and included in the last membership data determining the earnings of Florida education finance program funds for the given year shall be treated as prior year adjustments.

(5) For purposes of transportation, students with disabilities under Section 1011.68(5), F.S., shall be those students with disabilities for whom school bus transportation is impractical or unavailable for reasons related to the student's individual needs and circumstances. Such needs and circumstances shall be documented on the student's individual educational plan defined by Rule 6A-6.0301, F.A.C., as trainable or profoundly handicapped, hearing impaired, visually

~~impaired or physically impaired who have been appropriately identified under the district procedures for providing special education for exceptional students.~~

(6) For students in all special programs, a student's full-time equivalent membership shall be reported in the respective special program cost factor prescribed in Section 1011.62(1)(c), F.S., when the student is eligible and is attending a class, course, or program ~~that~~ ~~which~~ has met all of the criteria for the special program cost factor. In addition, when reporting program membership, each student shall be reported in the same special program category as reported in the full-time equivalent membership survey.

(7) No change.

Rulemaking Authority 1001.02(1), ~~(2)(n)~~, 1011.60(1), 1011.62(1) FS. Law Implemented 1011.61, 1011.62(1), 1011.68 FS. History—New 4-19-74, Amended 10-31-74, Repromulgated 12-5-74, Amended 6-1-75, 1-29-76, 4-12-78, 8-2-79, 2-4-81, 7-28-81, 4-27-82, 7-13-83, 7-10-85, Formerly 6A-1.451, Amended 3-12-86, 9-30-87, 10-31-88, 12-5-90, 10-26-94, 12-15-98, 3-24-08, 5-3-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Finance and Operations.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2014

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

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-103.005	Informal Grievance
33-103.006	Formal Grievance - Institution or Facility Level
33-103.007	Appeals and Direct Grievances to the Office of the Secretary
33-103.011	Time Frames for Inmate Grievances

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that informal grievances are to be picked up and forwarded by the institutions daily Monday through Friday, to cite to the correct subsection in Rule 33-103.002, F.A.C., to eliminate the requirement that an inmate notify the Bureau of Policy Management and Inmate Appeals when they transfer institutions, and to include a timeframe for response to an emergency grievance alleging a substantial risk of imminent sexual abuse.

SUMMARY: To clarify when informal grievances are collected, to correct a citation, to eliminate the need for an inmate to notify the Department when they transfer institutions, and to include a timeframe for response for a certain type of grievance.

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, 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: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.005 Informal Grievance.

(1) Inmates shall utilize the informal grievance process prior to initiating a formal grievance. Inmates may skip this step and initiate the process at the formal institutional level for issues pertaining to the following: grievance of an emergency nature, grievance of reprisal, grievance alleging violations of the Americans with Disabilities Act, medical grievance, grievance involving gain time governed by Rule 33-601.101, F.A.C. Incentive Gain Time, grievance challenging placement in close management or subsequent reviews, grievances regarding the return of incoming mail governed by subsection 33-210.101(14), F.A.C., grievances regarding disciplinary action (does not include corrective consultations) governed by Rules 33-601.301-.314, F.A.C., and grievances regarding allegations of sexual abuse as defined in subsection 33-103.002(17), F.A.C. Inmates may proceed directly to the Office of the Secretary on the following issues as governed by subsection 33-103.007(6), F.A.C.: grievance of emergency nature, grievance of reprisal, protective management, admissible reading material, sentence structure issues (release

date calculations), and inmate banking issues. Grievances alleging a violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Appeal, Form DC1-303, Request for Administrative Remedy or Appeal. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(a) An informal grievance shall be submitted to the designated staff by placing the informal grievance in a locked grievance box. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator in a locked container. The warden shall designate one (1) staff member who shall log all informal grievances and distribute to the appropriate department or staff. Grievances shall be picked up and forwarded by the institutions daily Monday through Friday.

(b) through (c) No change.

(2) through (5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, 3-25-08, 1-31-10, 5-27-12, 11-7-12, 11-24-13,_____.

33-103.006 Formal Grievance – Institution or Facility Level.

(1) When an inmate decides to file a formal grievance, he or she shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal, and filing within the time limits set forth in Rule 33-103.011, F.A.C. Form DC1-303 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-03315>. The effective date of the form is 11-13.

(a) In institutions and private correctional facilities, inmates shall direct this form to the warden or assistant warden or deputy warden as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(b), F.A.C.

(b) No change.

(2) No change.

(3) The following types of grievances may be filed directly with the reviewing authority as defined in subsection 33-103.002(15), F.A.C., by-passing the informal grievance step, and may be sent in a sealed envelope through routine institutional mail channels:

(a) Emergency Grievance – Upon receipt, the reviewing authority as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(b), F.A.C., shall take the following action as soon as possible, but no later than two calendar days following receipt:

1. through 4. No change.

(b) through (j) No change.

(4) No change.

(5) Upon receipt of the formal grievance, the recipient [reviewing authority as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(b), F.A.C.] shall cause the following to occur:

(a) through (d) No change.

(6) Following investigation and evaluation by the reviewing authority as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(b), F.A.C., a response shall be provided to the inmate within 20 calendar days of receipt of the grievance as required by paragraph 33-103.011(3)(b), F.A.C. The degree of investigation is determined by the complexity of the issue and the content of the grievance. The response shall state whether the grievance is approved, denied, or being returned and shall also state the reasons for the approval, denial or return.

(a) through (b) No change.

(c) The reviewing authority as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(b), F.A.C., shall retain a complete copy of the grievance on file.

(d) No change.

(7) No change.

(8) Mailing Procedures. The warden or person designated in Rule 33-103.002, F.A.C., shall establish a procedure in the institution or facility under his supervision for processing those grievances that require mailing. Inmates who are filing grievances that require mailing shall be required to utilize the procedure set forth in this rule when processing their grievances or appeals to the reviewing authority of community facilities or the Bureau of Policy Management and Inmate Appeals in central office. The institution or facility shall provide postage for grievances submitted through this process. Procedures implemented shall include, at a minimum, the following:

(a) through (e) No change.

(f) Upon receipt of a mailed grievance by the reviewing authority as defined in subsection 33-103.002(15) paragraph 33-103.002(14)(d), F.A.C., the following shall occur:

1. through 3. No change.

(9) through (10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05, 10-28-07, 3-25-08, 5-27-12, 11-7-12, 11-24-13,_____.

33-103.007 Appeals and Direct Grievances to the Office of the Secretary.

- (1) through (7) No change.
- (8) Copies.

(a) The original copy of the grievance shall be returned to the inmate. The response shall be stamped "MAILED/FILED WITH AGENCY CLERK" along with the date mailed; the response shall be mailed on the same date that it is stamped. The response is deemed filed with the agency clerk on the date that it is stamped and mailed. The time period for appeal begins to run on the date that the response is stamped and mailed. ~~If the inmate is transferred, it is his or her responsibility to notify the Bureau of Policy Management and Inmate Appeals.~~

- (b) through (d) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, 8-21-06, 3-25-08, 6-13-12, 11-7-12, 11-24-13,_____.

33-103.011 Time Frames for Inmate Grievances.

When determining the time frames for grievances in all cases, the specified time frame shall commence on the day following the date of the incident or response to the grievance at the previous level. For example, if an incident occurred on December 1, fifteen days from that date would be December 16.

- (1) through (2) No change.
- (3) Responding to Grievances.
- (a) through (d) No change.

(e) Emergency Grievances Alleging Substantial Risk of Imminent Sexual Abuse – corrective action shall be conducted within 48 hours and a response must be provided within 5 calendar days.

- (4) through (5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.011, Amended 2-9-05, 3-25-08, 5-27-12, 11-7-12, 11-24-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alan McManus, Chief of the Bureau of Policy Management and Inmate Appeals

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 31, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:

61G10-11.018 Public Comment

PURPOSE AND EFFECT: Rule proposes to facilitate public comment at board meetings.

SUMMARY: Public comment.

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: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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: : Juanita Chastain, Executive Director, Division of Professions, Board of Landscape Architecture, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-11.018 Public Comment.

The Board of Landscape Architecture invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Members of the public shall be limited to five (5) minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of their interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of three (3) or more persons.

Rulemaking Authority 286.0114 FS. Law Implemented 286.0114 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Landscape Architecture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 31, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
69J-128.025 Confidentiality of Personal Financial and Health Information Pursuant to Section 624.23, F.S

PURPOSE AND EFFECT: Repeal of Rule 69J-128.025, F.A.C.
SUMMARY: The Department has determined that Rule 69J-128.025, F.A.C., is inconsistent with the provisions of Section 624.23, F.S. The rule is repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s review of the proposed rule indicates that there are no significant costs associated with the repeal of

Rule 69J-128.025, F.A.C., and none that would exceed any of the criteria set forth in paragraph 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: 624.308(1) FS.

LAW IMPLEMENTED: 624.23, 624.307(1) FS.

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

DATE AND TIME: Tuesday, March 18, 2014, 10:00 a.m.

PLACE: 139 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter @ (850)413-5800 or Tasha.Carter@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tasha Carter, Director, Division of Consumer Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)413-5800 or Tasha.Carter@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-128.025 Confidentiality of Personal Financial and Health Information Pursuant to Section 624.23, F.S.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented 624.23, 624.307(1) FS. History--New 10-21-02, Formerly 4-128.025, 69B-128.025, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tasha Carter, Director, Division of Consumer Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 11, 2014

Section III
Notice of Changes, Corrections and
Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-8.800 Financial Compliance Audits of Medicaid
 Prepaid Plans

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 101, May 23, 2013 issue of the Florida Administrative Register.

59G-8.800 Financial Compliance Audits of Medicaid Prepaid Plans.

(1) Pursuant to ~~Fla. Stat. § 409.967(3)(b), Florida Statutes (F.S.),~~ the Agency for Health Care Administration (hereafter referred to as Agency) shall contract with independent certified public accountants to conduct compliance audits of Florida Medicaid ~~p~~Prepaid ~~h~~Health ~~p~~Plans.

(a) Certified public accountants that participate in the preparation of a plan’s financial audits or annual statements submitted by the plan pursuant to 409.967(3)(a)1. and 2., F.S., will be deemed to have a conflict of interest and are not independent regarding preparation of a compliance audit for that plan pursuant to 409.967(3)(c)1., F.S. Any vendor selected by the agency to conduct an audit may not have a conflict of interest that might affect its ability to perform its responsibilities with respect to an audit.

(b) The Agency will procure, pursuant to Chapter 287, F.S., services from Florida licensed certified public accountants to perform compliance audits required by 409.967(3)(b), F.S. Rates established for the services utilized for compliance audits will be established through the procurement process and will be comparable to market rates the Agency pays for similar accounting and auditing services. The Agency will exercise due diligence in ensuring the rates charged to the Florida Medicaid Prepaid Health Plan being audited are comparable with rates the Agency pays to other certified public accountants for comparable audits.

(c) A Florida Medicaid prepaid health plan audited pursuant to 409.967(3)(b), F.S., must pay the Agency costs, charges, and expenses for the compliance audit at the rates established by the Agency pursuant to the procurement process. The rates established by the Agency for compliance audits will include: Each Florida Medicaid Prepaid Health Plan audited shall pay to the Agency, for the expenses of the audit described in Fla. Stat § 409.967(3)(b), a rate established by the Agency

~~through a competitive process used for selection of the vendor. The rate shall account for costs directly related to the audit as listed in Fla. Stat. § 409.967(3)(c)3., and shall consist of three components:~~

~~1.(4) T~~travel reimbursement, in accordance with Fla. Stat. § 112.061;

~~2.(2) the CPA’s professional C~~ompensation of professional and support services; ~~and~~

~~3.(3) T~~he Agency’s administrative costs directly related to the audit.

~~Payment is due to the Agency within 15 days from the date the Agency presents the detailed account described in Fla. Stat. § 409.967(3)(c)3.~~

~~(d) All moneys collected from Florida Medicaid Prepaid Health Plans for such audits shall be deposited into the Agency’s Grants and Donations Trust Fund, and the Agency may make deposits into such fund from moneys appropriated for the operation of the Agency.~~

(2) The Agency will prepare and provide each Florida Medicaid prepaid health plan audited a detailed statement of the costs, charges, and expenses for the audit. A plan must pay the Agency the costs, charges, and expenses identified in the detailed statement within 15 days of the Agency’s presentation of the statement to the plan. Audits conducted pursuant to Fla. Stat. § 409.967 must be conducted by an independent certified public accountant. The certified public accountant must meet the standards of independence contained within “Standards for Determining Independence in the Practice of Public Accountancy for CPAs Practicing Public Accountancy in the State of Florida,” (effective Dec. 31, 2004) (hereinafter the “Standards for Independence”), which is incorporated by reference into this rule. A copy of the “Standards for Independence” can be found at http://ahea.myflorida.com/Medicaid/statewide_mc/index.shtml#SMHC_Home. In order to be considered independent, a certified public accountant must comply with the requirements set out in the “Standards for Independence.” A certified public accountant who conducts the annual financial audit in Fla. Stat. § 409.967(3)(a)1. is deemed to have a conflict of interest with respect to the compliance audit in Fla. Stat. § 409.967(3)(b). Rulemaking Authority 409.961, 409.967 FS. Law Implemented 409.967 FS. History–New_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-8.800 Financial Compliance Audits of Medicaid
 Prepaid Plans

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 101, May 23, 2013 issue of the Florida Administrative Register.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:
12CER14-02 Adjustments for Excess Section 179
Expense and Special Bonus Depreciation

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2013-46, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate an emergency rule, and to renew such rule, to implement the provisions of the law. The law provides that conditions necessary for an emergency rule and its renewal have been met. Chapter 2013-46, L.O.F., retroactively makes changes related to bonus depreciation and Section 179 expense of the Internal Revenue Code (IRC). As a result of these changes, contained in Section 220.13(1)(e), F.S., taxpayers may need to file amended returns. This emergency rule establishes procedures for reporting the additions and claiming the subtractions required by Section 220.13(1)(e), F.S., and provides procedures for filing amended Florida corporate income tax return(s).

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule, and the renewal of such rule, to implement Chapter 2013-46, L.O.F., and determined that all conditions necessary for this emergency rule have been met. The law is retroactive, and as a result, some taxpayers may need to amend their Florida corporate income tax return(s) if a return(s) affected by these changes was previously filed. This emergency rule establishes procedures for reporting additions and claiming the subtractions required by Section 220.13(1)(e), F.S., so that taxpayers may timely file the required amended returns.

SUMMARY: Emergency Rule 12CER14-02, F.A.C. (Adjustments for Excess Section 179 Expense and Special Bonus Depreciation), provides procedures for taxpayers subject to the adjustments contained in Section 220.13(1)(e), F.S., for IRC Section 179 expense in excess of \$128,000 (for tax years beginning in 2013) and bonus depreciation under IRC Sections 167 and 168(k), for assets purchased in 2013. This emergency rule: (1) provides the additions that taxpayers are required to add back to the amount of the federal deduction claimed under IRC Sections 167 and 168(k) for bonus depreciation (for assets placed in service in 2013) and under IRC Section 179 that exceeds \$128,000 (for tax years beginning in 2013); (2) provides the subtractions that are available in each of seven tax years beginning with the year an addition is made under Section 220.13(1)(e), F.S.; (3) requires taxpayers to maintain a schedule reflecting all adjustments made under Section 220.13(1)(e), F.S.; (4) provides that these adjustments do not affect the basis of the property; and (5) provides when the subtractions under Section 220.13(1)(e), F.S., are allowed.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Affan Qureshi, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone: (850)717-7602

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER14-02 Adjustments for Excess Section 179 Expense and Special Bonus Depreciation.

(1) Scope. This rule only applies to taxpayers subject to the adjustments contained in Section 220.13(1)(e), F.S., for Section 179 of the Internal Revenue Code ("IRC") expense in excess of \$128,000 (for tax years beginning in 2013) and bonus depreciation under IRC Sections 167 and 168(k) for assets placed in service in 2013.

(2) Additions Required:

(a) For tax years that begin in 2013, taxpayers are required to add back the amount of the federal deduction claimed under IRC Section 179 that exceeds \$128,000. All amounts in excess of \$128,000 are required to be added back, including amounts carried over from previous tax years under IRC Section 179(b)(3)(B). The increased overall investment limitation contained in IRC Section 179(b)(2) is the same for Florida as it is for federal income tax purposes.

(b) Taxpayers are required to add back the amount of the federal deduction claimed as bonus depreciation under IRC Sections 167 and 168(k) for assets placed in service after December 31, 2012, and before January 1, 2014.

(3) Subtractions Allowed:

(a) In each of the seven tax years commencing with the year the addition is made under Section 220.13(1)(e), F.S., taxpayers

may subtract one-seventh of the amount of excess IRC Section 179 expense and one-seventh of the amount of bonus depreciation that is added back under Section 220.13(1)(e), F.S.

(b) The total amount that may be subtracted over the seven-year period should equal, but may not exceed, the amounts of IRC Section 179 expense and bonus depreciation that have been added back to Florida taxable income under Section 220.13(1)(e), F.S.

(c) Subtractions under Section 220.13(1)(e), F.S., may create or increase a net operating loss.

(d) Subtractions may be transferred to the surviving company in a merger or acquisition. Otherwise, if a taxpayer ceases to do business during the seven-year period, it may not accelerate, transfer or otherwise utilize a subtraction.

(4) A schedule reflecting all of the adjustments made under Section 220.13(1)(e), F.S., must be created and maintained. Taxpayers must also report any additions on Schedule I, Additions and/or Adjustments to Federal Taxable Income, of the Florida Corporate Income/Franchise Tax Return (Form F-1120, incorporated by reference in Rule 12C-1.051, F.A.C.) and any subtractions on Schedule II, Subtractions from Federal Taxable Income, of the return for the applicable tax year. Partnerships filing a Florida Partnership Information Return (Form F-1065, incorporated by reference in Rule 12C-1.051, F.A.C.) are required to make the adjustments required by Section 220.13(1)(e), F.S., on Part I of Form F-1065.

(5) Basis of Property: The adjustments required by Section 220.13(1)(e)1. and 2., F.S., (relating to excess IRC Section 179 expense and bonus depreciation), do not affect the basis of the underlying property. The basis of the property for Florida corporate income tax purposes is the same as the basis of the property for federal income tax purposes. If the property is sold or otherwise disposed of, the gain or loss for Florida corporate income tax purposes is the same as the gain or loss for federal income tax purposes and is included in federal taxable income apportioned to Florida. Differences in the apportionment fraction from one year to the next are disregarded. The applicable depreciation conventions, methods, and recovery periods are computed in the same manner as they are computed in determining federal taxable income.

(6) Amended Returns and Section 220.13(1)(e), F.S. Taxpayers that filed their Florida corporate income tax return(s) in a manner inconsistent with these changes in law are required to amend their Florida corporate income tax return(s) to conform to the new law. To the extent that any tax is due and paid on an amended return(s) as a result of these changes in law for the differences between the additions and subtractions required by Section 220.13(1)(e), F.S., and the adjustments required by Section 220.13(1)(e), F.S., reasonable cause exists under Rule 12-13.007, F.A.C., for a waiver of the resulting penalty. The provisions of this rule do not relieve a taxpayer of

its obligation to file a Florida corporate income tax return and report the adjustments required by Section 220.13(1)(e), F.S.

(7) The subtractions allowed by Section 220.13(1)(e), F.S., are the means by which the additions required by Section 220.13(1)(e), F.S., are reconciled and recovered. If a taxpayer does not claim a deduction for bonus depreciation (for assets placed in service in 2013) or a deduction for IRC Section 179 expense in excess of \$128,000 (for tax years beginning in 2013), no add-back is required or subtraction allowed for Florida corporate income tax purposes. Similarly, if a taxpayer did not add back bonus depreciation or excess IRC Section 179 expense because, for example, it was not subject to the Florida corporate income tax in that year, no subtraction is allowed for Florida corporate income tax purposes.

(8) No subtraction is allowed for bonus depreciation or IRC Section 179 expense unless it has been added back in computing Florida taxable income under Section 220.13(1)(e), F.S.

Rulemaking Authority s. 3, Ch. 2013-46, L.O.F. Law Implemented Ch. 2013-46, L.O.F. History—New _____.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 14, 2014

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 11, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from China 1 located in South Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by customers only.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 13, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Frankie D’s Pizzeria and Grill located in Panama City Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by customers and employees. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 13, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, 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, Section 5-203.13, 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, and Section 4-301.11, 2009 FDA Food Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from A La Crepe located in Merritt Island. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, at least one service sink provided for the cleaning of mops or similar cleaning tools and

the disposal of mop water; dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided; an area for food preparation that has a conveniently located hand wash sink and food must be properly stored in a licensed establishment. They are requesting to install potable and wastewater holding tanks and utilize the mopsink, dishwashing, food storage and prep facilities located within another licensed establishment under the same ownership.

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

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

Section VI

Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: March 6, 2014, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item. The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency

of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Pest Control Enforcement Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2014, 10:00 a.m. – 2:30 p.m.

PLACE: Alachua Regional Service Center, DACS, 14101 Northwest Highway 441, Rm 115, Alachua, FL 32615-5669, (386)418-5507.

Webex:

<https://suncom.webex.com/suncom/j.php?ED=50126983&UID=103724458&RT=MIMxMQ%3D%3D>. Teleconference

Information: call-in toll-free number: 1(888)670-3525 (US); attendee access code: 880 293 4969.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the council.

A copy of the agenda may be obtained by contacting: The Bureau of Entomology and Pest Control, 3125 Conner Boulevard, MS-C41, Tallahassee, FL 32399, (850)617-7997 or at the website: <http://consensus.fsu.edu/dacs/pest-control.html>.

For more information, you may contact: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 3125 Conner Boulevard, MS-C41, Tallahassee, FL 32399, (850)617-7997, michael.page@freshfromflorida.com.

DEPARTMENT OF EDUCATION

The Division of Blind Services announces a telephone conference call to which all persons are invited.

DATES AND TIMES: March 6, 2014, 6:00 p.m. – 8:00 p.m.; March 13, 2014, 6:00 p.m. – 8:00 p.m.; March 20, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: Teleconference numbers: 1(888)670-3525, Participant passcode: 8556456287 then press # key

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consumer input on State Plan Goals.

A copy of the agenda may be obtained by contacting: Gayle Newton at gayle.newton@dbs.fldoe.org or 1(800)342-1828.

For more information, you may contact: Antionette Williams at antionette.williams@dbs.fldoe.org or 1(800)342-1828.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: February 26, 2014, 9:00 a.m. – 11:00 a.m., EST.

PLACE: Conference Telephone Number: 1(888)670-3525 Conference Code: (7923533220)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Full Council Conference Call to discuss the Florida Vocational Rehabilitation Order of Selection and Budget.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.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: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 5, 2014, 10:30 a.m.

PLACE: Hope HealthCare Services at 475 East Cowboy Way in LaBelle

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular quarterly meeting of the Joint Glades-Hendry Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232.

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: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232. 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: Visit the SWFRPC's website at http://www.swfrpc.org/trans_dis.html.

METROPOLITAN PLANNING ORGANIZATIONS

Martin Metropolitan Planning Organization

The Local Coordinating Board-Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2014, 10:00 a.m.

PLACE: Martin Administration Building, 2401 SE Monterey Road, 4th Floor Workshop Room, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coordination of the transportation services for the transportation disadvantaged.

A copy of the agenda may be obtained by contacting: www.martinmpo.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 3 days before the workshop/meeting by contacting: Bonnie Landry, Senior Planner, 1(772)223-7983. 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: Lukas Lambert, Associate Transit Planner, 1(772)288-5412.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 28, 2014, 9:30 a.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>. NOTE: One or more additional Governing Board members from each of the three districts

named above may attend and participate in the meeting of the CFWI Steering committee.

A copy of the agenda may be obtained by contacting: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com> seven days before the meeting.

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: Nilisa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: February 27, 2014, 2:00 p.m. – 3:00 p.m. (Naples - video conference workshop)

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

DATE AND TIME: February 27, 2014, 2:00 p.m. – 3:00 p.m. (Ft. Myers - video conference workshop)

PLACE: SFWMD Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resource Caution Area Amendment to the 2012 Lower West Coast Water Supply Plan.

A copy of the agenda may be obtained by contacting: Linda Hoppes, (561)682-2213, LHoppes@sfwmd.gov.

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: District Clerk at (561)682-2087. 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: Linda Hoppes, (561)682-2213, LHoppes@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: February 28, 2014, 1:00 – 2:00 p.m. (Stuart)

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Ave., Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Water Resource Caution Area Amendment to the 2011 Upper East Coast Water Supply Plan.

A copy of the agenda may be obtained by contacting: Linda Hoppes, (561)682-2213, LHoppes@sfwmd.gov.

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: District Clerk at (561)682-2087. 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: Linda Hoppes, (561)682-2213, LHoppes@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:RULE TITLES:

59A-11.002 Definitions

59A-11.003 Licensure Procedures

59A-11.004 Investigations and License, Life Safety and Validation Inspections

59A-11.010 Informed Consent

59A-11.023 Physical Environment, Water Supply and Fire Safety

The Agency for Health Care Administration announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, February 18, 2014, 11:00 a.m. – 12:00 Noon

Note: correction is to day listed and not to the actual date/time of the hearing.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Correction is only to the day listed and not to the actual date/time of the hearing.

Please reference the Notice of Hearing published in Vol. 40, No. 26, February 7, 2014 issue of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Kimberly Stewart, AHCA, Hospital and Outpatient Services Unit, 2727 Mahan Drive, Mail Stop 31, Tallahassee, FL 32308-5407, telephone: (850)412-4362, e-mail: Kimberly.Stewart@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Kimberly Stewart, Hospital and Outpatient Services

Unit, 2727 Mahan Drive, MS# 31, Tallahassee, FL 32308-5407, telephone: (850)412-4362,

Kimberly.Stewart@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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

The Board of Auctioneers announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 7, 2014, 9:00 a.m.

PLACE: Hilton Cocoa Beach Oceanfront, 1550 North Atlantic Avenue, Cocoa Beach, FL 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1981.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers at (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Auctioneers, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

The Florida Barbers Board announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2014, 9:00 a.m.

PLACE: Residence Inn – Amelia Island, 2301 Sadler Road, Fernandina Beach, Florida 32034, (904)277-2440

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. 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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Department of Environmental Protection, Office of Greenways and Trails announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2014, 10:00 a.m.

PLACE: This meeting will be held by webinar. To register for this webinar, visit <https://www2.gotomeeting.com/register/449151506>. After registering, you will receive a confirmation email containing information about joining the webinar. The webinar will be recorded and posted on the Office of Greenways and Trails Acquisition webpage for future viewing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The webinar will focus on how to properly complete the application packet for the 2014 Land Acquisition Funding Cycle under the Florida Greenways and Trails Program. Staff will provide step-by-step information on the Certificate of Eligibility requirement, program requisites in Chapter 62S-1, F.A.C., application forms, maps, and other useful materials.

Forms and detailed application information can be downloaded from the Office of Greenways and Trails website at: FloridaGreenwaysandTrails.org. Copies can be requested by contacting Angie Bright, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, email: Angie.Bright@dep.state.fl.us, telephone: (850)245-2052.

Proposals for land acquisition funding under the Florida Greenways and Trails Program are being accepted for the current application cycle from February 3, 2014 through 5:00 p.m. April 25, 2014.

A copy of the agenda may be obtained by contacting: Angie Bright, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth

Boulevard, MS 795, Tallahassee, Florida 32399-3000, email: Angie.Bright@dep.state.fl.us, telephone: (850)245-2052.

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: Angie Bright, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, email: Angie.Bright@dep.state.fl.us, telephone: (850)245-2052. 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).

SOUTHWOOD SHARED RESOURCE CENTER

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

DATE AND TIME: Tuesday, February 25, 2014, 1:30 p.m.

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the SSRC Board of Trustees.

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

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

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: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

JUSTICE ADMINISTRATIVE COMMISSION

The Justice Administrative Commission announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2014, 10:00 a.m.

PLACE: Justice Administrative Commission, City Centre, Suite 2100, 227 N. Bronough Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Jessica Kranert, (850)488-2415, jessica.kranert@justiceadmin.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 3 days before the workshop/meeting by contacting: Jessica Kranert, (850)488-2415, jessica.kranert@justiceadmin.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).

PINELLAS COUNTY DEPARTMENT OF ENVIRONMENT & INFRASTRUCTURE (DEI)

The Pinellas County Department of Environment and Infrastructure announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2014, 5:00 p.m. – 7:30 p.m., Open House; 6:00 p.m., Formal Presentation followed by public comments

PLACE: Tarpon Springs Yacht Club, 350 N. Spring Boulevard, Tarpon Springs, Florida, 34689

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas County, in cooperation with the Florida Department of Transportation (FDOT) and the Federal Highway Administration, has scheduled a Public Hearing regarding the replacement of the Beckett Bridge in Tarpon Springs, Florida, FDOT FPN: 424385-1, ETDM Number: 13040, Pinellas County PID 2161. This hearing is being held to give the public an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The improvements consist of replacing the existing bridge with a new, two-lane movable bridge. No right-of-way will be acquired for this project. Potential encroachments on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988. Draft project documents and conceptual plans for the proposed improvements will be available for public review at the hearing location on the night of the hearing. Information about all alternatives considered will be available for review. Members of the project team will be available to answer questions. A court reporter will be available to receive comments in a one-on-one setting. At 6:00 pm, the formal portion of the hearing will begin. A formal presentation will be made, followed by a public comment period.

A copy of the agenda may be obtained by contacting: Tony Horrnik, P.E., S.I., Project Manager, Environment and Infrastructure, 14 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756, or at (727)464-3640 or at thornik@co.pinellas.fl.us.

More information can be viewed on the project website at www.pinellascounty.org/beckettbridge.

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: (727)464-4062 (VOICE/TDD). Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. 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).

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 20, 2014, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, AG Lab Report, MIL Report, and District Projects. A copy of the agenda may be obtained by contacting: Gina Dolleman, (305)242-1288.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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: Morgan Levy, District Administrator, (305)242-1288.

**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 Steven Jushchyshyn, In Re: G.B.S. Condominium Association, Inc., Docket No. 2014006021, filed on February 12, 2014. The petition seeks the agency’s opinion as to the applicability of Rule 28-105.001, Florida Administrative Code, as it applies to the petitioner.

Whether a declaratory statement can be made by the Division to help resolve a controversy if the controversy arises from the

conduct of another person; whether a declaratory statement can be made by the Division to help resolve a controversy if the controversy arises due to an action that has already taken place; whether the definition of "controversy" within the context of Rule 28-105.001, Florida Administrative Code, is substantially the same as the dictionary definition; whether "the conduct of another person" within the context of Rule 28-105.001, Florida Administrative Code, also applies to the conduct of an association where the association is not the petitioner; and whether the petitioner for a declaratory statement has sole responsibility for determining if the declaratory statement sought is to help resolve a controversy.

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 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), Florida Statutes, 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
Regarding Non-rule Policy Challenges**

NONE

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

NONE

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

DEPARTMENT OF HEALTH

Invitation to Negotiate

Florida Department of Health (FDOH)

Invitation to Negotiate

DOH13-015: Florida Biomedical Research Program Technical Services

In accordance with Section 120.525, Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 24, 2014 at 3:00 p.m. All future meeting dates and times related to this solicitation will be posted on the Vendor Bid System (VBS) prior to the meetings.

PLACE: FDOH Purchasing Office, 4052 Bald Cypress Way Room 310L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE DISCUSSED: Opening of the Cost Reply by the Procurement Officer for DOH13-015: Florida Biomedical Research Program Technical Services.

Any person requiring a special accommodation because of a disability at this public meeting should contact the FDOH Purchasing Office at (850)245-4199 at least 24 hours prior to the meeting.

If a person decides to appeal any decision made by the Department with respect to any matter considered at the meeting, he or she will need a recording of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made which to include testimony and evidence upon which the appeal is to be based.

Please direct all questions to CPORRequests@flhealth.gov.

**JACKSON COUNTY HOSPITAL DISTRICT D/B/A
JACKSON HOSPITAL**

Jackson County Hospital District, Marianna, Florida Jackson Hospital has received an unsolicited proposal for the development of a satellite medical office building to be located at the north intersection of Highway 90 and State Route 71 in Marianna, Jackson County, Florida. This property includes a Restricted Parcel, as designated by the Florida Department of

Environmental Protection, which contains specific land disturbance and building restrictions to be confirmed by the developer. The proposal includes an approximate 15,000 gross square foot (which includes rentable square footage), commercial-grade building and tenant interior build-out along with the utilities, parking, site work and landscaping required to meet local, state and federal governing codes. All surveying, soil testing, engineering, architectural/interior design, permitting, review and impact fees and any other development costs are to be included with the proposal. Land transfer costs from the developer to the hospital are also to be included. Additional proposals from qualified healthcare development firms may be submitted to Jackson Hospital, attention Brooke Donaldson, Assistant Administrator, 4250 Hospital Drive, Marianna, Florida 32446 no later than March 28, 2014. All questions related to the project must be submitted in writing via email to bdonaldson@jacksonhosp.org.

CITY OF PUNTA GORDA

Notice of Request for Proposals R2013102

The City of Punta Gorda, Procurement Division will receive sealed proposals for the following: RFP #R2013102, Qualification and selection of a Construction Manager at Risk for the construction of the Brackish Reverse Osmosis (RO) Water Treatment Plant, estimated budget: \$18,000,000 to be opened March 20, 2014 at 3:00 p.m. or soon thereafter at City of Punta Gorda, City Hall Annex, Procurement Division, 126 Harvey Street, 2nd Floor, Punta Gorda, FL 33950. Scope of Work: Construction Manager at Risk services to construct a new 4.0 million gallon per day (MGD) reverse osmosis water treatment plant (RO WTP) located adjacent to the City's existing Shell Creek WTP. The RO WTP will be designed to allow for the phased expansion of the treatment process in 2.0 MGD increments up to 8.0 MGD ultimate membrane capacity through the addition of raw water supply wells, micron filters, high pressure pumps, and reverse osmosis skids. Non-mandatory pre-submittal meeting will be held March 4, 2014 at 1:00 p.m. at City of Punta Gorda, City Hall Annex, Procurement Division, 126 Harvey Street, 2nd Floor, Punta Gorda, FL 33950. It will be the sole responsibility of the attendees to allow sufficient time to ensure prompt attendance as doors will close at set time. Questions shall be directed to Marian Pace, mpace@pgorda.us or (941)575-3348. Solicitation packages are available on-line at www.publicpurchase.com. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Submittal Meeting or the opening, contact Procurement, mpace@pgorda.us or (941)575-3348 within three (3) business days of the event.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

BC Motorsports, LLC, d/b/a Scoot A Roo for the establishment of WNGY motorcycles

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 Mod Cycles Corp., intends to allow the establishment of BC Motorsports, LLC, d/b/a Scoot A Roo as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd. (line-make WNGY) at 1711 North Nova Road, Unit A, Holly Hill (Volusia County), Florida 32117, on or after March 20, 2014.

The name and address of the dealer operator(s) and principal investor(s) of BC Motorsports, LLC, d/b/a Scoot A Roo are dealer operator(s): Bon Conelly, 1711 North Nova Road, Unit A, Holly Hill, Florida 32117; principal investor(s): Bon Conelly, 1711 North Nova Road, Unit A, Holly Hill, Florida 32117.

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: Javier Opoczynski, Mod Cycles Corp., 7795 West 20th Avenue, Miami, Florida 33014.

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

Boca Scooters, LLC, for the establishment of WNGY motorcycles

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 Hammer Brand, LLC, intends to allow the establishment of Boca Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd. (line-make WNGY) at 389 Northwest 1st Avenue, Boca Raton, (Palm Beach County), Florida 33432, on or after March 20, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Boca Scooters, LLC, are dealer operator(s): Colton Ralston, 389 Northwest 1st Avenue, Boca Raton, Florida 33432; principal investor(s): Colton Ralston, 389 Northwest 1st Avenue, Boca Raton, Florida 33432.

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: Diana Hammer, Hammer Brand, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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

Greg's Custom Cycle Works, Inc., for the establishment of SHEN motorcycles

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 El Sol Trading, Inc., intends to allow the establishment of Greg's Custom Cycle Works, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co., Ltd. (line-make SHEN) at 1141A Court Street, Clearwater, (Pinellas County), Florida 33756, on or after March 20, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Greg's Custom Cycle Works, Inc., are dealer operator(s): Greg Rice, 1141 Court Street, Clearwater, Florida 33756; principal investor(s): Greg Rice, 1141 Court Street, Clearwater, Florida 33756.

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: Gloria Ma, El Sol Trading, Inc., 19295 East Walnut Drive North, City of Industry, California 91748.

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

Topcars USA, LLC, for the establishment of WNGY motorcycles

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 Mod Cycles Corp., intends to allow the establishment of Topcars USA, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd. (line-make WNGY) at 15385-87 Northeast 21st Avenue, North Miami Beach, (Miami-Dade County), Florida 33162, on or after March 20, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Topcars USA, LLC are dealer operator(s): Daniel Alvarez, 15385-87 Northeast 21st Avenue, North Miami Beach, Florida 33162; principal investor(s): Daniel Alvarez, 15385-87 Northeast 21st Avenue, North Miami Beach, Florida 33162.

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: Javier Opoczynski, Mod Cycles Corp., 7795 West 20th Avenue, Miami, Florida 33014.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

Lake Butler Hospital Hand Surgery Center emergency service exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Lake Butler Hospital Hand Surgery Center located at 850 E Main St,

Lake Butler, FL 32054 pursuant to Section 395.1041 (3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for General Surgery and Plastic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS # 31, Tallahassee, Florida 32308, by phone at (850)412-4549 or by e-mail at Julie.Young@ahca.myflorida.com.

DEPARTMENT OF HEALTH

Emergency Action

On February 13, 2014, State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certification of Jared Thomas Ravenscroft, E.M.T., Certification # EMT 519352. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-019

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-019 on February 13, 2014, in response to an application submitted by Harbor Hills First Addition, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application did not meet the statutory requirements for covenant revitalization because the application was not supported by affirmative votes from a majority of the parcel owners. Accordingly, the Department's Final Order denied the application for covenant revitalization. Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
