

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: **RULE TITLE:**
 40D-8.624 Guidance and Minimum Levels for Lakes
PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.624 F.A.C., to adopt revised minimum and guidance levels for Lakes Buddy and Pasadena in Pasco County. The effect of the rule is to support the District’s water supply planning, water use permitting, and environmental resource permitting programs.

SUBJECT AREA TO BE ADDRESSED: Establish guidance and minimum levels for Lakes Buddy and Pasadena pursuant to Sections 373.042, and 373.0421, F.S.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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

DATE AND TIME: Wednesday, October 21, 2015, 6:00 p.m. – 7:30 p.m.

PLACE: Hugh Embry Library, 14215 Fourth Street, Dade City, FL 33523

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: : SWFWMD Human Resources Director, (352)796-7211, ext. 4702; 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Chris Tanner, Staff Attorney, SWFWMD, 7601 U.S. Highway 301 North, Tampa, FL 33637, (813)985-7481, ext. 4652 (OGC# 2015028)

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

Section II
Proposed Rules

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-4.021	Definitions
40D-4.041	Permits Required
40D-4.042	Formal Determination of Wetlands and Other Surface Waters
40D-4.051	Exemptions
40D-4.053	Conditions for Exemptions
40D-4.101	Content of Application
40D-4.301	Conditions for Issuance of Permits
40D-4.302	Additional Conditions for Issuance of Permits
40D-4.321	Duration of Permit
40D-4.331	Modification of Permits
40D-4.341	Revocation and Cancellation of Permits
40D-4.351	Transfer of Permits
40D-4.381	General Conditions

PURPOSE AND EFFECT: The purpose and effect is to repeal these rules.

SUMMARY: These rules are being repealed, pursuant to paragraph 373.4131(2)(c), F.S., because the substance of these rules has been superseded by the rules adopted in Chapter 62-330, F.A.C. No hearing will be scheduled because 373.4131(2)(c), F.S. provides that these rules can be repealed without further rulemaking under Section 120.54, F.S. Under 373.4131(2)(c), F.S., the repeals will become effective upon filing a list of the repealed rules with the Department of State.

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.

Based on an analysis performed by the District and because the substance of the rules being repealed are addressed in Chapter 62-330, F.A.C., the proposed rule repeals are not expected to require legislative ratification pursuant to subsection 120.541(3), 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: 373.044, 373.113, 373.4131 FS.

LAW IMPLEMENTED: 373.4131 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: Chris Tanner, Office of General Counsel, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, email: chris.tanner@swfwmd.state.fl.us. (OGC# 2015031)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.021 Definitions.

Rulemaking Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.403, 373.413 FS. History—Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04, 2-6-07, 1-8-08, 9-29-08, 11-2-09, 8-1-10, Repealed.

40D-4.041 Permits Required.

Rulemaking Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.413, 373.416, 373.426, 373.427 FS. History—Readopted 10-5-74, Amended 12-31-74, 9-4-77, 6-7-78, Formerly 16J-4.04, 16J-4.10(1), (2), (4), Amended 10-1-84, 3-1-88, 10-3-95, 7-23-96, 10-16-96, 4-17-97, 10-11-01, 7-16-02, 9-26-02, 3-26-03, 1-8-08, 9-10-08, 9-29-08, Repealed.

40D-4.042 Formal Determination of Wetlands and Other Surface Waters.

Rulemaking Authority 373.044, 373.113, 373.421(2) FS. Law Implemented 373.421(2) FS. History—New 10-3-95, Amended 7-2-98, 2-14-00, 5-28-00, 7-29-02, 2-27-03, 8-30-09, 12-21-09, 12-12-11, Repealed.

40D-4.051 Exemptions.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.414(9) FS. Law Implemented 373.406, 373.413, 373.414(9), 373.416 FS. History—Readopted 10-5-74, Formerly 16J-4.05, Amended 10-1-84, 10-1-86, 3-1-88, 1-24-90, 10-3-95, 4-18-01, 5-17-01, 4-9-02, 2-19-04, 6-30-05, 11-26-07, 9-29-08, 8-1-10, 9-5-10, Repealed.

40D-4.053 Conditions for Exemptions.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.406, 373.413 FS. History—New 10-1-86, Amended 2-19-04, Repealed.

40D-4.101 Content of Application.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.413 FS. History—Readopted 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(1), (2), Amended 10-1-84, 3-1-88, 10-3-95, 10-16-96, 12-16-97, 2-27-03, 9-10-08, 8-30-09, 9-5-10, 12-12-11, Repealed.

40D-4.301 Conditions for Issuance of Permits.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.042, 373.403, 373.413, 373.416, 373.426, 373.427 FS. History—Readopted 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(3), (4), (5), (6), (8), Amended 10-1-84, 6-2-85, 4-2-87, 3-1-88, 10-3-95, 10-16-96, 9-26-02, Repealed.

40D-4.302 Additional Conditions for Issuance of Permits.

Rulemaking Authority 373.016, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.042, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History—New 10-3-95, Amended 9-26-02, 2-19-04, 6-30-05, Repealed.

40D-4.321 Duration of Permit.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 1-8-08, Repealed.

40D-4.331 Modification of Permits.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.413, 373.416(1), 373.429 FS. History—New 10-5-74, Formerly 16J-4.13, Amended 10-1-84, 3-1-88, 10-1-88, 6-29-93, 10-3-95, 7-23-96, 2-1-05, 2-6-07, 12-24-07, 1-8-08, 5-12-08, 8-30-09, 12-12-11, 2-9-12, 8-1-12, Repealed.

40D-4.341 Revocation and Cancellation of Permits.

Rulemaking Authority 373.016, 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.429, 373.430(1) FS. History—New 10-5-74, Formerly 16J-4.13, Amended 10-1-84, 7-2-98, 2-1-05, Repealed.

40D-4.351 Transfer of Permits.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416(2), 403.805 FS. History—New 10-1-84, Amended 6-29-93, 10-3-95, 7-22-03, 2-1-05, 5-4-05, 12-24-07, 8-30-09, 12-29-11, Repealed.

40D-4.381 General Conditions.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.042, 373.403, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History—New 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(7), 16J-4.11, 16J-4.10(3), Amended 10-1-84, 3-1-88, 10-3-95, 10-16-96, 10-11-01, 2-19-04, 12-24-07, 8-30-09, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Tanner, Southwest Florida Water Management District,
7601 Highway 301 North, Tampa, Florida 33637-6759

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Governing Board of the Southwest
Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 25, 2015

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-40.021	Definitions
40D-40.040	General Environmental Resource Permits
40D-40.044	General Permit for Site Conditions Assessment
40D-40.112	Content of Application for General Permits
40D-40.301	Conditions for Issuance of General Permits for Minor Surface Water Management Systems
40D-40.302	Conditions for Issuance of General Permits
40D-40.321	Duration of Permits
40D-40.331	Modification of Permits
40D-40.351	Transfer of Permits
40D-40.381	General Conditions

PURPOSE AND EFFECT: The purpose and effect is to repeal these rules.

SUMMARY: These rules are being repealed, pursuant to paragraph 373.4131(2)(c), F.S., because the substance of these rules has been superseded by the rules adopted in Chapter 62-330, F.A.C. No hearing will be scheduled because 373.4131(2)(c), F.S. provides that these rules can be repealed without further rulemaking under Section 120.54, F.S. Under 373.4131(2)(c), F.S. the repeals will become effective upon filing a list of the repealed rules with the Department of State.

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.

Based on an analysis performed by the District and because the substance of the rules being repealed are addressed in Chapter 62-330, F.A.C., the proposed rule repeals are not expected to require legislative ratification pursuant to subsection 120.541(3), 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: 373.044, 373.113, 373.4131 FS.

LAW IMPLEMENTED: 373.4131 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: Chris Tanner, Office of General Counsel, Southwest Florida Water Management District, 7601

Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, email: chris.tanner@swfwmd.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-40.021 Definitions.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.419, 403.031(3) FS. History–New 10-1-84, Amended 3-1-88, 8-3-03, Repealed.

40D-40.040 General Environmental Resource Permits.

Rulemaking Authority 373.044, 373.113, 373.118, 373.421(2) FS. Law Implemented 373.413, 373.414, 373.416, 373.419, 373.427 FS. History–New 10-3-95, Amended 7-23-96, 10-16-96, 7-2-98, 9-26-02, 9-10-08, Repealed.

40D-40.044 General Permit for Site Conditions Assessment.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 7-23-96, Amended 9-26-02, 8-30-09, 12-12-11, Repealed.

40D-40.112 Content of Application for General Permits.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 10-16-96, 9-26-02, 2-19-04, 9-10-08, 8-30-09, Repealed.

40D-40.301 Conditions for Issuance of General Permits for Minor Surface Water Management Systems.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.427 FS. History–New 3-1-88, Amended 10-3-95, 10-16-96, 9-26-02, 2-1-05, 2-26-07, 9-5-10, Repealed.

40D-40.302 Conditions for Issuance of General Permits.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.413, 373.414, 373.416, 373.419 FS. History–New 10-1-84, Amended 3-1-88, 5-10-88, 9-13-88, 10-3-95, 7-23-96, 7-16-02, 9-26-02, 8-3-03, 2-19-04, 2-1-05, 11-2-09, 12-12-11, 2-15-12, Repealed.

40D-40.321 Duration of Permits.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.419(2) FS. History–New 10-1-84, Amended 3-1-88, 10-3-95, 9-26-02, 8-3-03, Repealed.

40D-40.331 Modification of Permits.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416(1), 373.429 FS. History–New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 4-17-97, 9-26-02, 5-12-08, 8-30-09, Repealed.

40D-40.351 Transfer of Permits.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416(2) FS. History–New 10-1-84, Repealed.

40D-40.381 General Conditions.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.117, 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 9-26-02, 8-3-03, 2-19-04, 5-4-05, 8-30-09, 11-2-09, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Tanner, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637-6759

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2015

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-400.021	Definitions
40D-400.205	Processing Procedures for Noticed General Permits Under Chapter 40D-400, F.A.C.
40D-400.215	General Conditions for All Noticed General Permits
40D-400.417	General Permit for Installation, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks
40D-400.427	General Permit for Certain Piers and Associated Structures
40D-400.431	General Permit for Installation of Riprap
40D-400.437	General Permit for the Installation of Fences
40D-400.439	General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways
40D-400.443	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation
40D-400.447	General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements
40D-400.453	General Permit for Installation, Maintenance, Repair and Removal of Underground Cable, Conduit, or Pipeline
40D-400.455	General Permit for the Construction of Aerial Pipeline, Cable, or Conduit Crossings of Certain Waters
40D-400.457	General Permit for Subaqueous Utility Crossings of Artificial Waterways
40D-400.463	General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control

	Impoundments by Governmental Mosquito Control Agencies
40D-400.467	General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Control Agencies
40D-400.475	General Permit for Minor Activities
40D-400.483	General Permit to the Department to Conduct Minor Activities
40D-400.485	General Permit to the Department for Environmental Restoration or Enhancement
40D-400.487	General Permit to the Department to Change Operating Schedules for Department Water Control Structures
40D-400.491	Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone
40D-400.492	Noticed General Permit for Prospecting
40D-400.495	General Permit to U.S. Forest Service for Minor Works within National Forests
40D-400.500	General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems
40D-400.550	General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities

PURPOSE AND EFFECT: The purpose and effect is to repeal these rules.

SUMMARY: These rules are being repealed, pursuant to paragraph 373.4131(2)(c), F.S., because the substance of these rules has been superseded by the rules adopted in Chapter 62-330, F.A.C. No hearing will be scheduled because 373.4131(2)(c), F.S. provides that these rules can be repealed without further rulemaking under Section 120.54, F.S. Under 373.4131(2)(c), F.S. the repeals will become effective upon filing a list of the repealed rules with the Department of State.

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.

Based on an analysis performed by the District and because the substance of the rules being repealed are addressed in Chapter 62-330, F.A.C., the proposed rule repeals are not expected to require legislative ratification pursuant to subsection 120.541(3), 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: 373.044, 373.113, 373.4131 FS.

LAW IMPLEMENTED: 373.4131 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: Chris Tanner, Office of General Counsel, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, email: chris.tanner@swfwmd.state.fl.us (OGC# 2015033)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-400.021 Definitions.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Amended 2-19-04, Repealed.

40D-400.205 Processing Procedures for Noticed General Permits Under Chapter 40D-400, F.A.C.

Rulemaking Authority 120.54(5), 373.044, 373.113, 373.118, 373.414 FS. Law Implemented 120.54(5), 373.118, 373.413, 373.414, 373.416, 373.426 FS. History–New 10-3-95, Amended 12-23-97, Formerly 40D-400.211, Amended 7-2-98, 11-2-08, Formerly 40D-1.1024, 40D-1.6052, Repealed.

40D-400.215 General Conditions for All Noticed General Permits.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419, 373.429 FS. History–New 10-3-95, Amended 7-2-98, Repealed.

40D-400.417 General Permit for Installation, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks.

Rulemaking Authority 373.026, 373.043, 373.044, 373.046, 373.118, 373.406 FS. Law Implemented 373.026, 373.043, 373.046, 373.118, 373.403, 373.413, 373.416, 373.417, 373.418, 373.419, 373.422, 373.423, 373.426 FS. History–New 10-3-95, Repealed.

40D-400.427 General Permit for Certain Piers and Associated Structures.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.431 General Permit for Installation of Riprap.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.437 General Permit for the Installation of Fences.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Amended 2-19-04, Repealed.

40D-400.439 General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Amended 2-19-04, Repealed.

40D-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 2-19-04, 9-25-07, Repealed.

40D-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 9-25-07, Repealed.

40D-400.453 General Permit for Installation, Maintenance, Repair and Removal of Underground Cable, Conduit, or Pipeline.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.455 General Permit for the Construction of Aerial Pipeline, Cable, or Conduit Crossings of Certain Waters.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.457 General Permit for Subaqueous Utility Crossings of Artificial Waterways.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.463 General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.467 General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Control Agencies.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.475 General Permit for Minor Activities.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Amended 2-19-04, 8-1-10, Repealed.

40D-400.483 General Permit to the Department to Conduct Minor Activities.

Rulemaking Authority 373.026, 373.043, 373.044, 373.046, 373.118, 373.406, 373.414 FS. Law Implemented 373.019, 373.026, 373.043, 373.046, 373.109, 373.117, 373.118, 373.119, 373.123, 373.129, 373.136, 373.403, 373.409, 373.413-.443 FS. History–New 10-3-95, Repealed.

40D-400.485 General Permit to the Department for Environmental Restoration or Enhancement.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.487 General Permit to the Department to Change Operating Schedules for Department Water Control Structures.

Rulemaking Authority 373.026, 373.043, 373.044, 373.046, 373.118, 373.406, 373.414 FS. Law Implemented 373.019, 373.026, 373.043, 373.046, 373.109, 373.117, 373.118, 373.119, 373.123, 373.129, 373.136, 373.403, 373.409, 373.413-.443 FS. History–New 10-3-95, Repealed.

40D-400.491 Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone.

Rulemaking Authority 373.044, 373.118, 373.414 FS. Law Implemented 373.413, 373.419 FS. History–New 1-24-02, Amended 8-30-09, Repealed.

40D-400.492 Noticed General Permit for Prospecting.

Rulemaking Authority 373.044, 373.118, 373.414 FS. Law Implemented 373.413, 373.419 FS. History–New 1-24-02, Repealed.

40D-400.495 General Permit to U.S. Forest Service for Minor Works within National Forests.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Repealed.

40D-400.500 General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 10-3-95, Amended 5-4-05, 8-30-09, 12-12-11, Repealed.

40D-400.550 General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History–New 4-17-11, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chris Tanner, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637-6759

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2015

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-7.003 Disciplinary Guidelines.

PURPOSE AND EFFECT: To update language to clarify disciplinary guidelines.

SUMMARY: Update language to clarify disciplinary guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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 SERC was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.072(4), 456.079(1), 468.802 FS.

LAW IMPLEMENTED: 56.072(1), (ii), (jj), (kk), (ll), (4), 456.079, 468.811 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4355

THE TEXT OF THE PROPOSED RULE IS:

[64B14-7.003](#) Disciplinary Guidelines.

(1) through (2) No change.

VIOLATION **PENALTY RANGE**
 MINIMUM **MAXIMUM**

<u>VIOLATION</u>	<u>PENALTY RANGE MINIMUM</u>	<u>PENALTY RANGE MAXIMUM</u>
(a) Attempting to obtain a license or certificate by bribery, <u>fraudulent misrepresentation</u> fraud or through an error of the Department or the Board. (468.811(1)(a), 456.072(1)(h), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(b) No change.		
First Offense	No change.	Suspension/denial or revocation until the license is unencumbered in the jurisdiction in which action was originally taken and \$1000 fine- Impaired practitioners working in Florida may be

		ordered into the PRN
Second Offense	No change.	Revocation until the license is unencumbered in the jurisdiction in which action was originally taken and \$2000 fine Impaired practitioners working in Florida may be ordered into the PRN.
(c) <u>Being convicted or found guilty of or pleading nolo contendere to, regardless of adjudication, in any jurisdiction, a crime that directly relates relating to practice or ability to practice the licensee’s profession.</u> (468.811(1)(c), 456.072(1)(c), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(d) Filing a false report or failing to file a report as required; <u>willfully impeding or obstructing such filing; or inducing another person to impede or obstruct such filing.</u> (468.811(1)(d), 456.072(1)(l), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.

(e) Fraudulent, f False, deceptive, or misleading advertising. (468.811(1)(e), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(f) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(g) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(h) Making misleading, d Deceptive, untrue or fraudulent representations in or related to the practice of the licensee's profession any application, affidavit or statement provided to the Board in any proceeding before the Board.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(i) No change. (456.036, 468.811(i) , F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(j) No change. (456.035(1), 468.811(i) , F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.

(k) Violation of an law, rule, order, order of the b Board, agency, or department previously entered in a disciplinary hearing or failure to comply with a subpoena issued by the board, agency, or department. (468.811(1)(f)(g), (j), 456.072(1)(q), (cc), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(l) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(m) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(n) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(o) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(p) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(q) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	6 months suspension, 6 months probation with conditions and \$1000 500 fine	No change.
(r) Assisting,		

<u>procuring, employing, or advising Aiding or abetting</u> any unlicensed person or entity to practice. (456.072(1)(j), F.S.)		
First Offense	1 year probation with conditions; and \$1000 fine	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(s) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(t) No change.		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(u) <u>Practicing, offering to practice, beyond the scope permitted by law or accepting and performing professional responsibilities the registrant knows, or has reason to know, the registrant is not competent to perform.</u> (456.072(1)(o), 468.811(1)(l), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(v) No change.		

First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(w) <u>Delegating or contracting for the performance Delegation of professional Responsibilities by a to unqualified person when the registrant delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them.</u>		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(x) <u>Improperly interfering with an investigation or inspection authorized by statute, or with a disciplinary proceeding.</u> (456.072(1)(r), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.

(y) <u>Engaging or attempting to engage in sexual misconduct as defined and prohibited in s. 456.063(1).</u> Exercising influence to engage patient in sex. (456.072(1)(v)(u), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(z) Failure to report to the Board before October 1, 1999, <u>any</u> convictions, findings of guilt, or pleas of nolo contendere entered before July 1, 1999, that have not previously been reported. (456.072(1)(x)(w), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(aa) No change. (468.811(1)(b), 456.072(1)(c), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
(bb) No change. (456.072(1)(a), 456.072(1)(m), 468.811(1)(k), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(cc) No change. (456.072(1)(x)(w), F.S.)		

First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(dd) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents. (456.072(1)(y)(x), F.S.)		
First Offense	No change.	No change.
Second Offense	No change.	No change.
Third Offense	No change.	No change.
(ee) Being terminated from an impaired practitioner treatment program; for failure to comply with terms of contract or for not successfully completing any drug-treatment or alcohol-treatment program. (456.072(1)(hh)(gg), F.S.)		
First Offense	No change.	<u>Revocation</u>
Second or Subsequent Offense	Suspension until the licensee is able to demonstrate his/her ability to practice with	

	reasonable skill and safety, followed by up to 5 years probation with conditions, or revocation, and up to \$2,000 fine.	
(ff) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b relating to the Medicaid program. (456.072(1)(hh)(ii), F.S.)		
First Offense	Revocation or, in the case of application for licensure, denial of license.	
(gg) No change.		
First Offense	No change.	
(hh) No change.		

(456.072(1)(kk), F.S.)		
First Offense	No change.	
(ii) No change. (456.072(1)(ll), F.S.)		
First Offense	No change.	

(3) through (4).

Rulemaking Authority 456.072(4), 456.079(1), 468.802 FS. Law Implemented 456.072(1), (ii), (jj), (kk), (ll), (4), 456.079, 468.811 FS. History—New 7-1-98, Amended 9-17-00, 7-5-06, 7-6-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 20, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 14, 2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.215 RULE TITLE: Classification - Transfer of Inmates
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 177, September 11, 2015 issue of the Florida Administrative Register.

The Notice of Proposed Rule lacked a reference to the date on which the agency head approved the proposed rule as required by section 120.55(5), Florida Statutes. The proposed rule is hereby corrected with the following statement:

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2015.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics
RULE NO.: 61N-1.001 RULE TITLE: General Regulations; Definitions
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. 41 No. 192, October 2, 2015 issue of the Florida Administrative Register.

61N-1.001 General Regulations; Definitions.

(1) A word or phrase defined in the federal Food, Drug, and Cosmetic Act as defined in subsection 499.002(1)(b), F.S. 21 U.S.C. ss. 301 et seq. or federal regulations promulgated thereunder in Title 21 Code of Federal Regulations (C.F.R.), (as of 10/1/03) which are incorporated by reference herein, shall have the same meaning as in those provisions unless specifically defined otherwise in Chapter 499, F.S. or Rule Chapter 61N-1, F.A.C.

(2) No change.

(a) through (m) No change.

(n) “Limited quantities” for the purpose of prescription drugs or active pharmaceutical ingredients obtained in “limited quantities” for research and development (“R&D”) purposes pursuant to Section ss. 499.01(3) and (4)(b), F.S., means the number of transactions necessary for research and development purposes, the number of transactions necessary for research and development purposes to obtain a final FDA approval, or the number of transactions necessary for research and development purposes to obtain a final approval from a foreign regulatory authority; all transactions must be based on requirements set forth in the acquiring entity’s research and development records created contemporaneously with the research and development activities requires that the entity must identify the R&D requirements, the acquisition schedule and the use of each drug acquired relative to anticipated and ongoing R&D activities.

(o) through (cc) No change.

(dd) “State Current Good Manufacturing Practices” means current good manufacturing practices and quality system regulations as prescribed as of 6/1/2015 in Title 21 Code of Federal Regulations, Parts 210, 211, 212, 600-610, and 820, and the federal guidelines which are incorporated by reference herein and made a part of this rule, and the requirements of this chapter. Current good manufacturing practices for cosmetics means the guidelines requirements for manufacturing cosmetics as set forth in Rule 61N-1.010, F.A.C.

(ee) through (jj) No change.

Rulemaking Authority 499.024, 499.025(5), 499.01(2), 499.01(4), 499.0121(6), 499.012(5), 499.012(12), 499.025, 499.03(4), 499.05 FS. Law Implemented 499.003, 499.005, 499.0054, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS. History–New 1-1-77, Amended 12-12-82, 1-30-85, Formerly 10D-45.31, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.031, Amended 1-26-99, 4-17-01, 6-30-03, 10-7-03, 1-1-04, 1-29-04, 5-29-05, 1-19-06, 2-14-06, 8-6-06, 12-27-07, Formerly 64F-12.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NOS.: RULE TITLES:
 64B17-2.005 Biennial Renewal and Inactive Status; Delinquency; Reactivation; and Change of Status Fees
 64B17-2.006 Duplicate License or Wall Certificate Fees
 64B17-2.007 Certification of Public Records

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 186, September 24, 2015 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
 69V-40.002 Adoption of Forms
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.002 Adoption of Forms.

(1)(a) through (b)5. No change.

~~6. Disciplinary Guidelines for Mortgage Loan Originators and Mortgage Entities, effective MM-DD-YYYY, available at www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX~~

(2) No change.

Rulemaking Authority 494.0011(2)(a), ~~494.0011(2)(b)~~, 494.0016(4), 494.00312(2), 494.00313(1), ~~494.00321(1)~~, 494.00321(2), 494.00322(1), 494.00331(2), 494.0036(2), 494.00611(2), 494.00612(1), 494.0066(2) FS. Law Implemented 494.0016, 494.00312, 494.00313, 494.00321, 494.00322, 494.00331, 494.0036, 494.00611, 494.00612, 494.0066 FS. History–New 3-23-08, Amended 12-25-08, 10-1-10, _____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
 69V-40.008 Fees and Commissions
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.008 Fees and Commissions.

(1) through (2)(b) No change.

~~(3)(a) In addition to stating the total loan origination fee,~~ The licensee shall provide a good faith estimate of costs for services or products that may be incurred or expended on behalf of the borrower in arranging for the loan. Services or products for which costs shall be estimated, but which are not

required to be included in the loan origination fee include the following:

- (3)(a)1. through (b) No change.
- (4) through (6) No change.

~~(7) In determining the maximum fees or commissions on the gross proceeds of a loan, the following method may be used: On loans in excess of \$1,000 and not over \$5,650, add \$1,500 to the gross proceeds of the loan and divide that sum by 11; and, on loans of \$5,760 and over, divide the gross proceeds by 11 and add \$227.27. On loans that are over \$5,650 but less than \$5,750, the maximum fee is the amount in excess of \$5,000.~~

~~(7)(8) No person shall charge or exact, directly or indirectly, from the mortgagor or lender a fee or commission in excess of the maximum fees or commissions as set forth herein. All fees paid to or on behalf of the licensee including, but not limited to, bonus plans, advertisement allowances, incentive plans, kick-backs, premiums or discounts whether paid directly or indirectly or to an affiliate firm in which the licensee has an ownership interest, must be included in determining the maximum loan origination fees.~~

~~(8)(9) All loan origination fees to other mortgage brokers disbursed from the loan proceeds shown on the closing statement shall reflect the name of each mortgage broker or co-brokering mortgage broker paid.~~

Rulemaking Authority 494.0011, 494.0016(4), 494.0038(2)(b) FS. Law Implemented 494.0042 FS. History—Revised 9-23-65, Amended 9-1-67, 5-8-68, Renumbered from 3-3.08 to 3D-40.08 on 9-8-75, Amended 9-29-75, 4-27-77, Joint Administrative Procedures Committee Objection Filed—See FAW Vol. 2, No. 19, May 7, 1976, Joint Administrative Procedures Committee Objection Withdrawn—See FAW Vol. 3, No. 30, July 29, 1977, Amended 7-6-78, 2-5-80, 8-17-83, Formerly 3D-40.08, Amended 1-5-87, 5-24-89, 8-24-92, Formerly 3D-40.008, Amended 3-23-08, 10-1-10,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.155 Lock-in Statement
 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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.155 Lock-in Agreement

(1) A lock-in agreement which includes applicable information as required by Sections 494.0069(1)(a)-(e), F.S., and the following statements meets the requirement of Section 494.0069(1)(f), F.S.:

- (a) through (c) No change.

~~(2) A lock in agreement may be issued by a licensed Mortgage Broker provided the issuing Mortgage Broker has a written lock in agreement issued by a lender that has~~

~~unconditionally approved the mortgage loan. The issued lock-in agreement must satisfy the requirements of 494.0069, FS, and must be substantially similar in content to the lock-in issued by the approving lender.~~

Rulemaking Authority 494.0069(6) FS. Law Implemented 494.0069(1)(f) FS. History—New 12-3-91, Formerly 3D-40.155, Amended 10-1-10,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.176 Reports of Condition
 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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.176 Reports of Condition.

The Standard Mortgage Call Report – Form ~~XXXX~~, effective ~~XX/XX/XXXX~~; incorporated by reference and adopted by this rule, _____ and _____ available _____ at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and the Expanded Mortgage Call Report, –

~~FormXXXX~~, effective ~~XX/XX/XXXX~~; incorporated by reference and adopted by this rule, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, as required by the NMLS, each contain Residential Mortgage Loan Activity (RMLA) and Financial Condition (FC) components.

- (1) No change.
- (2) (a) through (b) No change.
- (3) (a) through (b) No change.
- (4) All forms adopted by this rule are available on the Office’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 494.0011(2), 494.004, 494.0067 FS. Law Implemented 494.004, 494.0067 FS. History—New _____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.0313 Loan Originator License Renewal
 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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.0313 Loan Originator License Renewal and Reactivation.

- (1) In order to renew an active loan originator license a licensee must submit the following to the Office no later than

December 31 of each calendar year in which the licensee wishes to renew the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$176.00 paid through the Registry which includes the following:

- 1. through 2. No change.
- 3. \$6 to cover the cost of fingerprint retention as required to comply with ~~494.00313(1)(b)~~ 494.00312 F.S.

~~(b)(e)~~ Authorize the Registry to obtain and make available to the Office an independent credit report on the licensee.

(2) A loan originator license that is not renewed as required in subsection (1) before January 1 of the renewal year shall revert from active to inactive status. In order to reactivate a loan originator license, a licensee must submit the following to the Office before March 1 of each calendar year in which the licensee wishes to reactivate the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$326.00 paid through the Registry which includes the following:

- 1. through 3. No change.
- 4. \$6 to cover the cost of fingerprint retention as required to comply with ~~494.00313(1)(b)~~ 494.00312 F.S.

(3) through (5) No change.

Rulemaking Authority 494.0011(2), 494.00313 FS. Law Implemented 494.0011(2), 494.00313 FS. History—New 10-1-10,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.0322 Mortgage Broker License Renewal
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.0322 Mortgage Broker License Renewal and Reactivation.

(1) In order to renew an active mortgage broker license a mortgage broker licensee must submit the following to the Office no later than December 31 of each calendar year in which the licensee wishes to renew the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a payment of \$475 through the Registry for the following:

- 1. through 2.No change.
- ~~(b)(e)~~ No change.

(2) A mortgage broker license that is not renewed as required in subsection (1) before January 1 of the renewal year

shall revert from active to inactive status. In order to reactivate a mortgage broker license, a licensee must submit the following to the Office before March 1 of each calendar year in which the licensee wishes to reactivate the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$725 paid through the Registry which includes the following:

- 1. through 3.No change.
- (3) through (7) No change.

Rulemaking Authority 494.0011(2), 494.00322 FS. Law Implemented 494.0011(2), 494.00322 FS. History—New 10-1-10,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.0361 Mortgage Broker Branch Office Renewal
and Reactivation
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.0361 Mortgage Broker Branch Office Renewal and Reactivation.

(1) In order to renew an active mortgage broker branch office license a licensee must complete ~~submit~~ the following ~~requirements to the Office~~ no later than December 31 of each calendar year in which the licensee wishes to renew the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$225 paid through the Registry to the Office.

(b) For each of the applicant’s control persons, authorize the Registry to obtain and make available to the Office an independent credit report, unless the control person is currently licensed as a loan originator.

(2) A mortgage broker office branch license that is not renewed as required in subsection (1) before January 1 of the renewal year shall revert from active to inactive status. In order to reactivate a mortgage broker branch office license, a licensee must complete ~~submit~~ the following ~~requirements to the Office~~ before March 1 of each calendar year in which the licensee wishes to reactivate the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$450 paid through the Registry to the Office which includes the following:

- 1. through 2. No change.

(b) For each of the applicant’s control persons, authorize the Registry to obtain and make available to the Office an independent credit report, unless the control person is currently licensed as a loan originator.

(3) through (5) No change.

Rulemaking Authority 494.0011(2), 494.0036 FS. Law Implemented 494.0011(2), 494.0036 FS. History–New_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.0612 Mortgage Lender License Renewal
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.0612 Mortgage Lender License Renewal and Reactivation.

(1) In order to renew an active mortgage lender license a mortgage lender licensee must submit the following to the Office no later than December 31 of each calendar year in which the licensee wishes to renew the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a payment of \$575 through the Registry for the following:

1. through 2. No change.

~~(b)(e)~~ Authorize the Registry to obtain and make available to the Office an independent credit report on each control person listed on the licensee’s NMLS Company Form (Form MU1).

(2) A mortgage lender license that is not renewed as required in subsection (1) before January 1 of the renewal year shall revert from active to inactive status. In order to reactivate a mortgage lender license, ~~a licensee must submit the following to the Office~~ before March 1 of each calendar year in which the licensee wishes to reactivate the license, a licensee must submit to the Office a total payment of \$1050 paid through the Registry which includes the following:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(b) Submit a total payment of \$1050 paid through the Registry which includes the following:~~

- ~~(a)1.~~ \$475 nonrefundable renewal fee,
- ~~(b)2.~~ \$475 nonrefundable reactivation fee; and
- ~~(c)3.~~ \$100 nonrefundable mortgage guaranty fund fee.

(3) through (7) No change.

Rulemaking Authority 494.0011(2), 494.00612 FS. Law Implemented 494.0011(2), 494.00612 FS. History–New 10-1-10,_____.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-40.00661 Mortgage Lender Branch Office Renewal
and Reactivation
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. 41 No. 146, July 29, 2015 issue of the Florida Administrative Register.

69V-40.00661- Mortgage Lender Branch Office Renewal and Reactivation.

(1) In order to renew an active mortgage lender branch office license a licensee must complete submit the following ~~requirements to the Office~~ no later than December 31 of each calendar year in which the licensee wishes to renew the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry; and~~

~~(a)~~ ~~(b)~~ Submit a total payment of \$225 paid through the Registry to the Office.

(b) For each of the applicant’s control persons, authorize the Registry to obtain and make available to the Office an independent credit report, unless the control person is currently licensed as a loan originator.

(2) A mortgage lender branch office license that is not renewed as required in subsection (1) before January 1 of the renewal year shall revert from active to inactive status. In order to reactivate a mortgage lender branch office license, a licensee must complete submit the following ~~requirements to the Office~~ before March 1 of each calendar year in which the licensee wishes to reactivate the license:

~~(a) A completed renewal submission as required by the Registry submitted through the Registry.~~

~~(a)(b)~~ Submit a total payment of \$450 paid through the Registry to the Office which includes the following:

1. through 2, No change.

(b) For each of the applicant’s control persons, authorize the Registry to obtain and make available to the Office an independent credit report, unless the control person is currently licensed as a loan originator.

(3) through (5) No change.

Rulemaking Authority 494.0011(2), 494.0066 FS. Law Implemented 494.0011(2), 494.0066 FS. History–New_____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER15-58 POWERBALL®

SUMMARY: This emergency rule sets forth the provisions for the conduct of POWERBALL® and replaces rules 53ER14-5 and 53ER15-57.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-58 POWERBALL®.

(1) Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Advertised Jackpot Prize- The estimated annuitized Jackpot Prize amount as determined by MUSL prior to the Jackpot Prize drawing. The “Advertised Jackpot Prize” is not a guaranteed prize amount and the actual Jackpot Prize amount may vary from the advertised amount, except in circumstances where there is a guaranteed Jackpot Prize amount as described in subparagraph (8)(d).

(b) Drawing- refers collectively to the formal draw event for randomly selecting the winning indicia that determine the number of winners for each prize level of the POWERBALL® game and the Power Play® multiplier. Winning indicia include the Winning Numbers for the POWERBALL game, and the Power Play multiplier.

(c) Jackpot Prize- The top prize in the POWERBALL game.

(d) MUSL- The Multi-State Lottery Association.

(e) MUSL Powerball Product Group (“Product Group”) - The group of lotteries that have joined together to offer the POWERBALL lottery game under the terms of the MUSL agreement and MUSL Powerball Product Group rules.

(f) Play - The six (6) numbers, the first five (5) chosen from a field of sixty-nine (69) numbers and the last one chosen (1) from a field of twenty-six (26) numbers, that appear on a ticket as a single lettered selection to be played by a player in the POWERBALL game.

(g) Set Prize- All prizes except the Jackpot Prize that are advertised to be paid by a single lump-sum payment and, except as set forth in paragraph (10)(g) and (h), will be equal to the prize amount established by MUSL for the prize level.

(h) “Winning Numbers” means the indicia randomly selected during a Drawing which shall be used to determine winning Plays for the POWERBALL game contained on a ticket.

(2) How to Play POWERBALL.

(a) POWERBALL is a multi-state lottery online terminal game which is offered to players in Florida by the Florida Lottery. In POWERBALL, players select five (5) numbers from a field of one (1) through sixty-nine (69) and one (1) Powerball number from a separate field of one (1) through twenty-six (26) for each Play.

(b) Players may make their POWERBALL ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$2.00 per Play, per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers (five (5) in the upper play area and one (1) in the lower play area) from each panel played. Players may also mark the “QP” (Quick Pick) box located at the bottom of each play area for the terminal to randomly select any or all of the six numbers from either or both play areas. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a POWERBALL ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the Powerball number selected from the lower play area of the play slip.

(c) Players must use only blue or black ink or pencil for making selections. Play slips may be processed through a Florida Lottery full service vending machine or processed by a retailer to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(d) Players may play up to fifty-two (52) consecutive POWERBALL drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. In the event that a planned change in the POWERBALL game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery’s website. Advance play is not available with Jackpot Combo.

(e) Jackpot Combo. Players may elect to play “Jackpot Combo” by marking the “Jackpot Combo \$5” box on the play slip or by telling the retailer. Players will receive three (3)

Quick Pick tickets for the next available drawing consisting of one (1) \$2.00 FLORIDA LOTTO® with XTRA ticket, one (1) \$2.00 POWERBALL® ticket and one (1) \$1.00 MEGA MILLIONS® ticket. Tickets in Jackpot Combo play cannot be player selected and cannot be canceled.

(f) For an additional \$1.00 per Play, players may mark the Power Play box to increase the second through ninth prizes. Power Play will apply to all panels and advance play marked.

(3) POWERBALL Drawings.

(a) POWERBALL drawings to determine the Winning Numbers shall be conducted by MUSL two (2) times per week, on Wednesday and Saturday, at approximately 10:59 p.m., ET.

(b) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official Winning Numbers.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket must match the official POWERBALL Winning Numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

(a) Jackpot Prize: Five (5) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(b) Second Prize: Five (5) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(c) Third Prize: Four (4) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(d) Fourth Prize: Four (4) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(e) Fifth Prize: Three (3) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(f) Sixth Prize: Three (3) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(g) Seventh Prize: Two (2) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(h) Eighth Prize: One (1) number selected from the first set of balls plus the Powerball number selected from the second set of balls.

(i) Ninth Prize: No numbers selected from the first set of balls and the Powerball number selected from the second set of balls.

(5) Limited to Highest Prize Won. The holder of a winning ticket may win only one prize per Play in connection

with the Winning Numbers drawn and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(6) POWERBALL Odds of Winning.

(a) The odds of winning the prizes described in subsection (4) are as follows:

1. Jackpot Prize- 1: 292,201,338.0000
2. Second Prize- 1: 11,688,053.5200
3. Third Prize- 1: 913,129.1813
4. Fourth Prize- 1:36,525.1673
5. Fifth Prize- 1:14,494.1140
6. Sixth Prize- 1:579.7646
7. Seventh Prize- 1:701.3281
8. Eighth Prize- 1:91.9775
9. Ninth Prize- 1:38.3239

(b) The overall odds of winning a prize in a POWERBALL drawing are 1:24.8671.

(7) POWERBALL Prize Pool.

(a) Prize Pool. The prize pool for all prize categories shall consist of 50% of each drawing period's sales.

(b) Expected Prize Payout Percentages. The Jackpot Prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as Set Prizes with the following expected prize payout percentages:

<u>Match</u>	<u>Prize Category</u>	<u>Prize Payment</u>	<u>Approximate Percentage of Prize Pool Allocated to Prize Category</u>
<u>Five first set numbers and the Powerball number</u>	<u>Jackpot Prize</u>	<u>Jackpot Prize</u>	<u>68.0131%</u>
<u>Five first set numbers</u>	<u>Second Prize</u>	<u>\$1,000,000</u>	<u>8.5558%</u>
<u>Four first set numbers and the Powerball number</u>	<u>Third Prize</u>	<u>\$50,000</u>	<u>5.4757%</u>
<u>Four first set numbers</u>	<u>Fourth Prize</u>	<u>\$100</u>	<u>0.2738%</u>
<u>Three first set numbers and the Powerball number</u>	<u>Fifth Prize</u>	<u>\$100</u>	<u>0.6899%</u>
<u>Three first set numbers</u>	<u>Sixth Prize</u>	<u>\$7</u>	<u>1.2074%</u>
<u>Two first set numbers and the Powerball number</u>	<u>Seventh Prize</u>	<u>\$7</u>	<u>0.9981%</u>
<u>One first set number and the Powerball number</u>	<u>Eighth Prize</u>	<u>\$4</u>	<u>4.3489%</u>
<u>The Powerball number</u>	<u>Ninth Prize</u>	<u>\$4</u>	<u>10.4373%</u>

(c) Prize money allocated to the Jackpot Prize category will be divided equally by the number of Plays determined to be winners of the Jackpot Prize.

(d) The number of Plays determined to be winners of the second through ninth prize categories will be paid as Set Prizes, except as provided in paragraph (10)(g) and (h) below. If all or any portion of the Set Prize pool is not awarded in the

current POWERBALL drawing, that portion of the Set Prize pool shall be carried forward to subsequent POWERBALL drawings.

(e) Any interest or earnings accrued on a POWERBALL Set Prize prior to prize payment shall accrue to MUSL and not to the winner.

(8) POWERBALL Jackpot Prize Payment.

(a) Players can choose one of two payment options for receiving their portion of the POWERBALL Jackpot Prize. Payment options are "Cash Option" (which may be referred to as a "single lump sum payment") and "Annual Payment." Jackpot Prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Jackpot Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed except as provided in subparagraph (8)(c)6., below. Neither MUSL nor the Florida Lottery shall be responsible or liable for the difference between the Advertised or estimated Jackpot Prize amount and the actual Jackpot Prize amount after the prize payment method is known to MUSL

(b) Cash Option Payment. In order to select the Cash Option, the Jackpot Prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot Prize winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in subparagraph (8)(c)4., below. Shares of the Jackpot Prize shall be determined by dividing the funds available in the Jackpot Prize pool equally among all winning plays of the Jackpot Prize. A Jackpot Prize winner who chooses the Cash Option payment will receive his or her share in a single lump sum payment, less applicable federal income tax withholding.

(c) Annual Payment Option.

1. If a Jackpot Prize winner elects the Annual Payment option, his or her share of the Jackpot Prize will be paid in thirty (30) graduated annual installments that will increase by a rate determined by the Product Group, less applicable federal income tax withholding.

2. The Florida Lottery will make the initial annual payment of a prize and all further annual payments upon receipt of funds from MUSL.

3. The amount of the annual prize payment shall be determined by multiplying the winner's share of the Jackpot Prize pool by the MUSL Annuity Factor. The MUSL Annuity Factor is determined through a process as approved by the MUSL Finance and Audit Committee. MUSL shall purchase and hold the investments to fund the Jackpot Prize winner's annual prize payments.

4. If the winner's share of the Jackpot Prize is less than \$250,000, the Product Group is authorized to pay such winner their Grand Prize share in one lump sum payment, without regard either to the winner's choice of prize payment method or to whether the winner claimed the Grand Prize share more than sixty days after the drawing.

5. Annuitized payment of the Jackpot prize or a share of the Jackpot prize will be rounded down to the nearest one thousand dollars (\$1,000) to facilitate the purchase of an appropriate funding mechanism. Rounding differences on an annuitized Jackpot prize win shall be added to the first payment to the winner or winners. Prizes other than the Jackpot prize, which become single-payment, pari-mutuel prizes, will be rounded down so that prizes can be paid in multiples of whole dollars. Rounding differences resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

6. In the event of the death during the annuity payment period of a POWERBALL winner who elected the Annual Payment option, the estate of the deceased winner (the "Estate") may make a written request to the Florida Lottery to accelerate payment of all the remaining prize proceeds to the Estate. Such request will be forwarded by the Florida Lottery to MUSL for processing. MUSL will decide, in its sole discretion, whether or not to grant the payment, and if so, the form of such payment, whether in securities or cash.

(d) Guaranteed Minimum Jackpot Prize. The minimum guaranteed annuity Jackpot Prize amount is \$40 million. When the Jackpot Prize is won at the guaranteed minimum, the Jackpot Prize shares shall be determined as follows:

1. If there are multiple Jackpot Prize winners during a single drawing, each selecting the Annual Payment option, then a winner's share of the guaranteed Jackpot Prize shall be determined by dividing the guaranteed minimum Jackpot Prize by the number of winning plays.

2. If there are multiple Jackpot Prize winners during a single drawing and at least one of the Jackpot Prize winners has elected the Annual Payment option, then the best bid submitted by MUSL's pre-approved qualified brokers shall determine the cash pool needed to fund the guaranteed minimum Jackpot Prize.

3. If no winner of the Jackpot Prize during a single drawing has elected the Annual Payment option, then the amount of cash in the Jackpot Prize pool shall be an amount equal to the guaranteed minimum amount divided by the MUSL Annuity Factor.

(e) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(f) Any interest or earnings accrued on a POWERBALL Jackpot Prize prior to prize payment shall accrue to MUSL and not to the winner.

(g) If the Jackpot Prize is not won in a drawing, the prize money allocated for the Jackpot Prize shall roll over and be added to the Jackpot Prize pool for the following drawing.

(9) Set Prize Payment. Set Prizes shall be paid in a single cash payment, less applicable federal income tax withholding.

(10) Power Play® Option.

(a) The Power Play option shall be available in association with the POWERBALL game. The Power Play option will be conducted as follows:

(b) At the time of purchasing a POWERBALL ticket, a player may choose the Power Play option for an additional \$1.00 per play for each play on the POWERBALL ticket to increase the guaranteed prize amount for the second through ninth tier prizes. The POWERBALL Jackpot Prize will not be eligible for increase under the Power Play option.

(c) Power Play Drawing. A separate, random Power Play drawing will be conducted and the results announced during each of the regular POWERBALL drawings. In each Power Play drawing, the number 2, 3, 4, 5 or 10 shall be drawn (the Power Play number, sometimes called the multiplier number). When the Advertised Jackpot Prize for a drawing is \$150 million or less, the possible Power Play numbers included in the Power Play drawing will be 2, 3, 4, 5 and 10. When the Advertised Jackpot Prize for a drawing is greater than \$150 million, the possible Power Play numbers included in the Power Play drawing will be 2, 3, 4 and 5. The Power Play number drawn will increase the value of the prizes for the second tier as provided below. The Power Play number will be used to multiply the value of the prizes for the third through ninth tiers.

(d) The following table sets forth the probability of the various Power Play numbers being drawn during a single Power Play drawing.

When the 10X Power Play is available:		
Multiplier	Probability of Prize Increase	Chance of Occurrence
10X	1 in 43	2.3255%
5X	2 in 43	4.6512%
4X	3 in 43	6.9767%
3X	13 in 43	30.2326%
2X	24 in 43	55.8140%

When the 10X Power Play is not available:		
Multiplier	Probability of Prize Increase	Chance of Occurrence
10X	0 in 42	0.00%
5X	2 in 42	4.7619%
4X	3 in 42	7.1429%
3X	13 in 42	30.9523%
2X	24 in 42	57.1429%

(e) Application of Power Play Number.

1. Second Prize. The Power Play number selected increases the Second Prize for a winning POWERBALL with Power Play ticket to \$2,000,000.00, except as provided in (10)(g) and (h).

2. Third through Ninth Prizes. The Power Play number selected increases the prize amount for the Third through Ninth Prizes. A Third through Ninth Prize winner who purchased the Power Play feature with his or her POWERBALL ticket shall be paid a prize in the amount of the Set Prize amount multiplied by the Power Play number for that drawing.

3. Jackpot Prize. The Power Play feature does not apply to the Jackpot Prize.

(f) POWERBALL tickets that win the Second through Ninth Prizes with the Power Play option will pay the amounts shown below:

Match	Prize	Without Power Play	With Power Play 2X	With Power Play 3X	With Power Play 4X	With Power Play 5X	With Power Play 10X
Match 5+0	Second	\$1,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
Match 4+1	Third	\$50.00	\$100.00	\$150.00	\$200.00	\$250.00	\$500.00
Match 4+0	Fourth	\$100.00	\$200.00	\$300.00	\$400.00	\$500.00	\$1,000.00
Match 3+1	Fifth	\$100.00	\$200.00	\$300.00	\$400.00	\$500.00	\$1,000.00
Match 3+0	Sixth	\$7.00	\$14.00	\$21.00	\$28.00	\$35.00	\$70.00
Match 2+1	Seventh	\$7.00	\$14.00	\$21.00	\$28.00	\$35.00	\$70.00
Match 1+1	Eighth	\$4.00	\$8.00	\$12.00	\$16.00	\$20.00	\$40.00
Match 0+1	Ninth	\$4.00	\$8.00	\$12.00	\$16.00	\$20.00	\$40.00

(g) If, with respect to a single POWERBALL drawing, the total of the POWERBALL Set Prizes and the Power Play prizes awarded in a drawing exceeds the percentage in the

prize pools allocated to the Set Prizes and there are insufficient funds from all sources to pay the Set Prizes for a particular POWERBALL drawing and the associated Power Play prizes, the highest Set Prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If the amount of the highest Set Prize, when paid as a pari-mutuel prize, is less than or equal to the next highest Set Prize and there are still not sufficient funds to pay the remaining prizes, the next highest Set Prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If necessary under the same test set forth in the preceding sentence, each succeeding Set Prize level shall be converted to a pari-mutuel prize, in order, until all Set Prizes become pari-mutuel. In that instance, the money available from the funding sources shall be divided among the winning Plays in proportion to their respective prize percentages. POWERBALL and Power Play prizes will be reduced by the same percentage.

(h) When the POWERBALL Set Prizes become pari-mutuel, the POWERBALL Set Prize amounts will be less than the amount shown in paragraph (7)(b) above, and the Power Play prizes shall be changed to an amount announced after the drawing.

(i) Power Play Set Prizes which become pari-mutuel will be rounded down so that they can be paid in multiples of whole dollars. Funds remaining after rounding shall be carried forward to the prize pool for the next drawing.

(j) All Power Play prizes shall be paid in a single lump-sum payment, less applicable federal income tax withholding.

(11) POWERBALL Rules and Prohibitions.

(a) By purchasing a POWERBALL ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) Florida POWERBALL prizes shall be claimed only through a Florida Lottery retailer (for prizes less than \$600) or Lottery office beginning on the first business day following the drawing. The Lottery is not authorized to accept claims or pay prizes for POWERBALL tickets purchased in other jurisdictions. POWERBALL prize payments shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, POWERBALL lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, ET. Ticket sales for a specific POWERBALL drawing will close at 10:00 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next POWERBALL drawing date.

(d) POWERBALL tickets cannot be canceled.

(12) The effective date of this rule is October 4, 2015.

Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c) (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 10-4-15, Replaces 53ER14-5 and 53ER15-57.

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: October 4, 2015

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 1, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Plantation Oaks, filed September 17, 2015, and advertised on September 21, 2015 in Vol. 41, No. 183, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from providing fire fighter service because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-232).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on September 18, 2015, the Construction Industry Licensing Board received a petition for variance or waiver filed by Kent M. Kolovich. The petitioner is seeking a variance from the Board in order to use his test scores from a license exam taken in February 2007, in order to upgrade his current license to a General Contractor License. Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center,

1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, at the above address, telephone: (850)487-1395 or by email: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on June 4, 2015, by Ed Gund. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 137, of the July 16, 2015, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 61G4-16.005, F.A.C., which states that a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board. The Board considered the instant Petition at a duly-noticed public meeting held on August 14, 2015, in St. Petersburg, Florida.

The Board's Order, filed on September 16, 2015, denied the petition finding that the Petitioner has not shown how application of the rule creates a substantial hardship or violates principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by email: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 8, 2015, by Matthew Lail. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 141, of the July 22, 2015, Florida Administrative Register. Petitioner sought a waiver or variance to use his examination scores from his Certified Building Contractor License to qualify for his application as a Certified General Contractor. The Board considered the instant Petition at a duly-noticed public meeting held on August 14, 2015, in St. Petersburg, Florida.

The Board's Order, filed on September 16, 2015, declines to answer the Petition because it is not legally sufficient pursuant to 28-104.002, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by email: Amanda.Wynn@myfloridalicense.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Historical Marker Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 14, 2015, 9:00 a.m. until conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review 11 applications for the Florida Historical Marker Program.

A copy of the agenda may be obtained by contacting: Michael Hart at 1(800)847-7278 or Michael.Hart@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 48 hours before the workshop/meeting by contacting: Michael Hart at 1(800)847-7278 or Michael.Hart@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).

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: Michael Hart at 1(800)847-7278 or Michael.Hart@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 22, 2015, 5:00 p.m.

PLACE: HealthSouth Rehabilitation Hospital; 2275 SW 22nd Lane, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This is a meeting of the Board of Directors to discuss general business.

A copy of the agenda may be obtained by contacting: Stephanie Hagins at (352)307-6699.

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: Stephanie Hagins at (352)307-6699. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

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

DATE AND TIME: October 22, 2015, 1:00 p.m. through October 23, 2015, 12:00 Noon

PLACE: Doyle Conner Building, 1911 SW 34th Street, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Endangered Plant Advisory Council Meeting: Special recognition candidates, overview of past conservation program activities; FY 16-17 EPAC grant proposals; and review of the regulated plant index.

A copy of the agenda may be obtained by contacting: Bryan Benson, (352)395-4704.

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: Bryan Benson, (352)395-4704. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

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

DATE AND TIME: October 28, 2015, 12:00 Noon – 1:45 p.m.

PLACE: Everglades Research & Education Center, 3200 East Palm Beach Road, Belle Glade, FL 33430

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lettuce Advisory Committee: new insecticide and fungicide for control of leafy and other vegetable pests; dealing with Africanized honey bees; and old/new business.

A copy of the agenda may be obtained by contacting: Christian F. Miller, (561)233-1718.

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: Christian F. Miller, (561)233-1718. 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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following dockets to which all persons are invited.

DOCKET NOS. AND TITLES:

Docket No. 150001-EI - Fuel and purchased power cost recovery clause with generating performance incentive factor

Docket No. 150002-EG - Energy conservation cost recovery clause

Docket No. 150003-GU - Purchased gas adjustment (PGA) true-up

Docket No. 150004-GU - Natural gas conservation cost recovery

Docket No. 150007-EI - Environmental cost recovery clause

DATE AND TIME, PREHEARING CONFERENCE: Monday, October 19, 2015, 2:00 p.m., ET

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT PREHEARING: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

DATE AND TIME, HEARING: Monday, November 2, 2015, 1:00 p.m. November 3-5, 2015 have also been reserved for continuation of the hearing, if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT HEARING: The purpose of this hearing shall be to receive testimony and exhibits relative to issues and subjects, including but not limited to, the following:

1. Determination of the Projected Levelized Fuel Adjustment Factors for all investor-owned electric

- utilities for the period January 2016 through December 2016;
2. Determination of the Estimated Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2015 through December 2015;
 3. Determination of the Final Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2014 through December 2014, which are to be based on actual data for that period;
 4. Determination of Generating Performance Incentive Factor Targets and Ranges for the period January 2016 through December 2016;
 5. Determination of Generating Performance Incentive Factor Rewards and Penalties for the period January 2014 through December 2014.
 6. Determination of the Projected Capacity Cost Recovery Factors for the period January 2016 through December 2016, including nuclear costs.
 7. Determination of the Estimated Capacity Cost Recovery True-Up Amounts for the period January 2015 through December 2015, including nuclear costs.
 8. Determination of the Final Capacity Cost Recovery True-Up Amounts for the period January 2014 through December 2014, which are to be based on actual data for that period, including nuclear costs.
 9. Determination of the Projected Conservation Cost Recovery Factors for certain investor-owned electric and gas utilities for the period January 2016 through December 2016.
 10. Determination of Conservation Actual/Estimated Amounts for certain investor-owned electric and gas utilities for the period January 2015 through December 2015.
 11. Determination of the Final Conservation True-up Amounts for the period January 2014 through December 2014 for certain investor-owned electric and gas utilities, which are to be based on actual data for that period.
 12. Determination of the Purchased Gas Adjustment Cost Recovery Factors for the period January 2016 through December 2016.
 13. Determination of Actual/Estimated Purchased Gas True-Up Amounts for the period January 2015 through December 2015.
 14. Determination of the Final Purchased Gas True-Up Amounts for the period January 2014 through December 2014.
 15. Determination of the Projected Environmental Cost Recovery Factors for the period January 2016 through December 2016.

16. Determination of the Estimated Actual Environmental Cost Recovery True-Up Amounts for the period January 2015 through December 2015.
17. Determination of the Final Environmental Cost Recovery True-Up Amounts for the period January 2014 through December 2014, which are to be based on actual data for that period.

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 28-106, F.A.C., and 25-22, F.A.C.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: October 15, 2015, 9:00 a.m.

PLACE: SWFRPC Conference Room, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The regular monthly meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Charles Kammerer at (239)338-2550 or ckammerer@swfrpc.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 48 hours before the workshop/meeting by contacting: SWFRPC Offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Legislative Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 15, 2015, 8:15 a.m.

PLACE: SWFRPC Offices, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The SWFRPC's Legislative Affairs Committee is scheduled to meet to discuss the 2016 Legislative Priorities.

A copy of the agenda may be obtained by contacting: Margaret Wuerstle at mwuerstle@swfrpc.org or (239)338-2550, ext. 222.

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: SWFRPC Offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, October 14, 2015, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Public meeting to discuss regulatory matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway Suite 200, Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website at www.sfwmd.gov:

- Hold mouse over the "Topics" tab, scroll down to "Permits" and click
- Under "Upcoming Events" on the right-hand column, click the "Monthly Regulatory Meetings" link.
- Or, subscribe to ePermitting/eNoticing at www.sfwmd.gov/epermitting.
- For additional information, you may also call our information line: (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

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: District Clerk's Office, (561)682-6805. 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: District Clerk's Office, (561)682-6805.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water - A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 19, 2015, 9:30 a.m.

PLACE: Tampa Bay Water Administrative Office, 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

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: Records Department, (727)796-2355. 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: Records Department, (727)796-2355.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority
Tampa Bay Water announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2015, 9:00 a.m. – 1:00 p.m. or until completed

PLACE: Tampa Bay Water's Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for the Request for Proposals Scientific Review of the Integrated Hydrologic Model Contract, Contract No. 2016-005. As part of the selection process, the Selection Committee will, if needed, hear presentations and conduct interviews with short-listed firms in order to determine the highest ranking firm to recommend for award. It is recommended that you contact Regina Kavanagh at (727)791-2392 to confirm if interviews will be conducted as planned.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: October 13, 2015, 10:00 a.m., ET

PLACE: 4055 Esplanade Way, Crosby's Café Conference Room, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting for negotiators to discuss best and final offers for DMS-14/15-011 Human Resources Outsourcing - People First and recommendation for award.

A copy of the agenda may be obtained by contacting: Tammy Davis, tammy.davis@dms.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 5 days before the workshop/meeting by contacting: ADA Coordinator, (850)488-0439. 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 MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: October 15, 2015, 10:00 a.m., ET

PLACE: 4055 Esplanade Way, Crosby's Café Conference Room, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting for negotiators to discuss best and final offers for DMS-14/15-011 Human Resources Outsourcing - People First and recommendation for award.

A copy of the agenda may be obtained by contacting: Tammy Davis, tammy.davis@dms.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 5 days before the workshop/meeting by contacting: ADA Coordinator, (850)488-0439. 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

Division of Recreation and Parks

The Division of Recreation and Parks announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 13, 2015, 5:00 p.m. – 8:00 p.m., CDT; presentation at 6:00 p.m.

PLACE: The Blackwater Heritage Trail Visitor Center, 5533 Alabama Street, Milton, Florida 32570

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan update for Blackwater River State Park.

A copy of the agenda may be obtained by contacting: Ferlain Hoover, Park Manager, Blackwater River State Park, 7720 Deaton Bridge Road, Holt, Florida 32564, (850)983-5363, fax: (850)983-5364, Ferlain.Hoover@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>.

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: Ferlain Hoover as 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).

For more information, you may contact: Ferlain Hoover as listed above.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 14, 2015, 9:00 a.m., CDT

PLACE: The Blackwater Heritage Trail Visitor Center, 5533 Alabama Street, Milton, Florida 32570

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed unit management plan update for Blackwater River State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: Ferlain Hoover, Park Manager, Blackwater River State Park at 7720 Deaton Bridge Road, Holt, Florida 32564, (850)983-5363, fax: (904)983-5364, Ferlain.Hoover@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>.

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: Ferlain Hoover as 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).

For more information, you may contact: Ferlain Hoover as listed above.

SUNSHINE STATE ONE CALL OF FLORIDA

Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, October 16, 2015, 10:00 a.m. – 12:00 Noon

PLACE: Teleconference; to participate call 1(888)670-3525, enter participant passcode 8567463178 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Purpose: To develop the agenda for the November 19 and 20, 2015 Committee and Board of Directors meetings.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF EDUCATION

Miami Dade College ITN-2016-21-10 Negotiation Meeting

MIAMI DADE COLLEGE

INVITATION TO NEGOTIATE (ITN)

2016-21-10 – Vending Services College-wide;
Food and Beverage

MIAMI DADE COLLEGE announces the following scheduled negotiation meetings with shortlisted proposers related to ITN-2016-21-10 for Vending Services College-wide; Food and Beverage. These are negotiation meetings and therefore NOT OPEN TO THE PUBLIC as per State of Florida Statute 286.0113. These scheduled meetings with shortlisted proposers are scheduled to be held at the location, date and times indicated below. In the event these meetings are cancelled or postponed, notification will be provided and posted on the MDC Website, (www.mdc.edu/purchasing).

NEGOTIATION MEETINGS

LOCATION:MDC Kendall Campus – 11011 SW 104 Street, Miami, FL 33176, Building R, Room No. R404

DATE AND TIME: Friday, October 16, 2015, 9:30 a.m. – 3:00 p.m.

PURPOSE: Negotiation Meetings

Important to note that this procurement process adheres to the “Cone of Silence” ordinance and that no verbal or written communication is allowed during this ITN process unless it is exclusively requested by the Purchasing Department to be utilized for evaluation purposes of this ITN selection process.

If you should have any questions, please contact:

Roman Martinez, MPA, CPPO, CPPB

Group Director - Purchasing

Phone: (305)237-0012

Fax: (305)237-0737

Email: rmartin9@mdc.edu

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, that person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 SW 104 Street, Room 9254, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF LAW ENFORCEMENT

Notice of Publication of FDLE 2015-2016 Annual Regulatory Plan

NOTICE IS GIVEN that on October 1, 2015, the Florida Department of Law Enforcement published its 2015-2016 Regulatory Plan in accordance with Section 120.74(1), F.S., as amended by Ch. 2015-162, Laws of Florida. The Annual Regulatory Plan is available on the Department's website at: http://www.fdle.state.fl.us/Content/Open-Government/Open-Government-Page-Documents/Annual-Reg-Plans/ARP_FY1516_Oct2015.aspx.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 1, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certification with regard to the certificate of Doris E. Love, C.N.A., Certificate #: CNA 212848. This Emergency Suspension 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 (2015). 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 HEALTH

Board of Nursing

Notice of Emergency Action

On October 1, 2015, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Edwena Lynn Hubbard, R.N., License #: RN 9205118. This Emergency Suspension 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 (2015). 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 HEALTH

Board of Nursing

Notice of Emergency Action

On October 1, 2015, State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of Bernadette Seymoure, C.N.A., Certificate #: CNA 74810. This Emergency Suspension 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 (2015). 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 HEALTH
Board of Nursing

Notice of Emergency Action

On October 1, 2015, State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of Brandee L. Mogyorosi, C.N.A., Certificate #: CNA 30295. This Emergency Suspension 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 (2015). 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 HEALTH
Board of Nursing

Notice of Emergency Action

On October 2, 2015, State Surgeon General issued an Order of Emergency Restriction of Certificate with regard to the certificate of Paul F. Kennedy, C.N.A., Certificate #: CNA 268379. 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 (2014-2015). 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 No.: DEO-15-155

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-155 on October 2, 2015, in response to an application submitted by Turnbury Woods Homeowner’s Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes. The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements 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 Katie.Zimmer@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.