

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NO.:       RULE TITLE:

5C-30.003       Penalties

PURPOSE AND EFFECT: The Purpose of the rule is to improve the department’s ability to trace cattle and bison in the event of an animal disease emergency. The proposed rule updates the current rule to add additional penalties for violations of the new requirements for tagging, with official individual identification, unidentified non-exempt cattle and bison that are purchased at a livestock market.

SUBJECT AREA TO BE ADDRESSED: Penalties for violations of the requirements for Official Individual Identification of Non-exempt cattle and bison purchased at livestock markets.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), (2), 585.16, 585.23, 585.40 FS.

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

DATE AND TIME: Thursday, May 1, 2014, 10:00 a.m., EST

PLACE: Florida Department of Agriculture and Consumer Services, Conner Administration Building, George Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida or by conference call at 1(888)670-3525, utilizing the participant code: 8149-6580-71#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Stephen Monroe, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800, phone: (850)410-0900, fax: (850)410-0929

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NOS.:     RULE TITLES:

5C-31.001       Definitions

5C-31.004       USDA Approved Livestock Facilities

5C-31.006       Documents Incorporated By Reference

PURPOSE AND EFFECT: The Purpose of the rule is to improve the state’s ability to trace cattle and bison in the event of an animal disease emergency. This rule revises the current rules to provide additional definitions, reporting procedures, and forms to revise the requirements for tagging, with official individual identification, unidentified non-exempt cattle and bison that are purchased at a livestock market.

SUBJECT AREA TO BE ADDRESSED: Official Individual Identification of Non-exempt cattle and bison purchased at livestock markets.

RULEMAKING AUTHORITY: 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 585.08(2)(a), 585.11, 585.145 FS.

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

DATE AND TIME: Thursday, May 1, 2014, 10:00 a.m. EST

PLACE: Florida Department of Agriculture and Consumer Services, Conner Administration Building, George Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida or by conference call at 1(888)670-3525, utilizing the participant code: 8149-6580-71#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: : Mr. Stephen Monroe, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800, phone: (850)410-0900, fax: (850)410-0929

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:     RULE TITLE:

6A-2.0020       Charter School Capital Outlay

PURPOSE AND EFFECT: The purpose of this rule development is to review and clarify the application process and eligibility for charter school capital outlay. The rule will be consistent with Section 1013.62(1), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Eligibility criteria.

RULEMAKING AUTHORITY: 1002.33(27) FS.  
 LAW IMPLEMENTED: 1013.62 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: April 25, 2014, 11:00 a.m.  
 PLACE: Via conference call: 1(888)670-3525 Participant code: 9945174164.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Emerson, Charter Schools Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400 or via e-mail at Adam.Emerson@fldoe.org. To comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Will be available at <https://app1.fldoe.org/rules/default.aspx> prior to the workshop.

## Section II Proposed Rules

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Barbers' Board

RULE NO.:           RULE TITLE:  
 61G3-15.025      Public Comment at Board Meetings  
 PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide the criteria for public comment at Board meetings.  
 SUMMARY: The criteria for public comment at Board meetings will be provided in the rule.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:  
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.  
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board determined that the rule will not significantly alter the procedures that the Board currently follows. 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.025 Public Comment at Board Meetings.

The Barbers' Board invites and encourages all members of the public to provide comment on propositions before 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 propositions before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Individual members of the public shall be limited to three minutes to provide comment. Groups including five or more persons shall have a single person speak on behalf of the group and that speaker shall be limited to five minutes to provide comment. The time limits to provide comment 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 limits to provide comment if time permits.

(3) A member of the public shall notify board staff in writing of the person's or group's interest to be heard on a proposition before the Board. The notification shall identify the person or group, and indicate the person's or group's support, opposition, or neutrality, and identify who will speak on behalf of a group consisting of five or more persons. If the person or entity appearing before the Board does not wish to be identified, a pseudonym may be used.

Rulemaking Authority 286.0114 FS. Law Implemented 286.0114 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Barbers' Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 18, 2014

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:      RULE TITLES:  
 69B-211.001    Purpose  
 69B-211.002    General Procedures  
 69B-211.0025   Additional Rule Specific to Navigators  
 69B-211.0035   Licensure Application Procedure  
 69B-211.010    Purpose  
 69B-211.040    Purpose and Scope  
 69B-211.042    Effect of Law Enforcement Records on Applications for Licensure

PURPOSE AND EFFECT: The proposed rule amendment provides a procedure to register navigators pursuant to Section 626.9953, Florida Statutes. "Navigator" is a new category of insurance professional created to assist health insurance consumers to find insurance coverage through insurance exchanges created to fulfill mandates imposed by the Patient Protection and Affordable Care Act.

SUMMARY: The proposed rule amendment provides a procedure to register navigators pursuant to Section 626.9953, Florida Statutes. "Navigator" is a new category of insurance professional created to assist health insurance consumers to find insurance coverage through insurance exchanges created to fulfill mandates imposed by the Patient Protection and Affordable Care Act.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A \$50.00 application fee multiplied by 400 applications is \$20,000.00. Estimates are that there will be Department computer system costs of \$7,750.00 (non recurring) and \$5,160.00 in recurring staff costs.

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, 626.161, 626.171, 626.172, 626.207, 626.9958 FS.

LAW IMPLEMENTED: 112.011, 120.60, 624.307(1), 624.321, 624.501, 626, 626.161, 626.171, 626.172, 626.201, 626.207, 626.211, 626.271, 626.291, 626.301, 626.541, 626.592, 626.601, 626.611, 626.611(7), (14), 626.621, 626.621(8), 626.631, 626.641, 626.681, 626.691, 626.752, 626.793, 626.837, 626.8417, 626.995(3), 626.9953(3)(g), 626.9954, 626.9957(3)(e), 627, 632, 634, 637, 639, 641 (Part II), 642, 648 FS.

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

DATE AND TIME: Wednesday, May 7, 2014, 10:30 a.m.  
 PLACE: 116 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: Matt Tamplin, (850)413-5460 or Matt.Tamplin@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: Matt Tamplin, Bureau Chief, Bureau of Licensing, Division of Insurance Agent & Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320, (850)413-5460 or Matt.Tamplin@myfloridacfo.com

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

**69B-211.001 Purpose.**

The purpose of this part is to establish procedures and adopt forms for ~~agent and agency~~ licensing under the provisions of the Florida Insurance Code. Subsection 120.52(10), F.S. defines the word license to include registration or similar form of authorization required by law.

Rulemaking Specific Authority 624.308, 626.9958 FS. Law Implemented 624.307(1), 626, 627, 632, 634, 637, 639, 641 (Part II), 642, 648 FS. History—New 6-4-92, Formerly 4-211.001, Amended.

**69B-211.002 General Procedures.**

(1) No change.

(2)(a) An applicant for a license for which an examination is required shall complete all sections of Form DFS-H2-498, "Insurance License Application/Examination Required," rev. 10-97, and shall submit the application with the required fees to the Department.

~~(b)~~ All applicants shall comply with Part II of this rule chapter regarding the photo identification license.

~~(b)(e)~~ All entities appointing insurance representatives shall comply with Part III of this rule chapter regarding the character and credit report.

~~(c)(d)~~ Applicants for particular licenses requiring an examination shall comply with the requirements in subsections (3) through (5), below.

(3) through (5) No change.

(6) An applicant for registration as a navigator pursuant to Section 626.9953, F.S. shall complete and submit Form DFS-H2-2126 (Eff. 10/2013).

(6) through (36) renumbered (7) through (37) No change.

(a) through (d) No change.

Rulemaking Specific Authority 624.308, 626.161, 626.171, 626.172, 626.9958 FS. Law Implemented 624.307(1)8, 624.321, 624.501, 626.171, 626.172, 626.201, 626.211, 626.271, 626.541, 626.592, 626.611, 626.621, 626.752, 626.793, 626.837, 626.8417, 626.9953 FS. History–New 6-4-92, Amended 5-17-94, 6-7-99, Formerly 4-211.002, Amended 2-20-07, \_\_\_\_\_.

69B-211.0025 Additional Rule Specific to Navigators.

(1) An individual who is an in-person assister falls within the definition of the term “navigator” set forth in subsection 626.9951(3), F.S. if the individual performs any of the duties identified in that definition, even if the in-person assister is not designated as a “navigator” under federal law. Certified applications counselors are not within the scope of the definition of the term “navigator” set forth in subsection 626.9951(3), F.S.

(2) As additional information required pursuant to paragraph 626.9953(3)(g), F.S., the navigator applicant must provide a copy of an official certificate from the U.S. Department of Health and Human Services, (HHS) demonstrating certification as a marketplace navigator or in-person assister. This is in addition to the requirement in paragraph 626.9953(3)(c), F.S. that the applicant has successfully completed all training for a navigator as required by the federal government or the exchange.

Rulemaking Authority 626.9958 FS. Law Implemented 626.995(3), 626.9953(3)(g) FS. History–New \_\_\_\_\_.

69B-211.0035 Licensure Application Procedure.

(1) Purpose and Scope. This rule implements Sections 120.60, 626.171, 626.201, ~~and~~ 626.211, and 626.9953, Florida Statutes, by providing notice of the Department’s procedure for processing applications of persons who apply for licensure to the Bureau of Agent & Agency Licensing under Chapters 626, 632, 634, 635, 637, 642, 648, Florida Statutes.

(2) Definitions. For purposes of this rule chapter, the following definitions shall apply.

(a) through (d) No change.

(e) “License” shall have the meaning set forth in subsection 120.52(10), Florida Statutes which includes registrations.

(f) “Licensing” shall have the meaning set forth in subsection 120.52(11), Florida Statutes.

~~(g)(e)~~ “Receipt,” means that a document has been received by the Department at its offices in Tallahassee and has been date stamped by Department personnel.

(3) through (10) No change.

Rulemaking Specific Authority 624.308, 626.9958 FS. Law Implemented 120.60, 624.307(1), 626.171, 626.201, 626.211, 626.9953 FS. History–New 7-18-93, Amended 6-28-94, Formerly 4-211.003, Amended \_\_\_\_\_.

69B-211.010 Purpose.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.301 FS. History–New 6-4-92, Formerly 4-211.010, Repealed \_\_\_\_\_.

69B-211.040 Purpose and Scope.

(1) The purpose of this rule part is to implement the Department’s duty under subsection Section 624.307(1), Florida Statutes, to enforce Sections 626.207, 626.611(7) and (14), ~~and~~ 626.621(8), and 626.9953, Florida Statutes, by establishing standards for granting licensure applications described in those statutory sections, and interpreting provisions in those sections as they relate to penalties imposed upon applicants specified in subsection (2) below.

(2) This rule part applies to applications for licensure as an agent, adjuster, sales representative, navigator or other licensure under the Florida Insurance Code. This rule part does not apply to the licensure of bail bondsmen, or limited surety agents under Chapter 648, Florida Statutes.

Rulemaking Specific Authority 624.308, 626.9958 FS. Law Implemented 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641, 626.681, 626.691, 626.9953 FS. History–New 10-17-02, Formerly 4-211.040, Amended \_\_\_\_\_.

69B-211.042 Effect of Law Enforcement Records on Applications for Licensure.

(1) Law Enforcement Records and Required Documentation. The Department uses Law Enforcement Records to determine whether an applicant is subject to the permanent bar or disqualifying periods set forth in Section 626.207, or 626.9954, F.S., or otherwise qualifies for licensure under the Florida Insurance Code, including determining whether an applicant is fit and trustworthy pursuant to subsection Section 626.611(7), or has the requisite character pursuant to paragraph 626.9953(3)(g), F.S.

(a) through (e) No change.

(2) Effect of Failure to Truthfully Answer Application Questions Regarding Applicant’s Law Enforcement Record.

(a) The existence of an applicant's Law Enforcement Record is considered a material element of the application and the application process and the failure to accurately and truthfully answer application questions or Department requests regarding the Law Enforcement Record is considered a material misrepresentation or material misstatement under subsection Section 626.611(2), or paragraph 626.9957(3)(e), F.S.

(b)1. No change.

2. If the Department discovers that an applicant failed to accurately and truthfully answer any question relating to Law Enforcement Records after a license has been granted, the Department shall suspend or revoke each license currently held by the licensee pursuant to Sections 626.611 and 626.9953, F.S.

(3) Classification of and Treatment of Certain Felony and Misdemeanor Crimes.

(a) Application for licensure shall not be denied or subjected to a disqualifying period based solely on the fact that an applicant was found guilty of, or pled guilty or nolo contendere to, a misdemeanor, unless the misdemeanor is directly related to the financial services business as defined in subsection Section 626.207(1), F.S., which shall also apply to the same term as used in subsection 626.9954(3)(c), F.S.

(b) A crime is directly related to the financial services business as defined in subsection Section 626.207(1), F.S., if a financial services business, a financial services business relationship, a financial services business resource, or a transaction relating to or involving a financial services business, was used in the furtherance of the crime.

(c) For the purposes of this rule, the seven year disqualifying period in paragraphs Section 626.207(4)(b), and 626.9954(3)(b), F.S. apply applies to all felony cases involving the passing or uttering of a worthless bank check, or obtaining property in return for a worthless bank check or any other check-related felony where the check or property involved is worth \$500 or less.

(4) Applicants With Multiple Crimes.

(a) Where an applicant has more than one crime subject to a disqualifying period, an additional disqualifying period for each of those additional crimes shall be added to the disqualifying period. For each additional crime that is subject to a disqualifying period the Department shall add:

1. Five years to the disqualifying period for each additional felony involving moral turpitude but not subject to the permanent bar in subsection Section 626.207(3), or 626.9954(2), F.S.;

2. Two years to the disqualifying period for each additional felony not involving moral turpitude and not subject to the permanent bar in subsection Section 626.207(3), or 626.9954(2), F.S.; and

3. No change.

(b) The additional disqualifying period shall be added to the disqualifying period for the most serious crime, and the combined total disqualifying period will then run from the date of the applicant's final release from supervision for the most recent crime that would be subject to a disqualifying period under subsection Section 626.207(4), or 626.9954(3), F.S.

(c) No change.

(5) Mitigating Factors.

(a) If applicable, the Mitigating Factors listed below may be used to shorten the total disqualifying period only when the fifteen year disqualifying period established in paragraph Section 626.207(4)(a), F.S. is applicable. Where more than one mitigating factor is present the applicant is entitled to add all applicable years of mitigation together and deduct that number from the total disqualifying period only when the fifteen year disqualifying period is applicable; however, the fifteen year disqualifying period may not be reduced to less than seven years. Mitigating Factors cannot be used to reduce the seven year disqualifying periods established by paragraphs Section 626.207(4)(b) or (c), or 626.9954(3)(b) and (c), F.S. Mitigating Factors may not be used to reduce the amount of the disqualifying period for failure to answer questions accurately and truthfully established in subparagraph (2)(b)1. The following Mitigating Factors may apply:

1. through 8. No change.

(b) No change.

(6) through (10) No change.

(11) Disclosure and Effect of a Pardon.

(a) through (c) No change.

(d) If a pardoned crime falls within either of the two exceptions contained in sub-subparagraphs (11)(c)1. or 2. above, the Department may apply the disqualifying periods set out in Section 626.207, and subsection 626.9954(3), F.S.

(e) No change.

(12) through (13) No change.

(14) Effect of Disqualifying Periods. The disqualifying periods applied pursuant to Section 626.207 and subsection 626.9954(3), F.S. or established in this rule do not give an applicant a right to a license after any set period of time. After the disqualifying period, an applicant may re-apply for a license and the law in effect at the time will apply to that application.

(15) Foreign Law Enforcement Records. In the event that a law enforcement record includes convictions, charges, or arrests outside the United States, the Department shall consider the following factors to reduce, eliminate, or apply a disqualifying period or to determine if the permanent bar under subsections Section 626.207(3), and 626.9954 (2), F.S., is applicable:

(a) through (b) No change.

Rulemaking Authority 624.308, 626.207, 626.9958 FS. Law Implemented 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641, 626.9954, 626.9957(3)(e) FS. History—New 10-17-02, Formerly 4-211.042, Amended 7-21-04, 8-27-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matt Tamplin, Bureau Chief, Bureau of Licensing, Division of Insurance Agent & Agency 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: April 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 6, 2014

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:	RULE TITLES:
69B-231.010	Purpose
69B-231.020	Scope
69B-231.030	Definitions
69B-231.040	Calculating Penalty
69B-231.070	Prosecutorial Discretion
69B-231.100	Penalties for Violation of Subsection 626.9541(1), F.S.
69B-231.110	Penalties for Violation of Other Specific Provisions of the Florida Insurance Code
69B-231.115	Penalties for Violation of Section 626.9957, Florida Statutes
69B-231.160	Aggravating/Mitigating Factors

PURPOSE AND EFFECT: The rule amendment provides penalties for violations of Section 626.9957, F.S., regarding the conduct of health insurance navigators. “Navigator” is a new category of insurance professional created by Ch. 2013-101, Laws of Florida to help health insurance consumers to understand the options available under the Patient Protection and Affordable Care Act. Additionally, “section” is replaced with “subsection” to conform to the present convention.

The new penalties are listed in Rule 69B-231.115, F.A.C., and are analogous to penalties for similar violations by other insurance licensees.

SUMMARY: The rule amendment provides penalties for violations of Section 626.9957, F.S., regarding the conduct of health insurance navigators. “Navigator” is a new category of insurance professional created by Ch. 2013-101, Laws of Florida to help health insurance consumers to understand the options available under the Patient Protection and Affordable Care Act. Additionally, “section” is replaced with “subsection” to conform to the present convention.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule deals with the penalties being imposed on individuals for failing to comply with the Florida insurance code. Individuals are required to maintain records for the transactions they discuss with Florida consumers under the Florida Statutes and the Patient Protection and Affordable Care Act. However, if a person were to be charged with an allegation of violating the law, then that person will need to retrieve their records and spend time developing a defense to the allegations. They may also incur attorney fees to try to defend their position and maintain their registration.

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, 626.9957(12), 626.9958 FS.

LAW IMPLEMENTED: 624.307(1), 624.308, 624.308(2), 626.207(2), 626.611, 626.621, 626.631, 626.631(1), 626.641, 626.681, 626.691, 626.9521, 626.9541(1), 626.9561, 626.9571, 626.9581, 626.9954, 626.9957, 626.9957(4)(a), (b), (g), 627.9957(4)(g), 631.155 FS.

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

DATE AND TIME: Wednesday, May 7, 2014, 10:30 a.m.

PLACE: 116 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: Barry Lanier, (850)413-5601 or Barry.Lanier@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: Barry Lanier, Chief, Bureau of Investigation, Division of Insurance Agent & Agency Services,

Department of Financial Services, 200 E. Gaines Street, Room 416A, Larson Building, Tallahassee, FL 32399-0320, (850)413-5601 or Barry.Lanier@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-231.010 Purpose.

The purpose of this rule chapter is to implement the Department’s duty under subsections Sections 624.307(1), and 626.207(2), and Section 626.9954, F.S., to enforce Sections 626.611, 626.621, 626.631, 626.641, 626.681, and 626.691, and 626.9954, F.S., by establishing standards for penalties described in those statutory sections, and interpreting provisions in those sections as they relate to penalties imposed upon licensees specified in Rule 69B-231.020, F.A.C.

Rulemaking Specific Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.9957 FS. History–New 7-13-93, Amended 9-23-02, Formerly 4-231.010, Amended 8-15-06,\_\_\_\_\_.

69B-231.020 Scope.

(1) This rule chapter shall apply to all resident and nonresident insurance agents, customer representatives, adjusters, navigators, and service representatives licensed under Chapter 626, F.S., who are subject to discipline under Sections 626.611 and 626.621, F.S.

(2) No change.

Rulemaking Specific Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.611, 626.621, 626.9957 FS. History–New 7-13-93, Amended 8-15-00, 9-23-02, Formerly 4-231.020, Amended 8-15-06,\_\_\_\_\_.

69B-231.030 Definitions.

The following definitions shall apply for purposes of this rule chapter.

(1) through (7) No change.

(7) “Final penalty” means the penalty imposed on a licensee by the Department.

(8) “License” shall have the meaning set forth in subsection 120.52(10), Florida Statutes which includes registrations.

(9) “Licensee” means one who holds a license.

(8) through (10) No change.

Rulemaking Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.611, 626.621, 626.9957 FS. History–New 7-13-93, Amended 9-23-02, Formerly 4-231.030, Amended 8-15-06, 8-12-10,\_\_\_\_\_.

69B-231.040 Calculating Penalty.

(1) Penalty Per Count.

(a) The Department is authorized to find that multiple grounds exist under Sections 626.611, and 626.621 and 626.9957, F.S., for disciplinary action against the licensee based upon a single count in an administrative complaint based

upon a single act of misconduct by a licensee. However, for the purpose of this rule chapter, only the violation specifying the highest stated penalty will be considered for that count. The highest stated penalty thus established for each count is referred to as the “penalty per count”.

(b) No change.

(2) No change.

(3) Final Penalty.

(a) No change.

(b) The Department may convert the total penalty to an administrative fine and probation if the licensee has not previously been subjected to an administrative penalty and the current action does not involve a violation of Section 626.611, F.S.;

(c) through (d) No change.

Rulemaking Specific Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.611, 626.621, 626.641, 626.681, 626.691, 626.9957 FS. History–New 7-13-93, Formerly 4-231.040, Amended 8-15-06,\_\_\_\_\_.

69B-231.070 Prosecutorial Discretion.

(1) through (2) No change.

(3) Cease and Desist Actions. This rule chapter shall not preclude the Department from initiating an administrative action against licensed or unlicensed individuals for the purpose of imposing cease and desist and penalty orders authorized by Section 626.9581, F.S.

(4) No change.

Rulemaking Specific Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9521, 626.9561, 626.9571, 626.9581, 626.9957 FS. History–New 7-13-93, Formerly 4-231.070, Amended 8-15-06,\_\_\_\_\_.

69B-231.100 Penalties for Violation of Subsection Section 626.621(6), or Section 626.9541, F.S.

If a licensee is found to have violated subsection Section 626.621(6), or Section 626.9541, F.S., by engaging in unfair methods of competition or in unfair or deceptive acts or practices as defined in any of the following paragraphs of subsection Section 626.9541(1), F.S., the following stated penalty shall apply:

(1) Paragraph Section 626.9541(1)(a), F.S. – suspension 12 months

(2) Paragraph Section 626.9541(1)(b), F.S. – suspension 6 months

(3) Paragraph Section 626.9541(1)(c), F.S. – suspension 3 months

(4) Paragraph Section 626.9541(1)(d), F.S. – suspension 3 months

(5) Paragraph Section 626.9541(1)(e), F.S. – suspension 6 months; except that the penalty for a violation of subparagraph

~~Section~~ 626.9541(1)(e)1., F.S., shall be a suspension of 12 months.

(6) ~~Paragraph Section~~ 626.9541(1)(f), F.S. – suspension 3 months

(7) ~~Paragraph Section~~ 626.9541(1)(g), F.S. – suspension 6 months

(8) ~~Paragraph Section~~ 626.9541(1)(h), F.S. – suspension 6 months

(9) ~~Paragraph Section~~ 626.9541(1)(i), F.S. – suspension 6 months

(10) ~~Paragraph Section~~ 626.9541(1)(j), F.S. – suspension 3 months

(11) ~~Paragraph Section~~ 626.9541(1)(k), F.S. – suspension 9 months

(12) ~~Paragraph Section~~ 626.9541(1)(l), F.S. – suspension 12 months

(13) ~~Paragraph Section~~ 626.9541(1)(m), F.S. – suspension 3 months

(14) ~~Paragraph Section~~ 626.9541(1)(n), F.S. – suspension 6 months

(15) ~~Paragraph Section~~ 626.9541(1)(o), F.S. – suspension 6 months

(16) ~~Paragraph Section~~ 626.9541(1)(p), F.S. – suspension 3 months

(17) ~~Paragraph Section~~ 626.9541(1)(q), F.S. – suspension 3 months

(18) ~~Paragraph Section~~ 626.9541(1)(r), F.S. – suspension 3 months

(19) ~~Paragraph Section~~ 626.9541(1)(s), F.S. – suspension 3 months

(20) ~~Paragraph Section~~ 626.9541(1)(t), F.S. – suspension 3 months

(21) ~~Paragraph Section~~ 626.9541(1)(u), F.S. – suspension 9 months

(22) ~~Paragraph Section~~ 626.9541(1)(v), F.S. – suspension 3 months

(23) ~~Paragraph Section~~ 626.9541(1)(w), F.S. – suspension 6 months

(24) ~~Paragraph Section~~ 626.9541(1)(X), F.S. – suspension 6 months

(25) ~~Paragraph Section~~ 626.9541(1)(y), F.S. – suspension 6 months

(26) ~~Paragraph Section~~ 626.9541(1)(z), F.S. – suspension 6 months

(27) ~~Paragraph Section~~ 626.9541(1)(aa), F.S. – suspension 9 months

(28) ~~Paragraph Section~~ 626.9541(1)(bb), F.S. – suspension 3 months

(29) ~~Paragraph Section~~ 626.9541(1)(cc), F.S. – suspension 6 months

(30) ~~Paragraph Section~~ 626.9541(1)(ee), F.S. – suspension 12 months

(31) ~~Paragraph Section~~ 626.9541(1)(ff), F.S. – suspension 12 months.

Rulemaking Authority 624.308, 626.9957(12), 626.9958 ~~626.207(2)~~ FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.621, 626.9541(1), 626.9957(4)(a) FS. History—New 7-13-93, Formerly 4-231.100, Amended 8-15-06, 8-12-10, \_\_\_\_\_.

69B-231.110 Penalties for Violation of Other Specific Provisions of the Florida Insurance Code.

If the licensee is found to have violated any of the following provisions of the Insurance Code, the following stated penalty shall apply:

(1) ~~Subsection Section~~ 624.318(2), F.S. – suspension 3 months

(2) ~~Subsection Section~~ 626.112(2), F.S. – suspension 3 months

(3) ~~Subsection Section~~ 626.342(1), F.S. – suspension 3 months

(4) through (7) No change.

(8) ~~Subsection Section~~ 626.561(1), F.S. – suspension 9 months

(9) ~~Subsection Section~~ 626.561(2), F.S. – suspension 3 months

(10) through (12) No change.

(13) ~~Subsection Section~~ 626.601(2), F.S. – suspension 3 months

(14) ~~Subsection Section~~ 626.631(1), F.S. – revocation

(15) ~~Subsection Section~~ 626.641(4), F.S. – revocation

(16) No change.

(17) ~~Subsection Section~~ 626.741(3), F.S. – suspension 3 months

(18) ~~Subsection Section~~ 626.741(4), F.S. – suspension 6 months

(19) through (23) No change.

(24) ~~Subsection Section~~ 626.792(3), F.S. – suspension 3 months

(25) ~~Subsection Section~~ 626.792(6), F.S. – revocation

(26) through (29) No change.

(30) ~~Subsection Section~~ 626.835(3), F.S. – suspension 3 months

(31) ~~Subsection Section~~ 626.835(6), F.S. – revocation

(32) through (34) No change.

(35) ~~Subsection Section~~ 626.901(1), F.S. – suspension 12 months

(36) Subsection Section 626.901(2), F.S. – suspension 12 months

(37) through (39) No change.

Rulemaking Authority 624.308, 626.9957(12), 626.9958 626.207(2) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9957(4)(a), 631.155 FS. History–New 7-13-93, Formerly 4-231.110, Amended 8-15-06, 8-12-10,\_\_\_\_\_.

69B-231.115 Penalties for Violation of Section 626.9957, Florida Statutes.

If it is found that the navigator has violated any of the following subsections of Section 626.9957, F.S., the following stated penalty shall apply:

- (1) Paragraph 626.9957 (2)(a), F.S. – suspension 6 months
- (2) Paragraph 626.9957(2)(b), F.S. – suspension 6 months
- (3) Paragraph 626.9957(3)(a), F.S. – suspension 6 months
- (4) Paragraph 626.9957(3)(b), F.S. – suspension 6 months
- (5) Paragraph 626.9957(3)(c), F.S. – suspension 6 months
- (6) Paragraph 626.9957(4)(c), F.S. – suspension 6 months
- (7) Paragraph 626.9957(4)(d), F.S. – cancellation upon

failure to meet statutory requirements

(8) Paragraph 626.9957(4)(e), F.S. –

(a) Suspension 12 months if, had the license application been accurate, the application would have been granted, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license, and the documentation in the applicant’s file at the time the Department issued the license.

(b) Revocation if, had the license application been accurate, the application would have been denied, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license.

(9) Paragraph 626. 9957(4)(f), F.S. – revocation

(10) Paragraph 626. 9957(4)(g), F.S. – see Rule 69B-231.150

(11) Paragraph 626.9957(4)(h), F.S. – revocation

(12) Paragraph 626.9957(4)(i), F.S. – suspension 6 months

(13) Paragraph 626.9957(4)(j), F.S. – revocation

Rulemaking Authority 626.9957(12), 626.9958 FS. Law Implemented 626.9957 FS. History–New \_\_\_\_\_.

69B-231.160 Aggravating/Mitigating Factors.

The Department shall consider the following aggravating and mitigating factors and apply them to the total penalty in reaching the final penalty assessed against a licensee under this rule chapter. After consideration and application of these factors, the Department shall, if warranted by the Department’s consideration of the factors, either decrease or increase the penalty to any penalty authorized by law.

(1) For penalties other than those assessed under Rule 69B-231.150, F.A.C.:

(a) through (l) No change.

(m) Violation of any part of Sections 626.9541, and 627.4554. F.S., in relation to the sale of a life insurance policy or annuity to a senior citizen; and

(n) No Change.

(2) For penalties assessed under Rule 69B-231.150, F.A.C., for violations of subsections Sections 626.611(14) and 626.621(8), F.S.:

(a) through (i) No change.

Rulemaking Authority 626.308, 626.9957(12), 626.9958 626.207(2), 627.4554(9) FS. Law Implemented 624.307(1), 624.308(2), 626.207(2), 626.611, 626.621, 626.631, 626.681, 626.9541, 627.4554, 626.9954, 627.9957(4)(g) FS. History–New 7-13-93, Formerly 4-231.160, Amended 8-15-06, 8-12-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barry Lanier, Chief, Bureau of Investigation, Division of Insurance Agent & Agency 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: April 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 6, 2014

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
61-30.101	Definitions
61-30.807	Standards of Practice, Interior Components
	<b>NOTICE OF CHANGE</b>

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. 245, December 19, 2013 issue of the Florida Administrative Register.

61-30.101 Definitions.

As used in this chapter, the following terms have the following meanings:

(1) through (25) No change.

~~(26) Scope of Services Disclosure or Contract: The contract or documented disclosure form completed by the home inspector and the owner of the real property which includes the listed home inspection services the home inspector is responsible for providing during the home inspection, including any additional items or property inspected.~~

RENUMBER SUBSEQUENT SECTIONS.

Rulemaking Authority 455.2035, 455.2178(5), 468.8325 FS. Law Implemented 455.2178, 455.2179, 468.8311, 468.8313(3) FS. History--New\_\_\_\_\_.

61-30.807 Standards of Practice, Interior Components.

(1) No change.

(2) The inspector shall inspect all of the visible and readily accessible interior systems and components. When inspecting doors and windows, the inspector may inspect a representative number of doors and windows. The inspector shall inspect household appliances to determine whether the appliances are significantly deficient ~~or are near the end of their services lives, if possible,~~ using normal operating controls to activate a primary function and noting any findings and discrepancies in the home inspection report. Inspectors will not operate systems or appliances identified as owners' belongings ~~or~~ nor if there is a risk to the property being inspected. Inspectors will first review the system to be operated and use professional judgment as to whether it is safe to operate using normal operating controls and report accordingly. The appliances to be inspected must be included on the Scope of Services Disclosure ~~or Contract.~~

(3) through (4) No change.

Rulemaking Authority 468.8325 FS. Law Implemented 468.8323, 468.832(1)(j) FS. History--New\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:  
64B14-4.115 Requirements for Renewal of Prosthetic or Othotic Residency or Internship  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the notice of change in Vol. 40, No. 51, March 14, 2014 issue of the Florida Administrative Register.

The corrections are as follows:

The date that the Proposed Rule was published in the Florida Administrative Register should be Vol 39, No. 201, October 15, 2013.

Removal of question No. 7, "ID Badge" in form DH-MQA 1268 was not in response to a JAPC comment but, rather was an amendment to the proposed rule initiated by the board at the public meeting on February 28, 2014.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Acting Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.: RULE TITLE:  
64B18-16.005 Content of Residency Program – Reports  
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. 245, December 19, 2013 issue of the Florida Administrative Register.

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

1. The revision date of the incorporated Form DH-MQA 1140 will be changed to 03/2014.
2. The questions asked pursuant to Section 456.0635(2), F.S., have been removed from Form DH-MQA 1140, 03/2014, in that the form is a report and not an application.
3. Section 456.072(1)(j), (k), (l), F.S. will be removed as law implemented.
4. Section 461.013 (1)(g), (h), (i), F.S. will be removed as law implemented.
5. Section 461.014(1)(d), F.S. will be added as law implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Acting Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

RULE NO.: RULE TITLE:  
64J-2.020 Acute Care Hospital Trauma Registry  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 69, April 9, 2014 issue of the Florida Administrative Register.

This correction is being made in response to concerns from the Joint Administrative Procedures Committee.

The proposed rule is corrected to read:

64J-2.020 Acute Care Hospital Trauma Registry.  
Each hospital as defined by Section 395.002(12), F.S., except for a long term care hospital as defined at Section 408.032, F.S., shall document and submit to the department patient care data

in accordance with the format and time frame specified in the Florida Acute Care Trauma Registry Manual [Data Dictionary](#), January 2014, which is incorporated by reference and available from the department, or at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_http://www.xxxxxxx.gov](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____http://www.xxxxxxx.gov).

**Section IV  
Emergency Rules**

NONE

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Driver Licenses

RULE NO.: RULE TITLE:

15A-10.029 Special Supervision Services (SSS) and Statutory Eligibility

The Department of Highway Safety and Motor Vehicles hereby gives notice: This matter came before the Department of Highway Safety and Motor Vehicles (Department) by Petitioner, George Deirmenjian, seeking a variance from or waiver of subsection 15A-10.029(5), Florida Administrative Code, filed on January 21, 2014, and published in the Florida Administrative Register on January 28, 2014, Vol. 40, No. 18. The Department has carefully considered the Petition and finds that the Petition fails to demonstrate that, if a variance or waiver is provided, the requirements of the Florida Statutes have or will be achieved by other means by the Petitioner and that the application of the rule creates a substantial hardship or violates principles of fairness. Therefore, the Petition must be denied.

A copy of the Order or additional information may be obtained by contacting: the Division of Administrative Hearings.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on April 7, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ritz Carlton Beach Resort. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.1 as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires suspension means which poses a significant economic/financial hardship. Any interested

person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-083).

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-604.400 Design/Performance Considerations

The Dept. of Environmental Protection hereby gives notice that on April 1, 2014, the Department issued a final order granting a variance to Forest Utilities (“Petitioner”). The petition was received on November 20, 2013. Notice of receipt of the petition was published in the Florida Administrative Register on March 5, 2014. The petition requested a variance from subparagraph 62-604.400(2)(a)1., F.A.C., which requires sewage pump stations that receive flow from one or more pump stations through a force main or pump stations discharging through pipes 12 inches or larger to have uninterrupted pumping capabilities, including an in-place emergency generator. The Petitioner instead requested to be able to use a portable generator stored off-site to provide emergency power at the following specific pump station: The Forest Master Re-Pump station (“MPS”) to be located at Latitude: 26° 30' 49" N, Longitude: 81° 51' 21" W, which is near 5808 Elizabeth Ann Way, Fort Myers, Lee County, FL 33912. The Final Order [OGC Case No.: 13-1438], granted the petition for the variance because the Petitioner demonstrated that application of the rule would create a substantial hardship and that the purpose of the underlying statute would be achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Bennie T. Shoemaker, Department of Environmental Protection, P. O. Box 2549, Fort Myers, FL 33902-2549, phone: 239-344-5693, [bennie.shoemaker@dep.state.fl.us](mailto:bennie.shoemaker@dep.state.fl.us).

**DEPARTMENT OF FINANCIAL SERVICES**

Finance

NOTICE IS HEREBY GIVEN that on April 8, 2014, the Office of Financial Regulation received a petition for Variance or Waiver, from Walmart Stores, Incorporated, wherein is sought, a permanent waiver from Sections 560.310(b) and 310(c), Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

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

**DEPARTMENT OF STATE**

Division of Library and Information Services

The Division of Library and Information Services announces the Florida Statewide Digital Action Plan Steering Committee Meeting. All persons are invited.

**DATE AND TIME:** Thursday, April 24, 2014, 11:00 a.m. – 12:30 p.m. EDT

**PLACE:** Online Meeting; please join the meeting. Meeting # 645 963 111; participants can join by conference call only, using the following dial in number and passcode: dial in number: 1(888)670-3525 (US toll-free), participant passcode #: 932 550 5699

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Statewide Digital Action Plan Steering Committee will meet to discuss work group progress and survey results.

A copy of the agenda may be obtained by contacting Sondra Taylor-Furbee at: [sondra.furbee@dos.myflorida.com](mailto:sondra.furbee@dos.myflorida.com).

Any person requiring special accommodations or assistance due to a disability or physical impairment, should contact the agency a minimum of five (5) days prior to the meeting by calling: (850)245-6600 (or) TDD (850)922-4085.

To request copies of meeting materials associated with this agenda, but not included herein, contact Sondra Taylor-Furbee with the Division of Library and Information Services at: [Sondra.Furbee@dos.myflorida.com](mailto:Sondra.Furbee@dos.myflorida.com).

**DEPARTMENT OF STATE**

Division of Elections

The Division of Elections announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, April 23, 2014, 9:00 a.m.

**PLACE:** Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Elections Canvassing Commission will meet to certify the official results of the April 8, 2014, Special Election for State House District 44, in accordance with Sections 100.101 and 100.141, Florida Statutes.

A copy of the agenda may be obtained by contacting: Kristi Bronson, Bureau Chief of Election Records, (850)245-6240 or [kristi.bronson@dos.myflorida.com](mailto:kristi.bronson@dos.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: Kristi Bronson, Bureau Chief of Election Records,

(850)245-6240 or [kristi.bronson@dos.myflorida.com](mailto:kristi.bronson@dos.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 LEGAL AFFAIRS**

Division of Victim Services and Criminal Justice Programs

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

**DATE AND TIME:** May 29, 2014, 9:00 a.m. – 5:00 p.m.

**PLACE:** Hyatt Regency Hotel, Jacksonville, Florida, toll-free dial-in number: 1(888)670-3525, conference code: 6970475836, telephone: (850)414-3369

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bureau of Criminal Justice Programs at (850)414-3300

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council for the Blind announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 24, 2014, 8:30 a.m. – 3:30 p.m.

**PLACE:** St. Petersburg Marriott Clearwater, 12600 Roosevelt Blvd., North, St. Petersburg, FL 33716

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly Business Meeting of the Council.

A copy of the agenda may be obtained by contacting: Alise Fields, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392 or email: [Alise.Fields@dbf.fldoe.org](mailto:Alise.Fields@dbf.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 10 days before the workshop/meeting by contacting: 415 S. Armenia Avenue, Tampa, FL 33609, (813)871-7190. If you are hearing or speech impaired, please

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

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#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council f/t Blind announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2014, 5:00 p.m. – 6:30 p.m.

PLACE: St. Petersburg Marriott Clearwater, 12600 Roosevelt Blvd., North St. Petersburg, FL 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: 415 S. Armenia Avenue, Tampa, FL 33609, (813)871-7190. 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: Alise Fields, The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392, email address: [Alise.Fields@dbs.fldoe.org](mailto:Alise.Fields@dbs.fldoe.org).

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#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council for the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2014, 9:00 a.m. – 10:30 a.m.

PLACE: St. Petersburg Marriott Clearwater, 12600 Roosevelt Blvd., North St. Petersburg, FL 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting of the Council.

A copy of the agenda may be obtained by contacting: Alise Fields, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392 or email: [Alise.Fields@dbs.fldoe.org](mailto:Alise.Fields@dbs.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 10 days before the workshop/meeting by contacting: 415 S. Armenia Avenue, Tampa, FL 33609, (813)871-7190. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council for the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 24, 2014, 5:00 p.m. – 6:30 p.m.

PLACE: St. Petersburg Marriott Clearwater, 12600 Roosevelt Blvd., North St. Petersburg, FL 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under Title I of the Rehab Act.

A copy of the agenda may be obtained by contacting: no agenda, open 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 10 days before the workshop/meeting by contacting: The local DBS office at 415 S. Armenia Avenue, Tampa, FL 33609, (813)871-7190. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### STATE BOARD OF ADMINISTRATION

The Florida Hurricane Catastrophe Fund announces a public meeting to which all persons are invited.

DATE AND TIME: April 22, 2014, 9:00 a.m. (ET) to conclusion of the meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to authorize the Florida Hurricane Catastrophe Fund (the Fund) to file a Notice of Proposed Rule for Rule 19-8.028, F.A.C., Reimbursement Premium Formula, and to authorize filing this rule for adoption if no member of the public timely requests a rule hearing. The rule and incorporated forms reflecting the proposed amendments are available on the Fund's website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf). The Trustees may also address other general business.

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: Donna Sirmons, Florida Hurricane Catastrophe Fund, (850)413-1349, [donna.sirmons@sbafla.com](mailto:donna.sirmons@sbafla.com), P.O. Drawer 13300, Tallahassee, FL 32317-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 24, 2014, 1:30 p.m.

PLACE: Room 105, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 140029-TP – Request for submission of proposals for relay service, beginning in June 2015, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991. The purpose of this meeting is to discuss issues relating to the Request for Proposals.

A copy of the agenda may be obtained by contacting: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, [phpage@psc.state.fl.us](mailto:phpage@psc.state.fl.us) or at (850)413-6214. A copy of the agenda and meeting materials will also be available on the Commission's website: [www.floridapsc.com](http://www.floridapsc.com), by April 17, 2014.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. 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: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, [phpage@psc.state.fl.us](mailto:phpage@psc.state.fl.us) or at (850)413-6214.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 25, 2014, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Nos. 110013-TP and 140029-TP – Request for submission of proposals for relay service, beginning in June 2012, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991, and Request for submission of proposals for relay service, beginning in June 2015, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to §427.705, F.S. The meeting is to discuss current relevant issues related to relay such as Federal and State Regulatory updates, FTRI 2014-2015 Proposed Budget, Proposed Relay Service Provider RFP, and other Telecommunications Relay Service updates. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Curtis Williams, Office of Telecommunications, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, [cjwillia@psc.state.fl.us](mailto:cjwillia@psc.state.fl.us) or at (850)413-6924. A copy of the agenda and meeting materials will also be available on the Commission's website: [www.floridapsc.com](http://www.floridapsc.com) by April 17, 2014.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: April 22, 2014, 6:30 p.m. – 8:00 p.m.

PLACE: University of Florida, Jackson County IFAS Extension Office, 2741 Pennsylvania Ave., Suite 3, Marianna, Florida 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss the initiation of the Jackson Blue Spring and Merritt's Millpond Basin Management Action Plan (BMAP) development process. This event is open to the public. The primary topic of discussion during this meeting will be the water quality history and the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Stephen Cioccia, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8513 or by email at [stephen.cioccia@dep.state.fl.us](mailto:stephen.cioccia@dep.state.fl.us). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephen Cioccia at (850)245-8513. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

## DEPARTMENT OF HEALTH

## Board of Chiropractic

The Board of Chiropractic Medicine Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 8, 2014, 9:00 a.m. at meet me number: 1(888)670-3525, participant code: 9238150597

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

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

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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

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

## DEPARTMENT OF HEALTH

## Board of Medicine

The Board of Medicine, Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 18, 2014, 2:00 p.m.

PLACE: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.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: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.gov. 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: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.gov.

## DEPARTMENT OF HEALTH

## Board of Medicine

The Board of Medicine, Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 25, 2014, 2:00 p.m.

PLACE: 1(888)670-3525, participation code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.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 10 days before the workshop/meeting by contacting: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.gov. 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: Precious Woods at (850)245-4444, ext. 8215 or email her at Precious.Woods@flhealth.gov.

## MOFFITT CANCER CENTER &amp; RESEARCH INSTITUTE

The Florida Cancer Control & Research Advisory Council (CCRAB) announces a public meeting to which all persons are invited.

DATE AND TIME: May 19, 2014, 10:00 a.m.

PLACE: Moffitt Cancer Center & Research Institute, Tampa, FL c/o Stabile Research Building, Ferman Family Conference Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Spring CCRAB General Membership Meeting.

A copy of the agenda may be obtained by contacting: Sandra.Stoneypher@Moffitt.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 7 days before the workshop/meeting by

contacting: Sandra.Stonecypher@Moffitt.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).

**MONROE COUNTY LOCAL COORDINATING BOARD FOR TRANSPORTATION DISADVANTAGED**

The Heath Council of South Florida, Monroe County Local Coordinating Board for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 25, 2014, 1:00 p.m.

PLACE: Marathon Branch Library, 3251 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Community Transportation Coordinator (CTC) Selection Committee will be meeting to evaluate and identify its recommended agency to serve as the designated Monroe County CTC to the Florida Commission for the Transportation Disadvantaged (CTD).

A copy of the agenda may be obtained by contacting: Cristina Tuero, Manager, Advocacy & External Affairs via email: ctuero@healthcouncil.org or at (305)592-1452, ext. 100.

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: Cristina Tuero, Manager, Advocacy & External Affairs via email: ctuero@healthcouncil.org or at (305)592-1452, ext. 100. 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).

**KIMLEY-HORN AND ASSOCIATES, INC. – TALLAHASSEE**

The Florida Department of Transportation (FDOT) announces an alternatives meeting to which all persons are invited.

DATE and TIME: Thursday, April 24, 2014, 5:30 p.m. – 6:30 p.m., CDT

PLACE: Crestview Community Center, 1446 Commerce Drive, Crestview, Florida 32536

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will conduct a public meeting regarding the update of the Interstate 10 Master Plan for the corridor beginning at the Santa Rosa/Okaloosa County line east to the Jackson/Gadsden County line. Financial Project Identification Number: 425832-1-12-01.

The purpose of the meeting is to present existing and future conditions and potential alternatives to meet future needs. There will be a brief presentation. FDOT and project staff will be available to discuss the project, answer questions, and receive comments.

A copy of the handout and other meeting materials may be obtained by contacting: FDOT Project Manager Virgie Bowen, AICP, 1074 Highway 90, Chipley, Florida 32428, toll-free: 1(888)638-0250, extension 1530 or via email: virgie.bowen@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Virgie Bowen, at the contact information listed above. 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).

**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 declined to rule on the petition for declaratory statement filed by Anthony Fernandez-Gras, In Re: Point Bay North Condominium, Inc., Docket No. 2014004176, on January 30, 2014. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it may not issue a statement concerning events that have already taken place. The order was filed with the Agency Clerk on March 25, 2014.

A copy of the Order Declining 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.

**DEPARTMENT OF HEALTH**

Board of Medicine

The Board of Medicine hereby gives notice that the Amended Petition for Declaratory Statement filed on behalf of the Society for Clinical and Medical Hair Removal, Inc., on March 5, 2014, has been withdrawn. The Notice of Petition for Declaratory Statement was published in Volume 40, No. 46, of the March 7, 2014, issue of the Florida Administrative Register.

The person to be contacted with regard to this petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**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**

GAINESVILLE-ALACHUA COUNTY REGIONAL  
AIRPORT AUTHORITY

REQUEST FOR PROPOSALS # 14-001

ON-AIRPORT RENTAL CAR CONCESSION  
FOR GAINESVILLE-ALACHUA COUNTY REGIONAL  
AIRPORT AUTHORITY

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting proposals for the operation and management of a maximum of five (5) rental car concessions for the Gainesville Regional Airport’s Commercial Passenger Terminal. The proposal documents and specifications are

available at the Gainesville Regional Airport’s Administration Office, 3880 N.E. 39th Avenue, Gainesville, FL 32609.

The term of the concession contract is for one (1) five (5) year period commencing July 1, 2014.

All proposals submitted shall be effective for ninety (90) days. Proposals must be signed by an authorized official, enclosed in a sealed opaque envelope or package clearly marked

“RFP 14-001 for an On-Airport Rental Car Concession at the Gainesville Regional Airport” and mailed or delivered to the Authority’s Administrative Office, Gainesville Regional Airport, Attn: Lynn Noffsinger, 3880 N.E. 39th Avenue, Suite A, Gainesville, FL 32609. Proposals received after Wednesday, June 4, 2014 at 4:00 p.m. will not be considered. The official clock is located in the Authority’s Administrative Office.

An optional pre-proposal conference will be held on Tuesday, April 22, 2014 at 9:00 a.m.. at the Gainesville Regional Airport, Passenger Terminal Conference Room. For directions, contact Lynn Noffsinger at (352)373-0249.

The Authority will award concession contracts to a maximum of five (5) highest responsive proposers. DBE participation is highly encouraged and will be considered in the evaluation process. GACRAA reserves the right to reject any or all proposals received in response to this Request for Proposals as determined to be in the best interest of the Airport.

For additional information, contact Ms. Lynn Noffsinger, (352)373-0249.

THE GORDIAN GROUP, INC.

National Joint Powers Alliance®

Invitation for Bid

Indefinite Quantity Construction Contract

The National Joint Powers Alliance® (NJPA) issues this Invitation For Bid (IFB) on behalf of, and to provide Indefinite Quantity Construction Contracting (IQCC) services to all current and potential NJPA Members including all government agencies, education agencies to include colleges and universities, and non-profit agencies in the State of Florida.

It is the intention of NJPA to award multiple contracts in the areas of Miami-Dade County, including the Beaches, for construction services to include: General, Mechanical, Electrical, Plumbing, and Underground Construction. Each Contract has an initial term of one (1) year and bilateral option provisions for three (3) additional terms. The estimated annual value is \$2,000,000. The total term of the contract is four (4) years.

IQCC also known as Job Order Contracting (JOC) is a contracting procurement system that provides facility owner’s access to “on-call contractors to provide immediate construction, repair and renovation services over an extended period of time.

Intending bidders are required to attend the pre-bid seminar for the purpose of discussing the IQCC procurement system, the contract documents, and bid forms. Attendance at the pre bid seminar is highly recommended and will be held as follows.

April 24, 2014, 9:00 a.m., City Hall Annex (adjacent to City Hall Parking Garage), 1755 Meridian Avenue, Miami Beach, Florida 33139.

An electronic (CD) copy of the IFB Documents which include the instructions for submitting a bid and the bid documents may be obtained by letter of request to Matthew Peterson, NJPA, 202 12th Street NE, Staples, MN 56479, or by visiting our website at [www.njpacoop.org/eziqc-bid-document-request](http://www.njpacoop.org/eziqc-bid-document-request); select desired bid documents from drop-down list and complete the requested information. All requests must include; mailing address, email address, contact name, and phone number. Bids are due by 4:30 p.m. CT on May 13, 2014 and will be opened at 9:00 a.m. CT on May 14, 2014. IFB Documents will be available until May 13, 2014.

Direct questions regarding this IFB to: Matthew Peterson, [eziqc@njpacoop.org](mailto:eziqc@njpacoop.org) or (218)894-5493.

**Section XII  
Miscellaneous**

DEPARTMENT OF FINANCIAL SERVICES  
FSC – Financial Institution Regulation  
Financial Institutions

**NOTICE OF FILINGS  
Financial Services Commission  
Office of Financial Regulation**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile Agency Clerk Office of Financial Regulation P.O. Box 8050 Tallahassee, Florida 32314-8050 Phone: (850)410-9800 Fax: (850)410-9548	OR	By Hand Delivery Agency Clerk Office of Financial Regulation The Fletcher Building, Suite 118 101 East Gaines Street Tallahassee, Florida 32399-0379 Phone: (850)410-9643
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The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., April 30, 2014):

**APPLICATION FOR CONVERSION OF A NATIONAL  
BANK TO A STATE BANK**

Applicant and Location: Old Florida National Bank, a national association, 315 East Robinson Street, Suite 100 Orlando, Orange County, Florida 32801  
With Title: Old Florida Bank

**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.