

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.0015                   K-20 Data Warehouse

PURPOSE AND EFFECT: The purpose of this rule development is to revise existing requirements of the statewide database manuals which guide the K-20 Data Warehouse data collection and data quality. The effect of the rule will be to incorporate revisions to the database manuals used by the K-20 Data Warehouse.

SUBJECT AREA TO BE ADDRESSED: K-20 Data Warehouse.

RULEMAKING AUTHORITY: 120.53(1)(b), 1008.31 FS.

LAW IMPLEMENTED: 1008.31 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kit Goodner, Assistant Deputy Commissioner, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0400. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.09942                   State Uniform Transfer of Students in  
the Middle Grades

PURPOSE AND EFFECT: The purpose of this rule development is to update the rule to reflect changes made by the Legislature to Section 1008.22(3)(c)2.b., Florida Statutes, which was revised to add that the middle school principal shall determine, in accordance with State Board of Education Rule, whether a student who transfers to the middle school and who has successfully completed a civics education course at the student's previous school must take an end-of-course assessment in civics education.

SUBJECT AREA TO BE ADDRESSED: This rule establishes uniform procedures relating to the acceptance of transfer work and courses for students entering Florida's public schools comprised of grades six, seven, and eight.

RULEMAKING AUTHORITY: 1003.25(3), 1003.4156(3), 1008.22 FS.

LAW IMPLEMENTED: 1003.25(3), 1003.4156(3), 1008.22(3)(c)2.b. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Teresa Sweet, Chief, bureau of Curriculum and Instruction, 325 W. Gaines St., Room 432, Tallahassee, FL 32399, (850)245-9032 To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-6.020                   Granting High School Credits and  
Diplomas to Adults

PURPOSE AND EFFECT: The purpose of this rule development is to identify the graduation requirements for students entering an adult high school and seeking to earn a high school diploma beginning in 2012-2013. Students may withdraw from the K-12 system and enter an adult high school. The effect would ensure that adult education students receiving an adult high school diploma would have the skills and knowledge currently required to be successful in the workplace as well as enter postsecondary education.

SUBJECT AREA TO BE ADDRESSED: High School Graduation Requirements for Students Enrolling in Adult High School.

RULEMAKING AUTHORITY: 1004.93(8) FS.

LAW IMPLEMENTED: 1003.428, 1003.43, 1003.436, 1004.93 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen

Taylor, Interim Chancellor, Division of Career and Adult Education, 325 West Gaines Street, Suite 754, Tallahassee, Florida 32399-0400, (850)245-9062, Kathleen.Taylor@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.021                      RULE TITLE: State of Florida High School Diplomas

PURPOSE AND EFFECT: The purpose of this rule development is to amend the rule to include authority and procedures for the administration of a computer-based version of the GED Test® series to begin in 2012. In addition, the testing fee for the computer-based version of the test will be established and amendments to the fees for duplicate transcript and diplomas will be considered.

SUBJECT AREA TO BE ADDRESSED: Computer-based version of the GED Test® series and fees.

RULEMAKING AUTHORITY: 1001.02(1), 1003.435(1) FS.

LAW IMPLEMENTED: 1003.435 FS.

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

DATE AND TIME: January 23, 2012, 9:00 a.m.

PLACE: Conference Call number: 1(888)808-6959, Conference Code: 2459001

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, suite 744, Tallahassee, Florida 32399-0400, phone (850)245-9001, Tara.Goodman@fldoe.org. To comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0571                      RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose of this rule development is to adopt the “Career and Technical Education Programs, Academic Year 2012-2013 Curriculum Frameworks by Career Cluster” and the “Adult General Education Standards and Curriculum Frameworks 2012-2013”.

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education and Adult General Education.

RULEMAKING AUTHORITY: 1004.92 FS.

LAW IMPLEMENTED: 1004.92 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen Taylor, Interim Chancellor, Division of Career and Adult Education, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, Kathleen.Taylor@fldoe.org, (850)245-9062. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0573                      RULE TITLE: Industry Certification Process.

PURPOSE AND EFFECT: The purpose of this rule development is to adopt consider changes based on revision by Workforce Florida, Inc. to the “2011-2012 Comprehensive Industry Certification List.” The updates to this list, which are the Certified Agriculture Biotechnician and the Florida Automobile Dealers Association Certified Technician, must be reviewed to determine if the additions are eligible for inclusion on the “2011-2012 Industry Certification Funding List.”

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education and Industry Certification Funding List.

RULEMAKING AUTHORITY: 1003.492(2), 1011.62(1)(o) FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493, 1003.4935, 1011.62(1)(o) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, Suite 744, Tallahassee, Florida 32399-0400, phone (850)245-9001, Tara.Goodman@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.: 6M-4.610  
 RULE TITLE: Statewide Provider Agreement for the School Readiness Program

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the Florida’s Office of Early Learning’s (OEL’s) authority to administer the School Readiness Program by adopting a standard contract that must be used by early learning coalitions when contracting with School Readiness Program providers.

SUBJECT AREA TO BE ADDRESSED: This rule establishes requirements related to establishing agreements between early learning coalitions and School Readiness Program providers and incorporates a standard agreement by reference.

RULEMAKING AUTHORITY: 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(4)(d)9. FS.

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

DATE AND TIME: January 6, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Florida’s Office of Early Learning, 250 Marriott Dr., Tallahassee, FL 32399 or via WebEx which may be accessed at the following website: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ed Hoover at (850)717-8550. 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: Stephanie Savestanan, Policy Director, Florida’s Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE OFFICE’S WEBSITE AT: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.: 6M-8.201  
 RULE TITLE: Child Registration Procedures; Application; Parent Orientation Session

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the authority of Florida’s Office of Early Learning (OEL) to administer the Voluntary Prekindergarten Education (VPK) Program related to enrolling children in and determining the eligibility of children for the VPK Program.

SUBJECT AREA TO BE ADDRESSED: This rule establishes requirements related to making child eligibility determinations. The proposed rule permits early learning coalitions to allow certain VPK providers to facilitate making child eligibility determinations for children enrolling in the VPK provider’s classes. The rule incorporates several forms by reference, including a child registration form, addendum to the VPK Provider Agreement for providers making eligibility determinations, and an informational handbook for parents registering their children for the VPK program.

RULEMAKING AUTHORITY: 1002.79(2) FS.

LAW IMPLEMENTED: 1002.53(4), (5), 1002.75(2)(a), (b) FS.

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

DATE AND TIME: January 6, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Florida’s Office of Early Learning, 250 Marriott Dr., Tallahassee, FL 32399 or via WebEx which may be accessed at the following website: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephanie Savestanan, Policy Director, Florida’s Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE OFFICE’S WEBSITE AT: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NOS.:	RULE TITLES:
6M-8.700	Low-Performing Provider; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation
6M-8.701	Low-Performing Provider; Voluntary Prekindergarten Education Program Second Year Probation
6M-8.702	Low-Performing Provider; Removal From Voluntary Prekindergarten Education Program Eligibility

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the Florida's Office of Early Learning's (OEL) authority to administer the Voluntary Prekindergarten Education (VPK) Program by establishing a procedure by which VPK providers who fail to achieve minimum kindergarten readiness rates comply with section 1002.67, F.S.

SUBJECT AREA TO BE ADDRESSED: The Low Performing Provider rules establish procedures governing administration of the VPK Program by early learning coalitions and school districts for approving improvement plans, for placing providers on probation and requiring corrective actions, and for removing providers from eligibility to deliver the program.

RULEMAKING AUTHORITY: 1002.75(2)(i), 1002.79(2) FS.

LAW IMPLEMENTED: 1002.67(3)(c), 1002.75(3)(a)-(c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 6, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, FL 32399 or via WebEx which may be accessed at the following website: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ed Hoover at (850)717-8550. 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: Stephanie Savestanan, Policy Director, Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE OFFICE'S WEBSITE AT: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.:	RULE TITLE:
6M-9.205	Merger of Early Learning Coalitions

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the authority of Florida's Office of Early Learning (OEL) to adopt procedures for merging early learning coalitions.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will establish requirements related to the process of determining which coalitions should merge and obtaining the approval of mergers from the Office.

RULEMAKING AUTHORITY: 411.01(3)(e) FS.

LAW IMPLEMENTED: Section 411.01(5)(a)3. FS.

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

DATE AND TIME: January 6, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, FL 32399 or via WebEx which may be accessed at the following website: [http://www.floridaearlylearning.com/EarlyLearning/OEL\\_Program\\_ProposedRulesNotices.html](http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ed Hoover at (850)717-8550. 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: Stephanie Savestanan, Policy Director, Florida's Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-8.028	Reimbursement Premium Formula
19-8.029	Insurer Reporting Requirements
19-8.030	Insurer Responsibilities

PURPOSE AND EFFECT: To discuss proposed amendments to the following rules: Rule 19-8.028, F.A.C., Reimbursement Premium Formula, Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Rule 19-8.030, F.A.C., Insurer Responsibilities.

SUBJECT AREA TO BE ADDRESSED: Insurer exposure and loss reporting requirements for the 2012/2013 Contract Year, premium formula requirements, and insurer responsibilities.

RULEMAKING AUTHORITY: 215.555 FS.

LAW IMPLEMENTED: 215.555 FS.

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

DATE AND TIME: January 9, 2012, 9:00 a.m. – 12:00 Noon (ET).

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308. Persons wishing to participate by phone may dial 1(888)808-6959 and enter conference code 4765251363.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300, (850)413-1341, tracy.allen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracy Allen at the email or number listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: RULE TITLE:

19B-8.002 Age Limitations

PURPOSE AND EFFECT: To amend the Florida Prepaid College Plan rule providing a clarification of when does the Board determine the need to impose an additional amount on an account when beneficiaries are substituted, and provide a clarification of the age limitation permitting the substitution of beneficiaries.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan’s age limitations allowing for beneficiary substitution.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 9, 2012, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-8.002 Age Limitations.

The transfer to a substitute beneficiary is limited to individuals who are no more than three years, younger or older, from the age of the original ~~younger than the~~ qualified beneficiary, ~~or no more than three years older than the qualified beneficiary,~~ without assessment of an additional advance payment contract price. If transfer to a substitute beneficiary more than three years, younger or older, from the age of the original ~~older than~~ the qualified beneficiary is desired, application must be made to the Board. The Board ~~will~~ may assess an additional amount only if the change results in a negative impact on ~~to ensure~~ the actuarial soundness of the trust fund.

Rulemaking Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.98 FS. History–New 3-29-89, Formerly 4G-8.002, Amended 6-20-96, \_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: RULE TITLE:

19B-12.003 Financial Hardship

PURPOSE AND EFFECT: To amend the Florida Prepaid College Plan rule providing when additional proof hardship will be required.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan’s rule regarding when additional information to demonstrate a financial hardship will be required.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 9, 2012, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514. 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 IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-12.003 Financial Hardship.

(1) through (2) No change.

(3) For purposes of this Chapter, the term “financial hardship” shall be defined to include any loss of employment or income by a contract purchaser or the spouse of a contract purchaser which limits or otherwise impairs the ability of the contract purchaser to make timely payments on a contract with the Board. A financial hardship will also be found to exist whenever a contract purchaser can demonstrate to the Board that medical circumstances, such as hospitalization of the purchaser or the spouse of the purchaser, that limit or otherwise impair the contract purchaser’s ability to make timely payments on a contract with the Board. Proof of loss of employment or income or proof of medical circumstances cited in any Petition will may be required by the Board only when circumstances are not clearly cited.

~~Rulemaking Specific~~ Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History–New 5-17-92, Formerly 4G-12.003, Amended 6-20-96,\_\_\_\_\_.

**REGIONAL PLANNING COUNCILS**

**East Central Florida Regional Planning Council**

RULE NO.: 29F-1.108                      RULE TITLE: Officers, Term of Office and Duties  
 PURPOSE AND EFFECT: Split the office of Secretary-Treasurer into two offices, the office of Secretary and the office of Treasurer.  
 SUBJECT AREA TO BE ADDRESSED: Structural management and Elected Officers of the Planning Council.  
 RULEMAKING AUTHORITY: 186.505, 120.54 FS.  
 LAW IMPLEMENTED: 186.505 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: January 18, 2012, 10:00 a.m.  
 PLACE: ECFRPC Office, 309 Cranes Roost Boulevard, Suite 2000, Altamonte Springs, Florida 32701  
 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: Tuesdai Brunsonbyrd-Bowden, (407)262-7772 or

tbyrd@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: George Kinney, (407)262-7772 or gkinney@ecfrpc.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

29F-1.108 Officers, Term of Office and Duties.

(1) At the annual meeting of the Council, the Council shall elect from its membership the following officers: Chairperson, Vice-Chairperson, Secretary and Treasurer ~~and Secretary-Treasurer~~. Each member so elected shall serve for one (1) year or until reelected or a successor is elected.

(2) The newly elected officers shall be declared installed following their election, and shall assume the duties of office.

(a) The Chairperson shall be responsible for overseeing the organization of the work of the Council; for seeing that all policies of the Council are carried out; for signing any contract or other instrument that the Council deems in its best interest; and for presiding over all Council meetings. The Chairperson, or a designated Council Member, shall be an ex office member of all committees.

(b) The Vice-Chairperson shall act in the Chairperson’s absence or inability to act. The Vice-Chairperson shall perform such other functions as may be assigned by the Chairperson or the Council.

(c) ~~The Secretary-Treasurer~~ Secretary shall be responsible for minutes for the meeting; keeping the roll of members; ~~general oversight of the financial affairs of the Council~~ and such other duties as may be assigned by the Chairperson or the Council.

(d) The Treasurer shall be responsible for the general oversight of the financial affairs of the Council; and such other duties as may be assigned by the Chairman or the Council.

(3) There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, ~~Secretary/Treasurer~~, Secretary, Treasurer and the immediate past Chairperson still in continuous service on the Council. If there is no immediate past Chairperson still in continuous service, the Council shall elect a member to serve on the Executive Committee until such time as there is an immediate past Chairperson still in continuous service.

~~Rulemaking Specific~~ Authority 186.505 FS. Law Implemented 186.505 FS. History–New 9-22-99, Amended 11-16-11,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-302.1031  
 RULE TITLE: Correctional Probation Officers – Appointment and Responsibility

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to generally update the responsibilities of correctional probation officers.

SUBJECT AREA TO BE ADDRESSED: Responsibilities of Correctional Probation Officers

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.1031 Correctional Probation Officers – Appointment and Responsibility.

(1) Officers are appointed by the State of Florida under the authority of the Department of Corrections and are responsible for enhancing public safety through ensuring community supervision of offenders, initiating arrest of offenders under supervision as appropriate with or without a warrant, recommending proportionate, graduated sanctions when reporting violations in lieu of prison when to do so would be commensurate with the offender's violation and the threat to public safety, providing assistance to victims, conducting thorough investigations for the court, and reducing crime by assisting offenders in becoming law-abiding, self-sufficient citizens in the community supervision and control of offenders, including the enforcement of conditions of supervision, conducting investigations and initiating arrest of offenders under their supervision as appropriate with or without warrant. Officers enforce conditions of supervision imposed by the court or the Florida Parole Commission and will notify the sentencing or releasing authority whenever the officer has reasonable grounds to believe that a willful violation of ~~a any~~ condition of supervision has occurred. Officers assist offenders by making referrals to local resources available within the community.

(2) Officers may utilize a motorcycle or other two-wheeled vehicle to travel to and from work and court appearances. Officers shall utilize an enclosed four-wheeled or greater vehicle in the field.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 8-23-07, Amended 12-30-08, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

RULE NO.: 40E-1.659  
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: To further the goals of Executive Order 11-211, to reduce regulatory burdens on the citizens of Florida, the District proposes to amend its rules and associated forms to reduce the number of copies applicants are required to submit to one. The District proposes to amend Forms 0971, 0972 and 0980 to reduce the number of required copies to one. Since this rule lists those forms, the District proposes to amend this rule to reflect the new effective date.

SUBJECT AREA TO BE ADDRESSED: Forms 0971, 0972 and 0980 are proposed to be amended to reflect a reduced number of copies required. This rule which lists the forms is also proposed to be amended to reflect the new effective date of these forms.

RULEMAKING AUTHORITY: 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

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: South Florida Water Management District Clerk, (800)432-2045, ext. 2087, or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Environmental Resource Permitting Bureau Chief, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6866, or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6299, or (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by reference throughout the District’s rules as specified below and are listed herein for convenience. Copies may be obtained without cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436 or online at www.sfwmd.gov.

Form No.	Date	Title
0050A through 0971	0961	No change
	12-11	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit, incorporated by reference in paragraph 40E-4.101(1)(b), F.A.C.
0972	12-11	Petition for a Formal Wetland and Surface Water Determination, incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C.
0974 0980	12-11	No Change Notice of Intent to Use a Noticed General Environmental Resource Permit, incorporated by reference in subsection 40E-400.211(2), F.A.C.
1019 through 1318		No change.

Rulemaking Authority 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History–New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, 7-4-10, 12-15-11,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-4.021	Definitions
40E-4.051	Exemptions From Permitting
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference
40E-4.101	Content of Permit Applications
40E-4.321	Duration of Permits

PURPOSE AND EFFECT: To further the goals of Executive Order 11-211, to reduce regulatory burdens on the citizens of Florida, the District proposes to increase the duration of conceptual permits and reduce the number of copies applicants

are required to submit. Additionally, in accordance with the Executive Order, the District proposes to repeal definitions and exemptions that are duplicative of the Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definitions, exemptions, conceptual permits, Content of Permit Applications, Forms 0971 and 0972, and Sections 4.5.1 and 4.5.2 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District.

RULEMAKING AUTHORITY: 373.016, 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.416, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.016, 373.019, 373.117, 373.403-.443, 403.031, 403.813(1), 668.003, 668.004, 668.50, 704.06 FS.

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

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Environmental Resource Permitting Bureau Chief, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6866, or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.021 Definitions.

The definitions set forth in Sections 258.37, 373.019, 373.403, 403.803, and 704.06, F.S., and Rule 40E-1.021, F.A.C., shall apply to ~~When used in~~ this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C. Additionally, as used in these chapters:

(1) No change.

(2) ~~“Alter” means to extend a dam or works beyond maintenance in its original condition, including changes which may increase or diminish the flow or storage of surface water which may affect the safety of such dam or works.~~



~~(3) “Appurtenant Works” means any artificial improvements to a dam which might affect the safety of such dam or, when employed, might affect the holding capacity of such dam or of the reservoir or impoundment created by such dam.~~

~~(4) “Aquatic Preserve” means an exceptional area of submerged lands and its associated waters set aside for being maintained essentially in its natural or existing condition, as authorized by Chapter 258, F.S.~~

~~(2)(5) No change.~~

~~(6) “Conservation Easement” means a right or interest in real property pursuant to Section 704.06, F.S., which is appropriate to retaining land or water areas predominantly in their natural, scenic, open, agricultural, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; retaining the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance; or maintaining existing land uses and which prohibits or limits any or all of the following:~~

~~(a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;~~

~~(b) Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials;~~

~~(c) Removal or destruction of trees, shrubs, or other vegetation;~~

~~(d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;~~

~~(e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;~~

~~(f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;~~

~~(g) Acts or uses detrimental to such retention of land or water areas; and~~

~~(h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.~~

~~(3)(7) No change.~~

~~(8) “Dam” means any artificial or natural barrier, with appurtenant works, raised to obstruct or impound, or which does obstruct or impound, any of the surface waters of the state.~~

~~(9) “Department” means the Florida Department of Environmental Protection.~~

~~(10) “Drainage Basin” means a subdivision of a watershed.~~

~~(11) “Dredging” means excavation, by any means, in surface water or wetlands, as delineated by Section 373.4211, F.S. It also means the excavation, or creation, of a water body which is, or is to be, connected to surface waters or wetlands, as delineated by Section 373.4211, F.S., directly or via an excavated water body or series of water bodies.~~

~~(12) “e-Permitting website” means the District’s website address for e-Permitting at <http://www.sfwmd.gov/ePermitting>. After accessing the e-Permitting website, the user clicks the start icon on the e-Permitting homepage.~~

~~(13) “Electronic filing” means filing or submission of an Environmental Resource, Surface Water Management, Consumptive Use, or Works of the District Permit Application; Response to Request for Additional Information; or Request for Permit Transfer at the District’s e-Permitting website. Electronic filing is governed by the provisions of Chapter 668, F.S. If the applicant or sender of electronic data inhibits the ability of the District to store or print the electronic data, it shall not be considered filed with or received by the District. Filings received by the District after 5:00 p.m. shall be deemed filed on the next regular business day.~~

~~(14) “Electronic mail” means an electronic or computer file that is transmitted between two or more telecommunications devices; computers; computer networks; regardless of whether the network is a local, regional, or global network; or electronic devices capable of receiving electronic messages, regardless of whether the message is converted to hard copy format after receipt, viewed upon transmission, or stored for later retrieval. Electronic mail received after 5:00 p.m. shall be deemed received on the next regular business day.~~

~~(15) “Electronic record” means information that is stored in an electronic medium and is retrievable in a perceivable form, including public records as defined in Section 119.011, F.S.~~

~~(16) “Electronic signature” means an electronic sound, symbol, or process attached to an electronic record and executed or adopted by a person with the intent to sign the record.~~

~~(17) through (20) renumbered (4) through (7) No change.~~

~~(21) “Estuary” means a semi-enclosed, naturally existing coastal body of water which has a free connection with the open sea and within which seawater is measurably diluted with fresh water derived from riverine systems.~~

~~(22) “Filling” means the deposition, by any means, of materials in surface waters or wetlands, as delineated by Section 373.4211, F.S.~~

~~(8)(23) No change.~~

~~(24) “Impoundment” means any lake, reservoir, pond, or other containment of surface water occupying a bed or depression in the earth’s surface and having a discernible shoreline.~~

~~(25) through (27) renumbered (9) through (11) No change.~~

~~(28) “Lagoon” means a naturally existing coastal zone depression which is below mean high water and which has permanent or ephemeral communications with the sea, but which is protected from the sea by some type of naturally existing barrier.~~

~~(12)(29)~~ No change.

~~(30) “Maintenance” or “Repairs” means remedial work of a nature as may affect the safety of any dam, impoundment, reservoir, or appurtenant work or works, but excludes routine custodial maintenance.~~

(31) through (36) renumbered (13) through (18) No change.

~~(37) “Stormwater Management System” means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system.~~

(38) through (42) renumbered (19) through (23) No change.

~~(43) “Watershed” means the land area which contributes to the flow of water into a receiving body of water.~~

~~(44) “Wetlands” means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological or reproductive adaptation, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. The landward extent of wetlands is delineated pursuant to Rules 62-340.100 through 62-340.550, F.A.C., as ratified by Section 373.4211, F.S.~~

~~(24)(45)~~ No change.

~~(46) “Works” means all artificial structures, including but not limited to ditches, canals, conduits, channels, culverts, pipes, and other construction that connects to, draws water from, drains water into, or is placed in or across the waters in the state.~~

Rulemaking Authority 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 373.019, 373.403-443, 403.031, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-1.05(1), Amended 7-1-86, 4-20-94, 10-3-95, 4-1-96, 10-1-06, 3-22-09, 11-11-09, 12-1-11, \_\_\_\_\_.

40E-4.051 Exemptions From Permitting.

The District will exempt from regulation under Section 373, Part IV, F.S., those activities that the District determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. Exemptions from permitting under Chapters 40E-4, 40E-40 and 40E-400, F.A.C., are set forth below in addition to those set forth in Sections 373.406 and 403.813, F.S. The performance of activities pursuant to the provisions of the exemptions set forth in this section does not relieve the person or persons who are using the exemption or who are constructing or otherwise implementing the activity from meeting the permitting or performance requirements of other District rules. Nothing in this section shall prohibit the Department of Environment Protection from taking appropriate enforcement action pursuant to Chapter 403, F.S., to abate or prohibit any activity otherwise exempt from permitting pursuant to this section if the Department can demonstrate that the exempted activity has caused water pollution in violation of Chapter 403, F.S.

~~(1) Pipes or Culverts. The repair or replacement of existing functional pipes or culverts the purpose of which is the discharge or conveyance of stormwater. In all cases, the invert elevation, the diameter, and the length of the culvert shall not be changed. However, the material used for the culvert may be different from the original material. This exemption does not authorize the repair, replacement, or alteration of dam’s spillways or appurtenant works, nor construction activities or procedures that cause violation of water quality standards as set forth in Chapter 62-302 and Rule 62-4.242, F.A.C.~~

(2) Maintenance of Systems.

(a) The performance of maintenance dredging of existing manmade canals, channels, basins, berths, and intake and discharge structures, where the spoil material is to be removed and deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material and return water from the spoil site into wetlands or other surface waters, provided no more dredging is performed than is necessary to restore the canal, channels, basins, berths, and intake and discharge structures to original design specifications, and provided that control devices are used at the dredge site to prevent turbidity and toxic or deleterious substances from discharging into adjacent waters during maintenance dredging. This exemption shall apply to all canals constructed before April 3, 1970, and to those canals constructed on or after April 3, 1970, pursuant to all necessary state permits. This exemption shall not apply to the removal of a natural or manmade barrier separating a canal or canal system from adjacent wetlands or other surface waters.

Where no previous permit has been issued by the Board of Trustees of the Internal Improvement Trust Fund, the Department, the District or the United States Army Corps of Engineers for construction or maintenance dredging of the existing manmade canal, channel, basin, berth or intake or discharge structure, such maintenance dredging shall be limited to a depth of no more than 5 feet below mean low water.

(b) The maintenance of functioning insect control structures, and the maintenance of functioning dikes and functioning irrigation and drainage ditches, including roadway drainage ditches, provided:

1. The spoil material is deposited on a self-contained upland spoil site which will prevent the escape of the spoil material and return water into wetlands or other surface waters.

2. In the case of insect control structures, if the cost of using a self-contained upland spoil site is so excessive as determined by the Department of Health, pursuant to subsection 403.088(1), F.S., that it will inhibit the proposed insect control, existing spoil sites or dikes may be used, upon notification to the District. In the case of insect control where upland spoil sites are not used pursuant to this exemption, turbidity control devices shall be used to confine the spoil material discharge to that area previously disturbed when the receiving body of water is used as a potable water supply, is designated as approved, conditionally approved, restricted or conditionally restricted waters for shellfish harvesting by the Department, or functions as a habitat for commercially or recreationally important shellfish or finfish.

3. In all cases, no more dredging is to be performed than is necessary to restore the dike or irrigation or drainage ditch to its original design specifications.

4. This exemption shall apply to manmade trenches dug for the purpose of draining water from the land or for transporting water for use on the land and which are not built for navigational purposes.

(c) Maintenance of minor silvicultural surface water management systems as described in subsection 40E-400.500(4), F.A.C., which were permitted under Part IV of Chapter 373, F.S., or were constructed prior to the requirements for a permit under this part, provided such maintenance is conducted in accordance with the performance standards set forth in subsection 40E-400.500(5), F.A.C.

(d) The restoration of less than 100 feet in length of existing insect control impoundment dikes and the connection of such impoundments to tidally influenced waters. Such impoundments shall be connected to tidally influenced waters for at least 6 months each year, beginning September 1 and ending February 28. The connection shall be of sufficient cross-sectional area to allow beneficial tidal influence. Restoration shall involve no more dredging than needed to restore the dike to original design specifications, and the final elevation of the dredge area shall be within two feet of

immediately adjacent bottom elevations. For the purposes of this paragraph, restoration shall not include maintenance of impoundment dikes of insect control impoundments.

~~(1)~~(3) No change.

~~(2)~~(4) No change.

(a) No change.

(b) The restoration of a seawall or riprap at its previous location or upland of or within 18 inches waterward of its previous location, as measured from the face of the existing seawall slab to the face of restored seawall slab or from the front slope of the existing riprap to the front slope of the restored riprap. No filling can be performed except in the actual restoration of the seawall or riprap. No construction shall be undertaken without necessary title or leasehold interest, especially where private and public ownership boundaries have changed as a result of natural occurrences such as accretion, reliction and natural erosion. This exemption shall be limited to functioning seawalls or riprap. This exemption shall not affect the permitting requirements of Chapter 161, F.S.

~~(3)~~(5) No change.

(c) The construction of seawalls or riprap in wetlands or other surface waters, where such construction is between and adjoins at both ends existing seawalls or riprap, follows a continuous and uniform construction line with the existing seawalls or riprap, is no more than 150 feet in length, does not violate state water quality standards, impede navigation, or adversely affect flood control. However, this exemption shall not affect the permitting requirements of Chapter 161, F.S. In estuaries and lagoons, construction of vertical seawalls is limited to the circumstances and purposes stated in Sections 373.414(5)(b)1.-4., F.S.

(a) The installation of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of wetlands or other surface waters, except in Class I and Class II waters and aquatic preserves, provided that no dredging or filling is necessary.

(b) The replacement or repair of subaqueous transmission and distribution lines laid on, or embedded in, the bottoms of wetlands or other surface waters.

(c) through (d) renumbered (a) through (b) No change.

~~(4)~~(6) No change.

(a) The replacement or repair of existing open-trestle foot bridges and vehicular bridges that are 100 feet or less in length and two lanes or less in width, provided:

1. No more dredging or filling in wetlands or other surface waters is performed than that necessary to replace or repair pilings;

2. The structure to be replaced or repaired is the same length, the same configuration, and in the same location as the original bridge; and

3. No debris from the original bridge shall be allowed to remain in wetlands or other surface waters.

(a)(b) No change.

(7) through (12) renumbered (5) through (10) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.406, 373.413, 373.416, 373.813(1), 403.813(1) FS. History—New 9-3-81, Amended 1-31-82, 3-9-83, Formerly 16K-4.02, Amended 4-20-94, 10-3-95, 5-28-00, 9-2-01, 4-14-03, 9-9-07, 12-1-11, \_\_\_\_\_.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, effective date \_\_\_\_\_ ~~December 15, 2011~~, which incorporates the following forms by reference:

1. Form No. 0972, Petition for a Formal Wetland and Surface Water Determination, \_\_\_\_\_ ~~December 2011~~ (referenced in Section 4.5.1) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00066>;

2. through 19. No change.

(b) through (k) No change.

(2) No change.

Rulemaking Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, 11-11-09, 7-1-10, 7-4-10, 12-15-11, \_\_\_\_\_.

Amendment to Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District as follows:

4.5.1 Procedure

To petition for a formal determination, the petitioner must submit to the District the following:

(a) One copy ~~Four copies~~ of completed Form No. 0972, Petition for a Formal Wetland and Surface Water Determination, effective date \_\_\_\_\_ ~~December 15, 2011~~, incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C., including copies of all items required by the form; and

(b) No change.

4.5.2 Types of Formal Determinations

A petitioner can request a formal determination consisting of a certified survey, an approximate delineation, or combinations thereof, as described below.

(a) The survey of the extent of wetlands and other surface waters shall be certified pursuant to Chapter 472, F.S., to meet the minimum technical standards in chapter 61G17-6, F.A.C. A petitioner seeking a certified surveyed delineation shall have a land surveyor registered in the State of Florida survey the verified boundaries of wetlands and other surface waters, and shall have the surveyor or surveyor’s representative accompany the District representative on the delineation verification described in subsection 4.5.3. The certified survey shall also contain a legal description of, and acreage contained within, the boundaries of the property for which the determination is sought. The boundaries of wetlands and other surface waters shall be witnessed to the property boundaries, and shall be capable of being mathematically reproduced from the survey. The petitioner shall submit one copy ~~five copies~~ of the survey, along with one copy ~~five copies~~ of the survey depicted on aerial photographs, to the District to complete the petition.

(b) An approximate delineation shall consist of a boundary produced by using global positioning system (GPS), a boundary drawn on rectified aerial photographs, a geo-reference image produced from a boundary drawn on a non-rectified aerial photograph, or any combination thereof.

1. through 2. No change.

3. Following any verification and adjustment as required in subsection 4.5.3, the petitioner shall submit one copy ~~five copies~~ of the following to complete the petition: a hand drawn delineation on a rectified aerial photograph; the geo-referenced image of the delineation and aerial photograph with the delineation; or the GPS depiction of the delineation on an aerial photograph.

4. No change.

40E-4.101 Content of Permit Applications.

(1) through (a) No change.

(b) If an applicant chooses not to submit an application electronically via the District’s ePermitting website at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting). ~~One original and one~~ ~~four copy~~ ~~copies~~ of Joint Water Management District/Department of Environmental Protection/U.S. Army Corps of Engineers Environmental Resource Permit Application Form No. 0971 must be submitted as well as one copy ~~and five copies~~ of drawings, calculations, environmental information, and engineering details sufficient to define the nature, scope, intent and functioning of the work proposed. This information must include at a minimum: flood protection, water quality, environmental impacts, proposed mitigation, water supply, and water conservation elements. Applicants who file an application electronically are not required to submit copies. Form No. 0971, \_\_\_\_\_ ~~December 2011~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00065>, is incorporated by reference herein and available at no cost by

contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436.

(2) through (4) No change.

Rulemaking Authority 373.016, 373.044, 373.113, 373.171, 668.003, 373.416, 668.004, 668.50 FS. Law Implemented 373.016, 373.117, 373.413, 373.416, 373.426, 668.003, 668.004, 668.50 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.03(2), 16K-4.07(2), 16K-4.09(2), Amended 7-1-86, 11-21-89, 4-20-94, 10-3-95, 5-28-00, 4-14-03, 8-14-03, 2-12-06, 10-1-06, 12-1-11, \_\_\_\_\_.

40E-4.321 Duration of Permits.

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C., is as follows:

(a) For a conceptual approval, five ~~two~~ years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of five ~~two~~ years shall expire automatically at the end of the five ~~two~~ year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be five ~~two~~ years from whichever one of the following occurs at the latest date:

1. through 4. No change.

(c) through (e) No change.

(2) through (3) No change.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for five ~~two~~ years from the date of issuance of the modification. For the purposes of this section, the term “substantial modification” shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) through (7) No change.

Rulemaking Specific Authority 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.413, 373.416, 373.419, 373.426, 668.003, 668.004, 668.50 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4-20-94, 10-3-95, 5-28-00, 10-1-06, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-400.021	Definitions
40E-400.211	Processing Procedures for Noticed General Permits

PURPOSE AND EFFECT: To further the goals of Executive Order 11-211, to reduce regulatory burdens on the citizens of Florida, the District proposes to reduce the number of copies applicants are required to submit. Additionally, in accordance with the Executive Order, the District proposes to repeal definitions duplicative of Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definitions and Form 0980.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 373.109, 373.118, 373.413, 373.416, 373.426, 668.003, 668.004, 668.50 FS.

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

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087, or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Environmental Resource Permitting Bureau Chief, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6866, or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-400.021 Definitions.

The definitions set forth in Sections 258.37, 373.019, 373.403, 403.803, and 704.06, F.S., Rules 40E-1.021 and 40E-4.021, F.A.C., shall apply to this chapter. Additionally, as used in this chapter:

~~(1) "Canal" means a trench, the bottom of which is normally covered by water, with the upper edges of its two sides normally above water.~~

~~(2) "Channel" means a trench, the bottom of which is normally covered entirely by water, with the upper edges of one or both of its sides normally below water.~~

~~(1)(3) No change.~~

~~(4) "Drainage ditch" or "irrigation ditch" means a man made trench which is dug for the purpose of draining water from the land or for transporting water for use on the land and which is not built for navigational purposes.~~

~~(5) through (6) renumbered (2) through (3).~~

~~(7) "Insect control impoundment dikes" means artificial structures, including earthen berms, constructed and used to impound wetlands or other surface waters for the purpose of insect control.~~

~~(8) through (9) renumbered (4) through (5) No change.~~

~~(10) "Swale" means a man made trench which:~~

~~(a) Has a top width to depth ratio of the cross section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;~~

~~(b) Contains contiguous areas of standing or flowing water only following a rainfall event;~~

~~(c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and~~

~~(d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.~~

Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended 4-14-03, \_\_\_\_\_.

40E-400.211 Processing Procedures for Noticed General Permits.

(1) No change.

(2) Any person wishing to construct, operate, maintain, alter, abandon, or remove a surface water management system pursuant to a noticed general permit set forth in this chapter shall provide notice to the District by submitting a complete Notice of Intent to Use a Noticed General Environmental Resource Permit; (Form No. 0980) including the appropriate application fee required in Rule 40E-1.607, F.A.C., to the District at least 30 days prior to undertaking construction, operation, maintenance, alteration, abandonment, or removal of the system. For the purposes of this subsection, the application form is only considered submitted when it is actually received by the District. Form No. 0980, \_\_\_\_\_ December 2011, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00068>, is incorporated by reference herein and is

available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406.

(3) through (5) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 668.003, 668.004, 668.50 FS. Law Implemented 373.109, 373.118, 373.413, 373.416, 373.426, 668.003, 668.004, 668.50 FS. History—New 10-3-95, Amended 7-2-98, 10-1-06, 12-1-11, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.100  
 RULE TITLE: Federally Qualified Health Center Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.100, F.A.C., is to incorporate by reference the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook, March 2012. The amendment will change the reimbursement by increasing the number of individual recipient visits to a Federally Qualified Health Center (FQHC).

SUBJECT AREA TO BE ADDRESSED: Federally Qualified Health Center Services

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-4.100, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.908, 409.9081, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, January 9, 2012, 1:30 p.m. – 2:30 p.m.

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

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: Kathy Canfield at the Bureau of Medicaid Services, (850)412-4207. 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 IS: Kathy Canfield, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4207, e-mail: [kathy.canfield@ahca.myflorida.com](mailto:kathy.canfield@ahca.myflorida.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.100 Federally Qualified Health Center Services.

(1) No change.

(2) All federally qualified health center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook, March 2012, January 2007, updated April 2008, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The Both handbooks is are available from the Medicaid fiscal agent's Web site Portal at [www.http://mymedicaid-florida.com](http://mymedicaid-florida.com). Select Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. A Paper copy copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.908, 409.9081, 409.912, 409.913 FS. History--New 6-27-93, Formerly 10P-4.100, Amended 4-16-95, 5-28-96, 6-24-98, 12-31-01, 11-17-03, 2-19-07, 9-29-08,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-6.080                      RULE TITLE: Payment Methodology for Federally Qualified Health Center and Rural Health Center Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to consider changes to the Florida Title XIX Federally Qualified Health Centers (FQHC) Reimbursement Plan payment methodology.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid Federally Qualified Health Centers (FQHC) reimbursement methodology.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: January 9, 2012, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Edwin Stephens, (850)412-4077, [edwin.stephens@ahca.myflorida.com](mailto:edwin.stephens@ahca.myflorida.com).

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, (850)412-4077, [edwin.stephens@ahca.myflorida.com](mailto:edwin.stephens@ahca.myflorida.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: 61G2-2.004                      RULE TITLE: Licensure by Endorsement or Reciprocity

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement or Reciprocity.

RULEMAKING AUTHORITY: 468.384(2), 468.387 FS.

LAW IMPLEMENTED: 468.384(2), 468.387 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: 61G2-4.003                      RULE TITLE: Change of Sponsor

PURPOSE AND EFFECT: The Board proposes the rule amendment to add necessary language.

SUBJECT AREA TO BE ADDRESSED: Change of Sponsor.

RULEMAKING AUTHORITY: 468.384(2) FS.

LAW IMPLEMENTED: 468.382(3), 468.385 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

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

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

RULE NO.: 64C-4.003  
 RULE TITLE: Diagnostic and Treatment Facilities or Services – Specific

PURPOSE AND EFFECT: The proposed revision to Children’s Medical Services Rule Section 64C-4.003 updates and reflects the CMS required standards for Diagnostic and Treatment Facilities or Services that provide care to CMS participants. This Rule incorporates by reference the CMS Pediatric Cardiac Facilities Standards, November 2011.

SUBJECT AREA TO BE ADDRESSED: Standards for Diagnostic and Treatment Facilities or Services that are provided to CMS participants.

RULEMAKING AUTHORITY: 391.026 (18), 391.035 (1) FS.

LAW IMPLEMENTED: 391.026 (10), 391.035 (1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Norma Hill, CMSN Registered Nursing Consultant, 4052 Bald Cypress Way, Bin #A-06, Tallahassee, Florida 32399-1707, telephone number (850)245-4200, ext. 2213

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements
65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.007	Evening Child Care
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The rule modifications were implemented based on the passage of House Bill 5311. This bill eliminated the Department of Health’s ability to conduct food service inspections in child care settings. In an effort to protect the health and safety of children in child care, sections of the administrative code have been revised to incorporate standards for the continued regulation of food safety in licensed child care facilities. Background screening modifications were also implemented based new screening requirements set forth with the passage of Senate Bill 7069. Additional rule modifications are being made in the areas of training and fire safety. Training modifications are due to the redesign of mandated child care training courses. Fire safety modifications are to provide clarifying language regarding fire/emergency drills and to establish requirements pertaining to reunification provisions for parents and children, and provisions for children with special needs in emergency situations.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the proposed changes include: food hygiene, sanitation, training, and fire safety.

RULEMAKING AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: Chapter 2010-114, Chapter 2010-161 Sections 17 & 18, Laws of Florida.

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

DATES AND TIME: Workshop 1: January 9, 2012, 10:00 a.m. – 12:00 Noon; Workshop 2: January 11, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Workshop 1: 1317 Winewood Blvd., Bldg. 4, Tallahassee, Florida 32399; Workshop 2: 400 W. Robinson Street, Suite 1006 South Tower, Orlando, Florida 32801

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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room 388, Tallahassee, Florida 32399-0700 or call (850)488-4900. 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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room 388, Tallahassee, Florida 32399-0700 or call (850)488-4900

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



**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: 67-59.001  
 RULE TITLE: Purpose

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall develop eligibility criteria, administer the Application process, determine loan amounts, make mortgage loans for existing homeowners.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of eligibility and program requirements for the Hardest Hit Fund Program.

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donna R. Phillips, Federal Home Loan Programs Senior Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197 or donna.phillips@floridahousing.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-1.004  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to provide definitions for language in rules of the Fish and Wildlife Conservation Commission, during calendar year 2012.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include rule language definitions.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-4.001	General Prohibitions
68A-4.002	Possession of Gun While Using a Light Prohibited
68A-4.007	Exclusion of Certain Areas from Open Season
68A-4.008	Taking Wildlife on Roads and Rights-of-Way Prohibited

PURPOSE AND EFFECT: The purposes and effects of this rule development effort are to establish or revise rule provisions, during calendar year 2012, associated with general prohibitions pertaining to wildlife and freshwater fish resources, the use of and possession of a gun while using a light, exclusion of certain areas from open season, and the take of wildlife on roads and rights-of-way.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include general prohibitions pertaining to wildlife and freshwater fish, the use of and possession of a gun while using a light, exclusion of certain areas from open season, and the take of wildlife on roads and rights-of-way.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2223, 379.3015, 379.404 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-9.002	Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes
68A-9.004	Permits for Hunting or Other Recreational Use on Wildlife Management Areas
68A-9.005	Falconry
68A-9.006	Wildlife Rehabilitation Permit
68A-9.007	Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing
68A-9.008	Permits for Physically Disabled
68A-9.010	Taking Nuisance Wildlife
68A-9.012	Taking of Wildlife on Airport Property

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, associated with wildlife management area permits, recreational use permits and related fees on Wildlife Management Areas; falconry; special-use permits, short-term use permits, special-opportunity hunting and fishing permits, and any related fees; permits for the physically disabled; and to clarify and simplify regulations relating to nuisance wildlife and wildlife on airport property.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include recreational use permits; falconry; special-use permits, short-term use permits, special-opportunity hunting and fishing, and related fees; permits for wildlife rehabilitation and the physically disabled; and taking of nuisance wildlife and wildlife on airport property.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.571, 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 375.571, 379.1025, 379.2223, 379.354 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-11.003	Use of Motorboats on Certain Waters; Permits

PURPOSE AND EFFECT: The purpose and effect of this rule development is to establish or revise rule provisions, during calendar year 2012, associated with the use of motorboats on certain waters.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include use of motorboats on certain waters.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; Chapters 65-1841 and 85-361, Laws of Florida.

LAW IMPLEMENTED: Chapters 65-1841 and 85-361, Laws of Florida.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-12.002	General Methods of Taking Game; Prohibitions
68A-12.007	Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting
68A-12.008	Use of Pen-raised Quail for Training Bird Dogs

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development are to establish or revise rule provisions, during calendar year 2012, associated with general methods of taking game, the use of dogs for taking game, and the use of pen-raised quail for training bird dogs.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include general methods of taking game, the use of dogs for taking game, and the use of pen-raised quail for training bird dogs.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-13.001	Open Season for Taking Game; Bag and Possession Limits
68A-13.002	Migratory Birds; Adoption of Federal Statutes and Regulations (Transferred to 68A-16.001)
68A-13.003	Hunting Regulations for Ducks, Geese, and Coots
68A-13.004	Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits
68A-13.006	Hunting on National Wildlife Refuges
68A-13.007	Hunting Regulations on Public Small-Game Hunting Areas
68A-13.008	Hunting Regulations for Migratory Birds Other than Ducks and Coots

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is, during calendar year 2012, to (1) establish open seasons, statewide management zones, bag limits and possession limits for taking game; (2) establish hunting regulations for ducks, geese, coots, and other migratory birds; (3) provide for adoption of Federal statutes and regulations pertaining to migratory birds and hunting on National Wildlife Refuges; (4) update taxonomic changes; (5) establish hunting regulations for public small-game hunting areas; and (6) provide for the issuance of antlerless deer permits to private landowners.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include regulations for taking game including waterfowl and other migratory birds, issuance of antlerless deer permits to private landowners, public small-game hunting area regulations, adoption of Federal statutes and regulations, and hunting on National Wildlife Refuges.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLE:
68A-14.001	Establishment Orders
68A-14.0011	Opening or Closing Areas Other Than Restricted Hunting Areas or Bird Sanctuaries; General

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, associated with the establishment of areas as wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, or miscellaneous areas; and the opening or closing of areas other than restricted hunting areas, bird sanctuaries or critical wildlife areas.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include the establishment of areas as wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, or miscellaneous areas; and the opening or closing of areas other than restricted hunting areas, bird sanctuaries or critical wildlife areas.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.121 FS.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-15.004	General Regulations Relating to Wildlife Management Areas
68A-15.005	Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits
68A-15.006	Regulations Relating to Miscellaneous Areas
68A-15.061	Specific Regulations for Wildlife Management Areas – Southwest Region
68A-15.062	Specific Regulations for Wildlife Management Areas – North Central Region
68A-15.063	Specific Regulations for Wildlife Management Areas – Northwest Region
68A-15.064	Specific Regulations for Wildlife Management Areas – South Region
68A-15.065	Specific Regulations for Wildlife Management Areas – Northeast Region

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, to (1) establish or revise general regulations relating to Wildlife Management Areas (WMAs) and specific regulations related to Miscellaneous Areas (MAs); (2) establish or adjust hunter quotas for WMAs; (3) establish or modify specific area regulations for WMAs and MAs; and (4) adjust hunting season dates on WMAs and MAs to conform with proposed 2012-2013 hunting season dates for the appropriate management zone.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include general regulations, quota hunt permits, hunting season dates and specific area regulations pertaining to WMAs.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223, 379.354 FS.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-16.001	Migratory Birds; Adoption of Federal Statutes and Regulations
68A-16.002	Bald Eagle ( <i>Haliaeetus leucocephalus</i> )

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to establish or revise rule provisions, during calendar year 2012, associated with birds.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include adoption of Federal statutes and regulations regarding migratory birds. The subject area also includes rules associated with the conservation of bald eagles.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2292 FS.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-17.004	General Regulations Relating to Wildlife and Environmental Areas
68A-17.005	Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, to (1) establish general regulations relating to Wildlife and Environmental Areas (WEAs); (2) establish or modify specific area regulations for WEAs; and (3) adjust hunting season dates on WEAs to conform with proposed 2012-2013 hunting season dates for the appropriate management zone.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include hunting season dates, general regulations and specific area regulations pertaining to WEAs

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223, 379.354 FS.

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

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-18.004 RULE TITLE: Regulations in Wildlife Refuges

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to or revise rule provisions, during calendar year 2012, associated with wildlife refuges.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes regulations in wildlife refuges.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2223 FS.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-19.005 RULE TITLE: General Regulations Relating to Critical Wildlife Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions related to the establishment and protection of critical wildlife areas (CWAs) during calendar year 2012.

SUBJECT AREA TO BE ADDRESSED: Proposed changes would establish or revise rule provisions related to the establishment and protection of CWAs.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-20.004 RULE TITLE: Regulations in Fish Management Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for regulations in Fish Management Areas (FMA).

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in proposed rules include regulations in Fish Management Areas.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
68A-20.005	Specific Fish Management Area Regulations

**PURPOSE AND EFFECT:** The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, specific to Fish Management Area (FMA) regulations.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in proposed rules include specific area regulations pertaining to individual FMAs.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
68A-23.002	General Methods of Taking Freshwater Fish

**PURPOSE AND EFFECT:** The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for the general methods of taking of freshwater fish.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in proposed rules include general methods of taking freshwater fish.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-23.003                      RULE TITLE: Commercial Fishing Devices;

Provision for Use in Certain Waters

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for commercial fishing devices and provisions for their use in certain waters.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in proposed rules include commercial fishing devices and provisions for their use in certain waters.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-23.004                      RULE TITLE: Lawful Methods for Using Trotlines and Bush Hooks or Set Lines

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for lawfully utilizing trotlines, bush hooks, or set lines.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in proposed rules include lawful use of trotlines and bush hooks or set lines.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-23.005                      RULE TITLE: Bag Limits, Length Limits, Open Season: Freshwater Fish

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for bag limits, length limits, open season for freshwater fish.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered by proposed rules include bag limits, length limits, and open seasons for freshwater fish.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-24.002	Methods of Taking Fur-Bearing Animals; Possession; Open Season
68A-24.005	Transporting and Shipping Live Raccoons

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, associated with methods of taking, possession of, and open season for furbearing animals; and transporting and shipping live raccoons.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include methods of taking, possession of, and open season for furbearing animals; and transporting and shipping live raccoons.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-25.001	Feeding or Enticement of Alligators or Crocodiles Unlawful
68A-25.002	General Provisions for Taking Possession and Sale of Reptiles
68A-25.003	Taking and Disposal of Nuisance-Alligators Statewide
68A-25.004	Regulations Governing the Operation of Alligator Farms
68A-25.031	Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs
68A-25.032	Regulations Governing the Establishment of Alligator Management Programs
68A-25.042	Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale
68A-25.052	Regulations Governing the Processing of Alligators and the Sale of Alligator Meat and Parts

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, for taking and possessing alligators that will ensure conservation of alligator populations while providing for realization of their potential aesthetic, recreational, and economic values.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include requirements for taking and possessing alligators and other reptiles.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.26, 379.3012, 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3751, 379.3752, 379.3761, 379.3762 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-26.002	Regulations Relating to the Taking of Amphibians

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2012, associated with methods of take and open season for amphibians.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include methods of take and open season for amphibians.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.363 FS.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-27.0001	Purpose and Intent
68A-27.001	Definitions
68A-27.0011	Killing Endangered Species
68A-27.0012	Procedures for Listing and Removing Species from Florida's Endangered and Threatened Species List
68A-27.0021	Designation of Candidate Species; Prohibitions; Permits
68A-27.003	Designation of Endangered Species; Prohibitions
68A-27.0031	Marine Endangered and Threatened Species
68A-27.005	Designation of Species of Special Concern; Prohibitions; Permits
68A-27.006	Reward Program
68A-27.007	Permits and Authorizations for the Take of Florida Endangered and Threatened Species

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to establish or revise rule provisions, during calendar year 2012, associated with species classified as Candidate Species, Endangered Species, Threatened Species and Species of Special Concern lists.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include listing, delisting, and reclassifying procedures; designation of Candidate Species, Endangered Species, Threatened Species and Species of Special Concern; and prohibitions, permits, and rewards associated with such species.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2292 FS.

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Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-31.001  
 RULE TITLE: Regulations Related to Commission Managed Shooting Ranges

PURPOSE AND EFFECT: The purpose of the proposed rule development effort is to establish regulations for Commission managed shooting ranges in calendar year 2012 that would address public safety, access, and activities. The effect of the proposed rule will be to enable the agency to better manage public use of Commission managed shooting ranges.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include requirements for access, activities, and public safety on Commission managed shooting ranges.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	68B-5.002	RULE TITLES:	John Pennekamp Coral Reef State Park: Prohibition on Harvest of Certain Species, Size Limit; Trappers to Comply with Rule 68B-24.0065, F.A.C.
	68B-5.003		Warren Bayou (Bay County) Special Seasonal Harvest Closure
	68B-5.005		Divers: Fish Feeding Prohibited; Prohibition of Fish Feeding for Hire; Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments in the 2012 calendar year for miscellaneous marine fisheries rules such as John Pennekamp Coral Reef State Park, Warren Bayou or fish feeding as a result of stock assessments, federal regulatory actions or other management and enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-12.001	King Mackerel Gulf-Atlantic Fishery; Resource Renewal Policy; Designation as Restricted Species
68B-12.002	Definitions
68B-12.0035	Size Limit
68B-12.004	Bag Limits
68B-12.0045	Recreational Season; Season Closure
68B-12.0046	Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits
68B-12.006	Other Prohibitions

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule changes in the 2012 calendar year for Gulf/Atlantic king mackerel fisheries as a result of stock assessments, federal regulatory actions or other management and enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-14.001	Purpose and Intent, Designation as Restricted Species
68B-14.002	Definitions
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption
68B-14.0038	Recreational Snapper Seasons
68B-14.0039	Recreational Grouper Seasons
68B-14.004	Recreational Amberjack Season
68B-14.0045	Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits
68B-14.0046	Transit Through State Waters During Closed Seasons
68B-14.005	Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation
68B-14.006	Other Prohibitions

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule changes for reef fish in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: 68B-15.001                      RULE TITLE: Sturgeon, Statewide

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for sturgeon in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-17.002	Definitions
68B-17.003	Hard Clams, Minimum Size Limits
68B-17.004	Hard Clams, Hours of Taking and Transporting
68B-17.005	Regulation of Vessels and Harvesting Gear
68B-17.007	Recreational Bag Limit

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for hard clams in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-18.002	Definitions
68B-18.003	Statewide Open and Closed Seasons and Areas for Harvesting Bay Scallops
68B-18.004	Allowable Gear for Harvesting Bay Scallops
68B-18.005	Bag Limit
68B-18.0055	Prohibition of Sale and Commercial Harvest

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for bay scallops in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-19.001	Definitions
68B-19.002	Cobia, Size Limit
68B-19.004	Designation as Restricted Species; Bag and Possession Limits

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for cobia in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-21.0015	Definitions
68B-21.002	Designation of Snook as a Protected Species
68B-21.003	Prohibition of Sale of Snook

- 68B-21.004 Seasons
- 68B-21.005 Size Limits
- 68B-21.006 Bag and Possession Limits. -
- 68B-21.007 Restrictions on Gear and Methods  
Used to Take Snook

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for snook in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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|------------|--|
| RULE NOS.: | RULE TITLES:   |
| 68B-22.001 | Purpose and Intent; Repeal of Certain Laws; Designation as Protected Species |
| 68B-22.002 | Definitions  |
| 68B-22.003 | Size Limits  |
| 68B-22.005 | Bag and Possession Limits; Sale Prohibited                                   |
| 68B-22.006 | Other Prohibitions; Applicability  |
| 68B-22.007 | Catch-Hold-and-Release Tournament Exemption                                  |

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for red drum (redfish) in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

- |             |   |
|-------------|---|
| RULE NOS.:  | RULE TITLES:  |
| 68B-24.001  | Purpose and Intent  |
| 68B-24.002  | Definitions   |
| 68B-24.003  | Minimum Size Limits   |
| 68B-24.0035 | Special Recreational Crawfish License                               |
| 68B-24.004  | Bag Limit   |
| 68B-24.0045 | Importation of Spiny Lobster; Documentation and Other Requirements  |
| 68B-24.005  | Seasons   |
| 68B-24.0055 | Commercial Requirements; Appeals                                    |
| 68B-24.006  | Gear: Traps, Buoys, Identification Requirements, Prohibited Devices |

- 68B-24.0065 Special Provisions for John Pennekamp Coral Reef State Park in Monroe County: Closure During Two-day Sport Season; Closure of Coral Formation Protection Zones
- 68B-24.007 Other Prohibitions
- 68B-24.008 Slipper Lobster; Prohibitions Relating to Eggbearing Slipper Lobster (Repealed)
- 68B-24.009 Trap Reduction Schedule

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for spiny lobster in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

- |                   |                            |
|-------------------|----------------------------|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>        |
| 68B-26.002        | Definitions                |
| 68B-26.003        | Live Shellfish, Regulation |

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for Southwest Florida shells in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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|-------------------|---|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                             |
| 68B-27.013        | Definitions                                     |
| 68B-27.014        | Statewide Bag Limits on Oyster Harvesting       |
| 68B-27.015        | Oyster Size Limit                               |
| 68B-27.016        | Oyster Harvest Monitoring                       |
| 68B-27.017        | Apalachicola Bay Oyster Harvesting Restrictions |
| 68B-27.018        | Statewide Harvesting Restrictions               |
| 68B-27.019        | Seasons   |
| 68B-27.020        | Applicability to Oysters on Leased Parcels      |



**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for oysters in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-28.002	Definitions
68B-28.003	Diving: Open and Closed Areas
68B-28.0035	Commercial Sponge Size Limit and Gear
68B-28.0036	Recreational Bag Limit; Commercial Licensing Requirements
68B-28.004	Biscayne National Park: Harvest of Sponges Prohibited

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for sponges in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-29.002	Definitions
68B-29.003	Commercial Fishing Season and Harvest Limits for Sardines in the West Central Florida Region;
	Extraordinary Harvest Limitations
68B-29.004	Prohibition of Commercial Sardine Harvest in Tampa Bay Area

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for sardines in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-30.001	King Mackerel Atlantic Fishery; Purpose and Intent; Designation as Restricted Species
68B-30.002	Definitions
68B-30.0025	Size Limit
68B-30.003	Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications
68B-30.004	Seasons
68B-30.006	Other Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for Atlantic king mackerel in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-31.001	Northeast Florida Live Bait Shrimp Fishery; Purpose and Intent
68B-31.002	Definitions
68B-31.003	Live Bait Shrimp Trawl Gear Specifications
68B-31.0035	Trawls: Allowed Use; Maximum Square Footage of Mesh Area; Definitions
68B-31.004	Trawl Gear Specifications: Turtle Excluder Devices Required; Exceptions; Definitions
68B-31.0045	Trawl Gear Specifications: Bycatch Reduction Devices
68B-31.005	Purpose and Intent; Repeal of Certain General and Special Acts; Designation of Shrimp as Restriction Species
68B-31.006	Definitions
68B-31.007	Statewide Recreational Shrimping Restrictions
68B-31.008	Statewide Live Bait Shrimp Production Restrictions
68B-31.009	Statewide Food Shrimp Production Restrictions
68B-31.010	Northwest Region Food Shrimp Production Gear Specifications

- 68B-31.011 Big Bend Region Food Shrimp Production Gear Specifications
- 68B-31.012 Southwest Region Food Shrimp Production Gear Specifications
- 68B-31.013 Southeast Region Food Shrimp Production Gear Specifications
- 68B-31.0135 Southeast Region: Biscayne Bay (Dade County) Food Shrimp Production Season and Weekly Closures
- 68B-31.0136 Southeast Region: Food Shrimp Production Closed Area (Portion of Monroe County)
- 68B-31.014 Northeast Region Food Shrimp Production Gear Specifications
- 68B-31.015 Northeast Florida Shrimping: Definition
- 68B-31.0155 Northeast Florida Shrimping: Closed Season; Definition of Term "Legal State Holidays" for Purposes of Section 379.247(8)(a), F.S.; Closed Areas
- 68B-31.0156 Florida East Coast Shrimp Bed: Repeal of Section 370.156, Florida Statutes; Seasonal Food Shrimp Production Closure; Exception; Definition
- 68B-31.0157 East Coast: Night Trawling Prohibited; Exception
- 68B-31.016 Tortugas Shrimp Beds: Repeal of Section 370.151(2), F.S. (1991); Redescription of Tortugas Shrimp Beds; Closed Areas
- 68B-31.017 Big Bend Region Closed Areas; Seasonal Closures
- 68B-31.018 Northwest Region Closed Areas; Repealed Special Acts
- 68B-31.019 Regulation of Shrimp Fishing in Tampa Bay; License Requirements

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for shrimp in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<p><b>RULE NOS.:</b> 68B-32.002 68B-32.003  68B-32.004 68B-32.006</p>	<p><b>RULE TITLES:</b> Definitions Tarpon Tags: Required for Possession; Report; Annual Issuance; Taxidermy; Limitation on Number of Tags Issued Annually; Limitation on Number of Tags Issued to Professional Fishing Guides Bag Limit and Gear Restriction Sale Prohibited, Transport Regulated</p>
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**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for tarpon in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-33.001	Purpose and Intent
68B-33.002	Definitions
68B-33.003	Marlin and Sailfish Possession Limits; Prohibition of Harvest for Spearfish; Prohibition of Sale; Exception; Gear Restrictions
68B-33.0034	Swordfish: Recreational Bag and Possession Limits
68B-33.0035	Swordfish: Federal Permit Required for Sale
68B-33.004	Size Limits
68B-33.005	Billfish and Swordfish: Recreational Catch Reporting

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for billfish and swordfish in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-34.002	Definitions
68B-34.003	Bonefish Gear Restriction; Harvest Prohibited
68B-34.004	Temporary Possession of Bonefish
68B-34.005	Bonefish Tournaments, Exemptions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for bonefish in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-35.001	Purpose and Intent; Repeal of Certain Laws; Designation as Restricted Species, Aquaculture Exemption for Pompano
68B-35.002	Definitions
68B-35.003	Size Limits; Prohibition of Sale; Landing in Whole Condition
68B-35.0035	Bag Limits
68B-35.004	Gear Specifications and Prohibited Gear
68B-35.005	Pompano Endorsement Regulations
68B-35.006	Closed Season

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for pompano, African pompano and permit in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-36.001	Purpose and Intent
68B-36.002	Definitions
68B-36.003	Size Limits; Prohibition of Sale of Larger Black Drum
68B-36.004	Bag and Commercial Limits
68B-36.005	Other Prohibitions

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for black drum in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-37.001	Purpose and Intent; Repeal of Other Laws; Designation as Restricted Species
68B-37.002	Definitions
68B-37.003	Size Limits
68B-37.004	Regional Bag Limits; Closed Seasons
68B-37.005	Commercial Season and Daily Harvest Limit
68B-37.006	Gear Specifications and Prohibited Gear; Bycatch Allowance

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for spotted seatrout in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-41.002	Definitions
68B-41.003	Size Limit, Prohibition of Sale
68B-41.004	Recreational Bag and Possession Limits; Commercial Trip Limits
68B-41.005	Gear Specifications and Prohibited Gear; Bycatch Allowance
68B-41.006	Commercial Permit Requirements

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for dolphin and wahoo in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-42.001	Purpose and Intent; Designation of Restricted Species; Definition of "Marine Life Species"
68B-42.002	Definitions
68B-42.003	Prohibition of Harvest: Longspine Urchin, Bahama Starfish
68B-42.0035	Live Landing and Live Well Requirements
68B-42.0036	Closed Areas
68B-42.004	Size Limits
68B-42.005	Recreational Bag Limit
68B-42.006	Commercial Season, Harvest Limits
68B-42.0065	Commercial Requirements; Endorsements; Requalifying; Appeals; Leasing; Transferability
68B-42.007	Gear Specifications and Prohibited Gear
68B-42.008	Live Rock: Harvest in State Waters Prohibited; Aquacultured Live Rock Harvest and Landing Allowed
68B-42.009	Prohibition on the Taking, Destruction, or Sale of Marine Corals Sea Fans, and Non-erect, Encrusting Octocorals; Exception

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for marine life in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-47.001	Definitions
68B-47.002	Size Limits
68B-47.003	Recreational Bag Limits
68B-47.004	Gear Restriction
68B-47.005	Commercial Harvest Limits
68B-47.006	Weakfish, Regulation

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for weakfish in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-48.001	Purpose and Intent; Repeal of Section 370.11(2)(a)2., F.S.; Designation as Restricted Species, Aquaculture Exemption
68B-48.002	Definitions
68B-48.003	Size and Bag Limits
68B-48.004	Gear Specifications and Prohibited Gear

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for sheepshead and flounder in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-49.001	Definitions
68B-49.002	Size and Bag Limits, Daily Commercial Vessel Limit, Designation as Restricted Species
68B-49.003	Gear Specifications and Prohibited Gear

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for tripletail in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.



**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

**RULE NO.:** 68B-52.001  
**RULE TITLE:** Shad and River Herring: Repeal of Section 370.11(3), F.S., and Repeal of Chapter 21417, Laws of Florida (1941), Chapter 29466, Laws of Florida (1953), and Chapter 59-1771, Laws of Florida (1959); Prohibited Gear; Bag Limits; Definitions

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for shad and river herring in the 2012 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

**RULE NOS.:** 68B-53.001, 68B-53.002, 68B-53.003  
**RULE TITLES:** Definitions, Size Limit, Harvest Requirements: Harvest for Commercial Purposes; Gear Specifications; Closed Areas

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for calico scallops in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-54.001	Definitions
68B-54.002	Statewide Open and Closed Seasons for Harvesting Blue Land Crabs
68B-54.003	Allowable Gear for Harvesting Land Crabs
68B-54.004	Bag Limit
68B-54.005	Other Prohibitions, Exception

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for blue land crabs in the 2012 calendar year as a result of stock assessments or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-55.001	Definitions
68B-55.002	Retrieval of Trap Debris
68B-55.003	Trap Retrieval Program Funded Pursuant to Section 370.143, Florida Statutes
68B-55.004	Retrieval of Derelict Traps and Traps Located in Areas Permanently Closed to Trapping
68B-55.005	Recovery of Traps in Area of Major Natural Disaster

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for the trap retrieval program in the 2012 calendar year as a result of management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include modifications to the trap retrieval program encompassed by the above-cited rules.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II  
Proposed Rules

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: 5E-14.117  
 RULE TITLE: Application for Examination for Department Applicator Credentials

PURPOSE AND EFFECT: The purpose of these rule changes is to define requirements for individuals seeking the Limited Commercial Wildlife Management Certificate for individuals wishing to control commensal rodents in Florida.

SUMMARY: Limited Commercial Wildlife Management Certificate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 482.051, 482.1562 FS.  
 LAW IMPLEMENTED: 482.131, 482.132, 482.141, 482.151, 482.152, 482.051, 482.156, 482.1562, 482.157 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850)617-7997

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.117 Application for Examination for Department Applicator Credentials for Pest Control Operator's Certificate and Special Identification Card and Limited Certificate for Urban Landscape Commercial Fertilizer Application.

(1) through (18) No change.

(19) Applicants for limited certification for commercial wildlife management shall submit an examination fee of \$150 with their completed application using the form entitled, Limited Certification for Commercial Wildlife Management, DACS 13685, (rev. 09/11), which may be obtained by visiting <http://www.flrules.org/Gateway/reference>. Certificate holders

shall submit an annual renewal fee of \$75.00 with their completed Renewal Notice Limited Commercial Wildlife Management, DACS 13684, (rev. 12/11), which may be obtained by visiting <http://www.flrules.org/Gateway/reference>.

~~(20)(49) All forms and filing specifications contained in this rule are hereby adopted and incorporated by reference and may be obtained by contacting visiting the department's website at <http://www.flaes.org/aes-ent/formsandpubl.html>; or from the Florida Department of Agriculture and Consumer Services, Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961; (850)921-4177 617-7997; or by visiting the department's website at <http://www.doacs.state.fl.us/onestop/aes/pesteont.html>.~~

Rulemaking Specific Authority 482.051, 482.1562 FS. Law Implemented 482.131, 482.132, 482.141, 482.151, 482.152, 482.156, 482.1562, 482.157 FS. History--New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, 7-11-07, 2-24-09, 5-12-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson H. Rackley, Director of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Adam H. Putnam, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 4, 2011

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: 5E-14.142  
 RULE TITLE: Responsibilities and Duties – Records, Reports, Advertising, Applications

PURPOSE AND EFFECT: Professional liability insurance requirements for licensees performing wood-destroying organisms inspections as provided by Section 12 of Chapter 2011-206, Laws of Florida.

SUMMARY: This is a new rule implementing changes in the law set forth in Section 12 of 2011 HB 7215, amending Section 482.226(6), F.S., which was enacted into law on July 1, 2011. This rule increases the minimum financial responsibility for errors and omissions insurance coverage for performing wood destroying organism inspections.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Tallahassee, Florida 32301-2961, (850)617-7997, Michael.Page@freshfromflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) through (5) No change.

(6) Any licensee who performs wood-destroying organism inspections in accordance with Sections 482.226(1) and (6), F.S., shall show proof of meeting minimum financial responsibility at the time of license application or renewal thereof. Documented proof shall be in the form of an insurance certificate showing coverage for professional liability (errors and omissions), specifically covering wood-destroying organism inspection reports, in an amount no less than ~~\$500,000~~ ~~\$50,000~~ in the aggregate and ~~\$250,000~~ ~~\$25,000~~ per occurrence or proof of bond on a form issued by the insurer in an amount no less than ~~\$500,000~~ ~~\$50,000~~ in the aggregate and ~~\$250,000~~ ~~\$25,000~~ per occurrence or a certified public accountant’s notarized statement that a review or audit was performed on the licensee within one year of the license application and that the licensee’s net worth or equity on the date of the audit or review was no less than ~~\$500,000~~ ~~\$100,000~~. No licensee shall perform wood-destroying organism inspections in accordance with Sections 482.226(1) and (6), F.S. without meeting the required financial responsibility.

(7) through (8) No change.

~~Rulemaking Specific~~ Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06, 7-23-08, 9-17-08, 9-17-08, 1-4-09\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson H. Rackley, Director of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Adam H. Putnam, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 11, 2011

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: 5E-14.149  
 RULE TITLE: Enforcement and Penalties

PURPOSE AND EFFECT: Revising criteria for the issuance of Department credentials to felons.

SUMMARY: The proposed rule is being developed to adequately address changes to subsections (6) and (9) of the rule relating to denial, suspension or revocation of licensure, that will implement the changed in the law set forth in Section 3 of 2011 SB 146, amending Section 112.011, F.S., which was enacted into law and will become effective January 1, 2012.

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

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

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

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: 482.051, 570.07(23) FS.

LAW IMPLEMENTED: 112.011, 482.161, 482.163 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850)617-7997

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.149 Enforcement and Penalties.

(1) through (5) No change.

(6) Denial. The Department will deny application for licensure if:

(a) A person fails to comply with the licensing and/or permit requirements of Chapter 482, F.S., or Chapter 5E-14, F.A.C., or

(b) All outstanding fines owed to the Department are not paid in full unless the person seeking licensure has entered into a written settlement agreement with the Department to pay the fine, which has been filed with the agency clerk, and the person has made the payments timely as provided in the settlement agreement, or

(c) A person has been convicted of a crime any felony under state or federal law that is directly related to standards determined by the Department, for which denial of licensure is necessary and reasonably related to the protection of the public health, safety, and welfare for the structural pest control business, including the following: involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, murder, rape, assault with intent to kill, assault that inflicts grievous bodily injury, kidnapping, prostitution, child abuse, child pornography, sexual assault or indecent exposure. If civil rights have been restored, the Department will not deny licensure based on conviction for these crimes.

1. A felony or first degree misdemeanor under any state or federal law involving dishonesty, violence, destruction of property or sexual misconduct within the past three years.

2. A felony or first degree misdemeanor under any state or federal law, which is more than three (3) years old, involving dishonesty, violence, destruction of property or sexual misconduct and has not completed any sentence imposed by the court, unless the person has been released on probation and has complied with all the terms and conditions of probation.

3. A felony or first degree misdemeanor at any time under any state or federal law involving sexual misconduct with a minor child under the age of fourteen (14) years and the person has been classified as a sexual offender as defined in Section 943.0435, Florida Statutes.

4. A felony or first degree misdemeanor at any time under state or federal law and the person has been classified as a sexual predator pursuant to Section 775.21, Florida Statutes.

(7) through (8) No change.

(9) Suspension and Revocation.

(a) Suspension will be imposed when:

1. through 4. No change.

5. A person has obtained licensure of any kind The licensee, certificate holder, permit holder or applicator has obtained licensure under Chapter 482, F.S., and the Department subsequently determines that the person that is the holder of the licensure falls into any of the categories set forth in paragraph (6)(c) above that would be cause for denying licensure. licensee, certificate holder, permit holder or

~~applicator is or has been convicted in any state or federal court of a felony involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, murder, rape, assault with intent to kill, assault that inflicts grievous bodily injury, kidnapping, prostitution, child abuse, child pornography, sexual assault or indecent exposure, unless civil rights have been restored.~~

6. through 7. No change.

(b) Revocation will be imposed when: ~~a violator does not comply with a suspension order, or if a licensee or certificate holder has been suspended twice in three years.~~

1. A violator does not comply with a suspension order, or if a licensee or certificate holder has been suspended twice in three years.

2. A person has obtained licensure of any kind and the Department subsequently determines that the person that is the holder of the licensure falls into any of the categories set forth in paragraph (6)(c) above that would be grounds for denying licensure but suspension would not be an adequate remedy because the grounds for denying licensure could not be corrected or removed within a period of two years.

(10) through (14) No change.

Rulemaking Specific Authority 482.051, 570.07(23) FS. Law Implemented 112.011, 482.161, 482.163 FS. History--New 7-13-06, Amended 7-11-07, 8-4-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson H. Rackley, Director of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Adam H. Putnam, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 4, 2011

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: 5E-14.150  
 RULE TITLE: Customer Contact Centers

PURPOSE AND EFFECT: Establish a license for the operation of pest control customer contact centers.

SUMMARY: The proposed rule will delineate the requirements for the application of a Customer Contact Centers license, delineate the requirement for records keeping of a Customer Contact Centers license, establish the cost for a Customer Contact Centers license and renewal, establish a form for the application of a Customer Contact Centers license, and establish a late fee and grace period for renewal of a Customer Contact Centers license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 482.051, 482.072 FS.

LAW IMPLEMENTED: 482.072 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, (850)617-7997, 1203 Governors Square Boulevard, Tallahassee, Florida 32301-2961, Michael.Page@freshfromflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.150 Customer Contact Centers.

(1) Customer Contact Center business license application: In accordance with Section 482.072(2)(a), F.S., an applicant for a customer contact center business license shall submit a completed Pest Control Customer Contact Center License Application form, DACS 13686 (09/11), and application fee of \$600 in the form of a check or money order payable to the Florida Department of Agriculture and Consumer Services (FDACS) to the address indicated on the form. Form DACS 13686 (09/11), is hereby adopted and incorporated by reference and may be obtained by visiting <http://www.flrules.org/Gateway/reference>.

(2) In accordance with Section 482.072(3)(a), F.S., the following requirements and procedures for recordkeeping and monitoring of customer contact center operations are established.

(a) Each licensed customer contact center shall maintain a digital audio, compact disk, or tape recording of inbound and outbound telephone calls between the customer contact center and consumers located in Florida. These records must be retained for a minimum period of 6 months and are subject to inspection by Department representatives upon request.

(b) A licensed customer contact center premises shall be made available to Department representatives upon request for inspection purposes during normal business hours and to monitor live calls from consumers located in Florida.

(c) A licensed customer contact center shall have a procedure in place to identify a specific telephone call by consumer name, date of call, or customer address and identify which customer contact center employee handled a telephone call with a specific consumer identified by a Department representative.

(d) A licensed customer contact center shall have a procedure in place to provide records relating to customer contacts and the required procedures set forth in subparagraphs (a), (b), and (c) above to Department representatives upon request and provide an accounting of inbound and outbound calls with Florida consumers and identify the number of outbound center initiated calls.

(e) Each licensed customer contact center shall designate a "Primary Contact Person" at the licensed location for purposes of communication with the Department. The name, email address (if any), and telephone number of the primary contact person shall be provided to the Department as part of the license application for adopted by subsection (1). If the Primary Contact person changes prior to license renewal, the new contact information shall be submitted to the Department by calling (850)617-7997.

(3) A Customer Contact Center License Renewal date shall be two years from the date of the original license issuance or renewal thereof. The renewal fee for each original license shall be \$600.

(4) After a grace period of 30 days following the renewal date, a late fee of \$150 shall be assessed in addition to the renewal fee.

Rulemaking Authority 482.051, 482.072 FS. Law Implemented 482.072 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson H. Rackley, Director of Environmental Services  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Adam H. Putnam, Commissioner of Agriculture  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 4, 2011

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: 6A-6.0252  
 RULE TITLE: Use of Prescribed Pancreatic Enzyme Supplements

**PURPOSE AND EFFECT:** The purpose of this new rule is to address self-administration of pancreatic enzyme medication by students diagnosed with pancreatic insufficiency or cystic fibrosis enrolled in the public school system. The effect will be the implementation of specific procedures by school districts regarding student administration of pancreatic enzymes.

**SUMMARY:** This new rule was developed in cooperation with the Florida Department of Health to address self-administration of pancreatic enzyme medication by students diagnosed with pancreatic insufficiency or cystic fibrosis.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on past Agency experiences with the implementation of rules of this nature, and the adverse impact or regulatory impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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:** 1002.20(3)(k) FS.

**LAW IMPLEMENTED:** 1002.20(3)(k) FS.

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

**DATE AND TIME:** January 25, 2012, 8:00 a.m.

**PLACE:** Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, Florida 32399, (850)245-0509

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

6A-6.0252 Use of Prescribed Pancreatic Enzyme Supplements.

(1) Definitions.

(a) Pancreatic Insufficiency. Pancreatic insufficiency is a disorder of the digestive system. Pancreatic insufficiency includes the diagnosis of cystic fibrosis, a disease that affects the lungs and digestive system.

(b) Self-Administration. Self-administration shall mean that a student diagnosed with cystic fibrosis or pancreatic insufficiency is able to self-manage prescribed pancreatic enzyme therapy in the manner directed by the licensed healthcare provider without additional assistance or direction.

(2) Written authorization is required from the prescribing practitioner and parent for a student diagnosed with pancreatic insufficiency or cystic fibrosis to carry and self-administer prescribed pancreatic enzymes in accordance with Section 1002.20 (3)(k), Florida Statutes.

(3) The student's individualized health care plan (IHCP) shall include provisions for child-specific training in accordance with Section 1006.062(4), Florida Statutes, to protect the safety of all students from the misuse or abuse of prescribed pancreatic enzyme supplements. The IHCP shall include an emergency action (EAP) component for anticipated health emergency(ies) when the student needs assistance or is unable to self-administer pancreatic enzymes as prescribed.

Rulemaking Authority 1002.20(3)(k) FS. Law Implemented 1002.20(3)(k) FS. History--New \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Pam Stewart, Chancellor, K-12 Public Schools

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Gerard Robinson, Commissioner, Department of Education

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 13, 2011

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** October 21, 2011

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: 6A-6.0970  
 RULE TITLE: John M. McKay Scholarship for Students with Disabilities Program

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to incorporate legislative revisions to include students who have 504 Plans as eligible for the program and to extend the number of days a student may be in a Department of Juvenile Justice detention center without forfeiting the scholarship. The effect will be a rule that is consistent with the governing statute.

**SUMMARY:** The proposed rule amendment adds language to include, as eligible students, those who have a 504 accommodation plan issued with a duration of more than six months. It also extends the number of days a student may be in

a Department of Juvenile Justice detention center without forfeiting the scholarship, from less than 15 days to no more than 21 days.

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

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

This rule amendment is for the purpose of accounting for changes to scholarship eligibility requirements, and is not expected to require legislative ratification pursuant to Section 120.541(3)(a)1., F.S., as there will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness. Any increase in regulatory costs would not approach the statutory thresholds for legislative ratification.

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: 1002.39 FS.

LAW IMPLEMENTED: 1002.39 FS.

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

DATE AND TIME: January 25, 2012, 8:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0970 John M. McKay Scholarship for Students with Disabilities Program.

The John M. McKay Scholarship for Students with Disabilities Program will be implemented as required by Section 1002.39, F.S., in an effective and equitable manner that will maintain the integrity of the program.

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

3. Meets one (1) of the following requirements:

a. Is a current public school student with a disability and has an individual education plan or a 504 accommodation plan, unless the accommodation plan has a duration of six (6) months or less; or

b. Is not a current public school student but filed a notice of intent while a public school student, and was a student with a disability and individual education plan or 504

accommodation plan, unless the accommodation plan has a duration of six (6) months or less, at the time he or she left the public school.

(2) through (3)(a)1. No change.

2. Notwithstanding subparagraph (3)(a)1., the following situations are not a return to public school:

a. Admission to a residential hospital for medical reasons.

b. Entry into a Department of Juvenile Justice detention center for a period of no more than twenty-one (21) less than fifteen (15) days.

c. through (9) No change.

Rulemaking Authority 1002.39(13) FS. Law Implemented 1002.39 FS. History--New 1-18-07, Amended 4-21-09, 11-12-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:

RULE TITLE:

6A-20.023

José Martí Scholarship Challenge Grant Fund

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule based on statutory changes and to revise the priority rankings for distribution of scholarship funds. The effect will be a rule which is consistent with governing law.

SUMMARY: The proposed rule removes administrative requirements in the language that are not authorized in Florida Statutes, updates priority rankings for distribution of scholarship funds, and updates language per the 2010 Florida legislative amendment to Section 1009.72, Florida Statutes.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) based on past experiences with



scholarship programs and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), 1009.72(1) FS.

LAW IMPLEMENTED: 1009.40, 1009.72 FS.

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

DATE AND TIME: January 25, 2012, 8:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Antworth, Director, State Programs, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400, (850)410-5185

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.023 José Martí ~~Jose Marti~~ Scholarship Challenge Grant Fund.

(1) General eligibility criteria. To receive aid, a student shall meet the provisions of Sections 1009.40, ~~1009.42~~, and 1009.72, F.S., Rules 6A-20.001, 6A-20.003, and 6A-20.0371, F.A.C., and:

(a) Be a Hispanic-American or a person of Spanish culture who was born in, or whose natural parent was born in, either Mexico, or a Hispanic country of the Caribbean, Central America or South America, regardless of race.

(b) Complete and submit annually, a need analysis form ~~specified by the Department~~ in time to be processed error-free by May 15.

(c) Have been a bona fide Florida resident for twelve (12) months prior to the first day of classes for the fall term of the academic year for which funds are being requested pursuant to Section 1009.21, F.S., and Rule 6A-20.003, F.A.C.

(d) Be a United States citizen or permanent resident pursuant to regulations established by the U.S. Congress or the U.S. Department of Education for the receipt of federal financial assistance.

(e) Be enrolled in a degree program in a state university or Florida community college authorized by Florida law, or any Florida ~~college~~, university, or ~~community~~ college which is accredited by an association whose standards are comparable to the minimum standards required to operate a postsecondary institution at that level in Florida.

(f) through (2) No change.

(3) Eligibility for renewal awards. Eligibility for renewal of an award shall be evaluated at the end of the second semester or third quarter of each academic year. A renewal award may be made to an applicant who used one (1) or more terms of eligibility for an award during the academic year immediately preceding the academic year for which applying, and who:

(a) Meets the general eligibility requirements in subsection (1) of Rule 6A-20.023, F.A.C.

(b) Has earned, at the last institution attended, a minimum cumulative grade point average of 3.0 on a 4.0 scale.

(c) For undergraduate study, has earned during the previous ~~summer and~~ two (2) semesters or three (3) quarters, at least twelve (12) credit hours per term or the equivalent for the number of terms for which the award was received. For graduate study, has earned during the previous ~~summer and~~ two (2) semesters or three (3) quarters, at least nine (9) credit hours per term or the equivalent for the number of terms for which the award was received. An undergraduate or graduate student who does not earn the required credits shall be ineligible to continue on the program, except as provided in subsections (7) and (8) ~~(5)~~ of Rule 6A-20.023, F.A.C.

(4) Probationary awards. A student who has received funds through this program and who fails to earn a minimum grade point average of 3.0 on a 4.0 scale may be granted a probationary award for one (1) academic year, not to exceed two (2) semesters or three (3) quarters. A student who does not earn a 3.0 grade point average on a 4.0 scale by the end of the spring semester or third quarter of the probationary academic year shall be ineligible to continue for one (1) academic year ~~under this program~~.

(5) Reinstatement. A student who met the requirements for an award but did not receive an award during the first full year of eligibility and wishes to re-establish use of the scholarship must apply for reinstatement no later than April 1. A student who applies for reinstatement must also complete a need analysis ~~form specified by the Department~~ in time to be processed error-free by May 15.

(6) Restoration. A student who failed to meet the requirements for renewal of a probationary award is eligible to apply for restoration after one (1) academic year if the student has earned a minimum cumulative grade point average of 3.0 on a 4.0 scale as of the end of the second semester or third quarter of the academic year preceding the year the award is sought. A student who applies for restoration must also complete a need analysis in time to be processed error-free by May 15.

~~(7)(6)~~ Appeals. A student who receives state student aid and subsequently fails to meet state academic progress requirements described in paragraphs (3)(b) and (c) of Rule 6A-20.023, F.A.C., ~~or fails to apply for reinstatement~~, due to

verifiable illness or other emergencies may be granted an exception from the academic requirements, pursuant to Section 1009.40(1)(b)4., F.S.

~~(8)(7)~~ Maximum terms of eligibility.

(a) through (c) No change.

~~(9)(8)~~ Amount of awards. The amount of each annual award is two thousand (2,000) dollars.

~~(10)(9)~~ Award distribution. The Department shall make awards based on the annual appropriation and the amount of contributions received by the Department. Priority in the distribution of funds will be as follows:

(a) Eligible renewal applicants shall be first given priority,

(b) Second priority for awards will be given to initial undergraduate applicants who shall first be ranked by the least family contribution as determined by the nationally recognized need analysis report,

~~1.(e)~~ Then by high school grade point average,

~~2.(d)~~ And, if necessary, by the postmarked or electronic receipt date of Form FFAA-1,

(c) Third priority for awards will be given to reinstatement applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark or electronic receipt date of Form FFAA-1. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

(d) Fourth priority for awards will be given to restoration applicants. If the number of awards remaining is insufficient to award all such applicants, they will be ranked and selected first by the least family contribution as specified on the need analysis report and second by the earliest postmark or electronic receipt date of Form FFAA-1. If the number of awards remaining is insufficient to award all equally ranked applicants, the tie will be broken through random selection.

(e) From funds remaining, initial graduate applicants shall be ranked and awarded, based on the least family contribution and then by undergraduate grade point average and, finally, on the postmark date of the Form FFAA-1.

~~(11)(10)~~ Institutional responsibilities. Participating institutions shall verify the continued eligibility of awarded students, provide for the disbursement of funds to students, and comply with the Department's reporting requirements. Within thirty (30) days of the end of the regular registration period each term, the institution shall notify the Department of the eligibility status of each awarded student. The institution shall remit refunds and submit accompanying documentation to the Department within sixty (60) days of the end of the institution's regular registration period. For supplemental awards, the institution will notify the Department of the eligibility status of awarded students within thirty (30) days of the date that the warrant was mailed by the Department.

Refunds and accompanying documentation shall be received by the Department within sixty (60) days of the date that the warrant was mailed by the Department.

~~(11) Reserve funds for renewal awards. The Department shall reserve in the trust fund sufficient state and matching dollars to ensure the availability of funds to renew each eligible applicant for the necessary number of years to complete the educational objective stated on the initial application, Form FFAA-1.~~

(12) No change.

(13) Contributions from private sources. Scholarship contributions to the José Martí ~~Jose Martí~~ Scholarship Challenge Grant Fund from private sources may be accepted by the Department and deposited in the State Student Financial Assistance ~~Jose Martí Scholarship Challenge Grant~~ Trust Fund.

Rulemaking Specific Authority 1001.02(1), 1009.72(1) FS. Law Implemented 1009.40, 1009.72 FS. History--New 12-28-86, Amended 5-16-90, 2-15-95, 10-15-02, 9-22-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda Champion, Deputy Commissioner, Division of Finance and Operation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:

RULE TITLE:

6A-20.028

Florida Bright Futures Scholarship Program

PURPOSE AND EFFECT: The purpose of this new rule is to clarify the governing statutes, Sections 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, and 1009.538, Florida Statutes, by establishing standards and procedures relating to the Florida Bright Futures Scholarship Program. The effect will be a rule which is consistent with governing law.

SUMMARY: The proposed new rule clarifies student requirements and administrative procedures authorized in Florida Statutes relating to the Florida Bright Futures Scholarship Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) based on past experiences with scholarship programs and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3) FS.

LAW IMPLEMENTED: 1009.40, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538 FS.

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

DATE AND TIME: January 25, 2012, 8:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Antworth, Director, State Programs, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400, (850)410-5185

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.028 Florida Bright Futures Scholarship Program.

(1) General eligibility requirements. To receive an initial or renewing Florida Bright Futures Scholarship Program award a student shall, in addition to any other applicable statutory or regulatory requirements:

(a) Not have previously received a recognized baccalaureate degree. A degree is recognized if it is acceptable for purposes of transferring credits to a Bright Futures-eligible institution.

(b) File annually a complete and error-free Free Application for Federal Student Aid (FAFSA) (<http://www.fafsa.ed.gov/>) which results in a valid Expected Family Contribution (EFC), in accordance with Section 1009.531(7), Florida Statutes.

(c) Be enrolled in an eligible Florida postsecondary institution in a degree, certificate, or applied technology program of study.

(d) Be enrolled in a minimum of six (6) credit hours, or equivalent clock hours, per term.

(2) Military and public service assignment. For purposes of eligibility, in accordance with Section 1009.531(1)(b)2., Florida Statutes:

(a) Military assignment is defined as active duty assignment.

(b) Public service assignment is defined as the occupational assignment of a Florida resident employed by the United States Government or State of Florida, who as a condition of employment is relocated to work outside the State of Florida. A student whose parent or guardian is on public service assignment may reside with either a natural parent or another adult designated by either natural parent or guardian.

(3) Initial eligibility requirements.

(a) Information about the scholarship program is made available via the Florida Department of Education (FDOE), Office of Student Financial Assistance (OSFA) website (<http://www.floridastudentfinancialaid.org>).

(b) For purposes of eligibility, in accordance with Section 1009.531(1)(e), Florida Statutes, a student is not eligible to receive a Bright Futures Scholarship if the student has been found guilty of a felony charge by a plea, jury verdict or a judge, or pled nolo contendere to a felony charge but has had adjudication of guilt withheld. However, a student is not deemed to have been found guilty of, or entered a plea of nolo contendere to, a felony charge if the student:

1. Has been tried in juvenile court for a felony charge, or
2. Has been tried as an adult for a felony charge, but adjudicated delinquent in a juvenile proceeding, or
3. Has had his or her criminal record expunged or sealed by a court order.

(c) For the purposes of initial eligibility, in accordance with Section 1009.531(1), Florida Statutes:

1. A Florida public or private high school graduate, GED recipient, or home-educated student whose high school graduation date is no later than August 31 will be initially eligible for the fall term after the spring of the year of graduation.

2. The student must file the FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.019, F.A.C., and meet all Bright Futures academic requirements provided in Florida Statutes.

3. A student's initial year of eligibility is defined as the first academic year immediately following high school graduation or its equivalent, whether funded or not.

(d) A home-educated student must complete community service hours that meet the following requirements during high school and by high school graduation:

1. Community service hours may not be hours that benefitted the student financially or materially, or be service to family members defined as: parents, grandparents, siblings, aunts, uncles, cousins, nieces, nephews, and spouses, including aforementioned step relations.

2. The agencies where the community service hours were earned must provide on agency letterhead documentation of the number of hours and dates of service completed.

3. The documented hours must be submitted by the student's district where the student is registered for the 11th and 12th grades as a home-educated student.

(e) A candidate for initial eligibility for the scholarship may be evaluated following the seventh semester in high school based on his/her grade point average (GPA) in completed courses and in courses in progress as specified in Rule 6A-1.09441, F.A.C. If this student is found eligible, the student will not be re-evaluated for the same award and will not lose the award unless the student does not earn a standard high school diploma or its equivalent from a Florida public or FDOE registered private high school. An eligible seventh semester student will be re-evaluated on an eighth semester final transcript to validate high school graduation with a standard diploma and only may improve his/her award if applicable upon eighth semester information.

(f) GED and home-educated candidates for initial eligibility for the scholarship may be evaluated following the eighth semester in high school based on a cumulative GPA in all required courses that have been completed prior to GED testing or high school graduation, as specified in Rule 6A-1.09441, F.A.C.

(g) Initial Academic Criteria:

1. For the purposes of student eligibility, in accordance with Sections 1009.534(1)(a) and 1009.535(1)(a), Florida Statutes, coursework must include a minimum of four (4) credits in English, four (4) credits in mathematics, three (3) credits in science, three (3) credits in social science, and two (2) credits in the same foreign language.

a. Required coursework, as listed in the Course Code Directory, as incorporated in Rule 6A-1.09441, F.A.C., and, therefore, approved by the State Board of Education for initial eligibility for the Florida Academic Scholars or Florida Medallion Scholars awards, includes the minimum college preparatory academic courses as required for state university system admissions and outlined in the Florida Counseling for Future Education Handbook ([http://facts23.facts.org/florida/facts/Home\\_Page/Counselors\\_and\\_Educators/Advising\\_Manuals/Counseling\\_for\\_Future\\_Education\\_Handbook/](http://facts23.facts.org/florida/facts/Home_Page/Counselors_and_Educators/Advising_Manuals/Counseling_for_Future_Education_Handbook/)).

b. A student may use up to two (2) additional academic college preparatory course credits from the Course Code Directory, as incorporated in Rule 6A-1.09441, F.A.C., and/or from fine arts courses in Advanced Placement, International Baccalaureate, or Advanced International Certificate of Education programs to raise the GPA.

c. The GPA on a 4.0 scale shall be computed to two (2) decimals and shall not be rounded. Additional weighting is applied for all courses in level three (3) and above as outlined in the Course Code Directory.

d. A student must earn at least the minimum standardized Critical Reading and Math scores on the SAT Reasoning Test or equivalent combined composite, excluding the writing section, or the minimum standardized scores on the ACT, either administered at a national test site by January 31st for seventh semester evaluation and by June 30th for eighth semester evaluation of the student's last year in high school, as identified for each award level specified in Section 1009.531(6), Florida Statutes. ACT scores are rounded up for scores with .5 and higher; SAT scores do not require rounding. Sections of the SAT or ACT from different test dates may be used to meet the test criteria, but test types cannot be mixed.

2. For purposes of meeting the requirements of a passing score on the college entry level placement test or its equivalent, in accordance with Section 1009.536, Florida Statutes, a student applying for the Florida Gold Seal Vocational Scholars award must earn at least the minimum qualifying subtest scores from CPT, SAT, or ACT, as specified in Rule 6A-10.0315, F.A.C. Sections of the CPT, SAT, or ACT from different test dates may be used to meet the test criteria, but test types cannot be mixed.

(h) For the purposes of student eligibility, in accordance with Section 1009.531(5), Florida Statutes, a student who wishes to qualify for any Bright Futures Scholarship award but does not meet all of the requirements may receive the award if the principal of the student's school or the district superintendent verifies on letterhead that deficiencies are caused by school personnel error of inaccurate or incomplete information. The principal or school district will allow the student to correct the deficiencies and the principal or school district will provide an updated high school transcript if necessary. The student is required to submit official postsecondary transcript(s) to the FDOE with any postsecondary coursework taken to satisfy deficiencies. The FDOE must receive all required documentation of deficiencies for re-evaluation by December 31 of the student's high school graduation year.

(4) Academic Top Scholars awards.

(a) Eligibility for the Academic Top Scholars award, in accordance with Section 1009.534(4), Florida Statutes, will be determined during the first term of the academic year following the student's initial eligibility determination for a Florida Academic Scholars award.

(b) To be designated an Academic Top Scholar, a student must have:

1. Attended any FDOE public or registered private high school, or be home-educated or a GED student who has completed the minimum required coursework as listed in

subparagraph (3)(g)1., of this rule, and earned a standard high school diploma, or the equivalent, during the last year of high school.

2. Met eligibility requirements for an initial Florida Academic Scholars award; and

3. Received funding for an initial Florida Academic Scholar award at an eligible Florida postsecondary institution during the first term of the academic year in which the student was initially eligible; and

4. Been the highest ranked Florida Academic Scholars award recipient in the Florida school district where the student last attended and graduated from high school. For this determination, Florida Academic Scholars award recipients will be ranked by the FDOE on the basis of the product of their Florida Bright Futures cumulative GPA, calculated on the minimum college preparatory academic courses as listed in subparagraph (3)(g)1., of this rule and their best combined SAT or composite ACT test score as reported for their Florida Academic Scholars eligibility.

(c) In the event of a tie, the FDOE shall apply the following criteria in the following order to students who are tied in the same school district, until the tie is broken:

1. The product of each student's weighted Bright Futures GPA and best combined SAT, or equivalent ACT score, at a single administration of the test;

2. The product of each student's weighted Bright Futures GPA and best combined SAT, or equivalent ACT score, at the earliest single administration of the test;

3. The higher of the total number of high school credits earned;

4. The earlier date and time stamp for filing the FFAA.

(5) Renewing Academic Criteria.

(a) After an initial year of eligibility, a student may become eligible for the award as a renewed student, a reinstated student, or a restored student, who are defined as:

1. A renewed student is a student who received the award in the previous academic year and met specific program eligibility requirements.

2. A reinstated student is a student who was eligible for the program and did not receive an award for the previous academic year and wishes to re-establish use of the scholarship.

3. A restored student is a student who lost eligibility for the program but earned the requirements in a subsequent academic year.

(b) Academic eligibility criteria for a renewed award, in accordance with Section 1009.532, Florida Statutes, shall be evaluated based on an institutional cumulative GPA and cumulative hours earned at the end of the academic year, which for this purpose shall be defined as the end of the second semester or third quarter of each academic year, which is the end of the spring term, or is the end of the summer term for students in the Program for the Spring and Summer Terms in

accordance with Section 1009.215, Florida Statutes. Students in this cohort class will hereafter be referred to as spring/summer students.

1. Florida Academic Scholars renewal award requires a 3.0 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, nine (9) to eleven (11) hours per term funded for a three-quarter time student, and six (6) to eight (8) hours per term funded for a half-time student, or the equivalent in clock hours. If a Florida Academic Scholar earns a GPA less than a 3.0 but equal to or greater than a 2.75, he/she renews as a Florida Medallion Scholar.

2. Florida Medallion Scholars renewal award requires a 2.75 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, nine (9) to eleven (11) hours per term funded for a three-quarter time student, and six (6) to eight (8) hours per term funded for a half-time student, or the equivalent in clock hours.

3. Florida Gold Seal Vocational Scholars renewal award requires a 2.75 unweighted and unrounded GPA on a 4.0 scale and a minimum of twelve (12) semester hours earned per term funded for a full-time student, nine (9) to eleven (11) hours per term funded for a three-quarter time student, and six (6) to eight (8) hours per term funded for a half-time student, or the equivalent in clock hours.

4. The cumulative GPA required to renew any Florida Bright Futures Scholarship Program award as referenced in Sections 1009.534, 1009.535, and 1009.536, Florida Statutes, shall be determined by the institution where the student is enrolled as degree- or certificate-seeking as the student's institutional cumulative GPA. The GPA shall be computed to two (2) decimals and shall not be rounded.

5. For the purposes of eligibility, in accordance with Section 1009.40(1)(b)4., Florida Statutes, a student who does not earn either the required renewal GPA or hours for renewed status may still be renewed if granted an exception from the academic requirements. A student must submit an institutional appeal at the institution where the student did not meet the renewal requirements for renewed status and provide documentation as required by the institution within thirty (30) days of the ineligibility notice or institutional deadline, whichever is later.

(c) Academic eligibility criteria for a reinstated award shall be determined if the student did not receive scholarship funding for the last academic year during which the student was eligible. The student must submit Form FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.019, F.A.C., by May 30 of the year the student is seeking funding.

(d) Academic eligibility criteria for a restored award shall be evaluated at the end of the summer or second semester/third quarter each academic year thereafter.

1. For the student who graduated high school in 2008-09 or earlier, an award may be restored for the student with insufficient GPA and insufficient hours. The student must submit Form FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.019, F.A.C., by May 30 of the year the student is seeking funding. A student may earn and be funded in an eligible restored status one time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree- or certificate-seeking student. The institutional cumulative GPA and hours earned, as defined in subparagraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.

2. For the student who graduated high school in 2009-10 and thereafter, the award may be restored for the student with insufficient GPA after the first year of funding only. The student must submit Form FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.019, F.A.C., by May 30 of the year the student is seeking funding. A student may earn and be funded in an eligible restored status one time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree- or certificate-seeking student. The institutional cumulative GPA, as defined in subparagraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.

(6) Awards are made under all programs in this section in accordance with Sections 1009.215, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, and 1009.538, Florida Statutes. 3. A Florida Medallion Scholar who initially was awarded as a Florida Academic Scholar who earns a GPA of 3.0 or above, may restore as a Florida Academic Scholar utilizing the one-time only restoration.

(a) Awards under this program are based on the amount as specified in the General Appropriations Act. If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards must be prorated with an equitable percentage reduction in all terms after term 1.

(b) Annual awards are defined as awards made in fall through spring terms unless the Legislature appropriates summer term funding.

1. If summer funds are made available in an annual General Appropriations Act, the funds will be distributed to the institution that enrolls the student during that current academic year summer term.

2. The funding institution must determine the student award amount and report summer disbursements and grade and hours to the FDOE.

(c) A spring/summer student, referenced in subparagraph (5)(b) of this rule, is not eligible for fall funding at any institution. Students funded in the fall prior to their initial enrollment in the spring/summer cohort class, will be limited to two (2) semesters, fall plus spring or summer funding, during their first cohort year.

(d) The student must be funded from his/her home institution. The home institution may also fund the student for courses enrolled at another eligible institution in eligible credits applicable toward a student's degree or certificate program of study. The student is responsible for notifying the home institution at the beginning of the term of his/her enrollment of credit hours and payment due, and then at the end of the term of his/her cumulative GPA and hours earned at another institution. The award amount is calculated based on the total number of fundable hours per institution type where enrolled, multiplied by the award per credit hour, per the General Appropriation Act amounts.

(e) The student is required to refund to the postsecondary institution the cost of dropped or withdrawn Bright Futures funded courses; non-payment of such courses will result in future year program ineligibility. Students may not repay unearned hours after the completion of the term in order to regain their scholarship.

(7) Program Length.

(a) The student must receive award funding in at least one (1) term within the first three (3) academic years following his/her high school graduation to be eligible for maximum program funding.

(b) A student who graduated from high school in 2009-10 and earlier may receive funding up to seven (7) years from high school graduation or a first baccalaureate degree, whichever comes first. A student who graduates from high school in 2010-11 and thereafter may receive funding up to five (5) years from high school graduation or a first baccalaureate degree, whichever comes first.

(c) An early admission student under Section 1009.531(1)(b)1., Florida Statutes, repealed 2008, determined initially eligible prior to January 1, 2008, has seven (7) years from his or her initial eligible year to receive funding for the scholarship or a first baccalaureate degree, whichever comes first.

(d) In accordance with Section 1009.535, Florida Statutes, a Florida Academic Scholar or Florida Medallion Scholar who has earned a first baccalaureate degree within seven (7) semesters or 105 credit hours of funding, may receive Bright Futures funding for one (1) semester up to fifteen (15) of the student's unused hours, at the undergraduate rate, for up to seven (7) or five (5) years after high school graduation.

dependent upon his or her high school graduation year, if the student enrolls in a graduate degree program at a Bright Futures-eligible institution.

(8) Institutional responsibilities.

(a) Participating postsecondary institutions shall comply with Rules 6A-20.002 and 6A-20.0021, F.A.C., and

(b) Verify, prior to disbursement each term, each recipient's graduation from a Florida high school, Florida residency, which includes U.S. citizenship or eligible non-citizenship, the number of non-remedial hours enrolled, degree- or certificate-seeking status, eligible maximum program hours, default status, repayment status and completion of an error-free FAFSA.

(c) Forgiveness hours, those credit hours that the institution allows a student to retake for forgiveness of quality points and that are part of the student's program of study, are to be funded. Once funded, course hours successfully completed in forgiveness courses must be reported as hours earned in the FDOE, OSFA Grade and Hours Report consistent with Rule 6A-20.002, F.A.C.

(d) Florida public school districts shall:

1. Pursuant to Section 1009.531(4), Florida Statutes, submit transcripts for all students in ninth through twelfth grade to the FDOE High School transcript database three (3) times a year in order to annually provide complete and accurate Florida Bright Futures Scholarship evaluation information.

2. Submit transcript and eligibility criteria data by deadlines established by the FDOE, including, but not limited to, community service hours required of initial Bright Futures applicants.

(e) Florida eligible non-public secondary schools must, in order to annually maintain eligibility to participate in the Florida Bright Futures Scholarship Program:

1. Register as a non-public high school via the Private Annual School Survey ([http://www.floridaschoolchoice.org/Information/Private\\_Schools/annual\\_survey\\_info.asp](http://www.floridaschoolchoice.org/Information/Private_Schools/annual_survey_info.asp)) with the FDOE.

2. Submit scholarship required courses and other eligibility criteria data as requested for all students in ninth through twelfth grades to the FDOE, via the Online Transcript Entry and Evaluation System (<http://www.floridastudentfinancialaid.org>), to include but not limited to community service hours required of initial Bright Futures applicants.

Rulemaking Authority 1001.02(1), 1009.53(3) FS. Law Implemented 1009.40, 1009.41, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.537, 1009.538 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda Champion, Deputy Commissioner, Division of Finance and Operation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

**REGIONAL PLANNING COUNCILS**

**East Central Florida Regional Planning Council**

RULE NO.:                      RULE TITLE:

29F-21.001                      Strategic Regional Policy Plan

PURPOSE AND EFFECT: Review and refinement of the regional goals and policies within the Council's Strategic Regional Policy Plan (2060 Plan) which are intended to assist local decision making on planning, development and growth issues in Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties in a manner that encourages implementation of the Central Florida Regional Vision adopted by representatives of all 93 communities that participated in an eighteen month regional visioning process involving approximately 20,000 citizens.

SUMMARY: Amendment of the East Central Florida Strategic Regional Policy Plan as required by Section 186.507, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 186.505, 120.54 FS.

LAW IMPLEMENTED: 186.507 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. George Kinney, Interim Executive Director, (407)262-7772 or [gkinney@ecfrpc.org](mailto:gkinney@ecfrpc.org)

THE FULL TEXT OF THE PROPOSED RULE IS:

29F-21.001 Strategic Regional Policy Plan.

There is hereby adopted, for the east Central Florida region, the Amended Strategic Regional Policy Plan, dated November 16, 2011 ~~January 1998~~, which is incorporated herein by reference.

Copies are available at the offices of the East Central Florida Regional Planning Council at 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701 ~~4011 Wymore Road, Suite 105, Winter Park, Florida 32789~~ between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.

Rulemaking Specific Authority 186.508(1) FS. Law Implemented 120.535(1), 186.507, 186.508(1) FS. History—New 8-3-98, Amended 11-16-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. George Kinney, Interim Executive Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. George Kinney, Interim Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 14, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: 61G2-4.005                      RULE TITLE: Funds Received by Apprentice

PURPOSE AND EFFECT: The Board proposes to repeal the rule after a comprehensive rule review in accordance with executive orders. Fla. Exec. Order No. 11-211 (Oct. 19, 2011), superseding Fla. Exec. Order No. 11-72 (Apr. 8, 2011), superseding Fla. Exec. Order No. 11-01 (Jan. 4, 2011).

SUMMARY: This rule is being repealed because it is duplicative of an existing statute, §468.388(10), Fla. Stat. (2011) and is unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 468.384(2) FS.

LAW IMPLEMENTED: 468.382(3), 468.385 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-4.005 Funds Received by Apprentice.

Rulemaking Specific Authority 468.384(2) FS. Law Implemented 468.382(3), 468.385 FS. History—New 10-13-93, Amended 10-2-95, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Auctioneers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Auctioneers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NOS.: 61G2-5.003                      RULE TITLES: Client Funds and Sale Proceeds  
61G2-5.004                              Advertising

PURPOSE AND EFFECT: The Board proposes to repeal the rules after a comprehensive rule review in accordance with executive orders. Fla. Exec. Order No. 11-211 (Oct. 19, 2011), superseding Fla. Exec. Order No. 11-72 (Apr. 8, 2011), superseding Fla. Exec. Order No. 11-01 (Jan. 4, 2011).

SUMMARY: Both rules are duplicative of existing statutes and unnecessary. §§ 468.388 (10), (11), Fla. Stat. (2011).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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



RULEMAKING AUTHORITY: 468.384(2) FS.  
 LAW IMPLEMENTED: 468.388(6), 468.389(1)(c), (d), (e), (h), (j) FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-5.003 Client Funds and Sale Proceeds.

Rulemaking ~~Specific~~ Authority 468.384(2) FS. Law Implemented 468.389(1)(c), (e), (h) FS. History–New 5-6-87, Formerly 21BB-5.003, Amended 10-12-93, 10-2-95, Repealed.

61G2-5.004 Advertising.

Rulemaking ~~Specific~~ Authority 468.384(2) FS. Law Implemented 468.388(6), 468.389(1)(d), (j) FS. History–New 10-19-87, Formerly 21BB-5.004, Amended 10-12-93, 4-9-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Auctioneers  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Auctioneers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: 61G2-7.060  
 RULE TITLE: Restitution

PURPOSE AND EFFECT: The Board proposes to repeal the rule after a comprehensive rule review in accordance with executive orders. Fla. Exec. Order No. 11-211 (Oct. 19, 2011), superseding Fla. Exec. Order No. 11-72 (Apr. 8, 2011), superseding Fla. Exec. Order No. 11-01 (Jan. 4, 2011).

SUMMARY: This rule is being repealed because the subject area of the rule is covered by § 368.395, Fla. Stat. (2011). The rule is unnecessary.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:**

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess

of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.389 FS.  
 LAW IMPLEMENTED: 468.389 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-7.060 Restitution.

Rulemaking ~~Specific~~ Authority 468.389 FS. Law Implemented 468.389 FS. History–New 10-2-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Auctioneers  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Auctioneers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-24.017  
 RULE TITLE: Board Business

PURPOSE AND EFFECT: The Board proposes this rule amendment to delete a subsection that contradicts Section 456.011, F.S., and a subsection unnecessary because it states a requirement already mandated by statutes.

Summary: This rule amendment deletes a subsection that contradicts Section 456.011, F.S., and a subsection unnecessary because it states a requirement already mandated by statutes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.011(4) FS.

LAW IMPLEMENTED: 456.011(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-24.017 Board Business.

(+) For the purposes of Section 456.011(4), F.S., the Board defines "other business involving the Board" as,

(1)(a) All regularly scheduled meetings of Board committees, and

(2)(b) Whenever a board member has been requested by the State Surgeon General or the Department staff to participate in a meeting or in the preparation, administration, or grading of the examination.

(3)(e) Meetings or business at the direction or request of the Board.

~~(2) Meetings or participation by telephone do not constitute other board business.~~

~~(3) Documentation of requests, authorizations, or notices for meetings under the terms of this rule shall be kept at the Board office.~~

Rulemaking Specific Authority 456.011(4) FS. Law Implemented 456.011(4) FS. History—New 10-13-81, Formerly 21L-24.17, 21L-24.017, Amended 1-9-95, Formerly 61G11-24.017, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.004  
RULE TITLE: Endorsements

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate the required language regarding obtaining the application form and restructure the rule for clarity.

SUMMARY: This rule amendment incorporates the required language regarding obtaining the application form and restructures the rule for clarity.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.004 Endorsements.

(1) The Department shall issue a license by endorsement to a person who:

(a) No change.

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (Rev. 10/10), adopted and incorporated by reference in Rule 64B7-25.001, F.A.C.; The form and attached instructions may be obtained from the Board office at 4052 Bald Cypress Way, Bin C-6, Tallahassee, FL 32399-3265 or from the web site located at [http://www.doh.state.fl.us/mqa/massage/ma\\_lic\\_req](http://www.doh.state.fl.us/mqa/massage/ma_lic_req); and

(c) Is currently licensed and has practiced massage under the laws of another state, and was required, in order to be so licensed, to meet standards of education or apprenticeship

training substantially similar to, equivalent to, or more stringent than those required for licensure by Florida law and these rules; ~~and~~

(d) Demonstrates that his or her out-of-state license was issued upon the satisfactory completion of an examination comparable to the examinations approved by the Board; ~~and~~

(e) Has no outstanding or unresolved complaints filed against his or her license ~~him or her~~ in the jurisdiction of licensure; ~~and-~~

(f) Completes a current ~~curriculum~~ course or courses from a Board approved school or a Board approved continuing education provider in the following subjects: covering the Florida Statutes and rules related to massage therapy.

1. Florida Statutes and Rules relating to massage therapy including Chapters 456 and 480 and Rule 64B7, F.A.C. for a minimum of ten (10) hours;

~~2.(g) Completes the~~ HIV/AIDS course required by s. 456.033 and requirement in Rule 64B7-25.0012, F.A.C., for a minimum of three (3) hours; and

~~3.(h) Completes a course relating to the~~ Prevention of medical errors as required by Section 456.013(7), F.S., for a minimum of two (2) hours.

(2) No change.

Rulemaking Authority 456.013(2), 480.035(7), 480.041(4)(c) FS. Law Implemented 456.013(2), 480.041(4)(c) FS. History—New 11-27-79, Amended 7-9-80, 8-29-83, 10-9-85, Formerly 21L-25.04, Amended 6-12-88, 8-15-89, 2-11-93, Formerly 21L-25.004, Amended 9-15-94, 1-9-95, 8-18-96, 1-29-97, Formerly 61G11-25.004, Amended 6-22-99, 12-6-06, 3-31-08, 6-15-09, 7-21-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: April 21 and October 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.:                      RULE TITLE:  
64B7-26.001                      Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to delete a rule subsection that repeats the language of the statute.

SUMMARY: This rule amendment is to delete a rule subsection that repeats the language of the statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of

Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.043(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-26.001 Definitions.

(1) No change.

~~(2) The term “establishment” means a site or premises, or portion thereof, wherein a licensed massage therapist practices massage for compensation.~~

~~(2)(3)~~ The term “business name” means the name under which the owner applies for the establishment license to provide massage therapy, if different from the name of the owner.

Rulemaking Specific Authority 480.035(7) FS. Law Implemented 480.043(7) FS. History—New 7-16-98, Amended 8-5-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.:                      RULE TITLE:  
64B7-27.100                      Fees

PURPOSE AND EFFECT: The Board proposes this new rule to consolidate the fees into one rule, delete obsolete fees rules and reduce the reactivation rule for massage therapists and the initial licensure fee for massage establishments.

SUMMARY: This new rule to consolidate the fees into one rule, delete obsolete fees rules and reduce the reactivation rule for massage therapists and the initial licensure fee for massage establishments.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), 456.036(7), (8), 456.065(3), 480.035(7), 480.044 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 456.036(4), 456.065(3), 480.043(7), 480.044 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-27.100 Fees.

(1) Fees applicable to massage therapists:

(a) Application fee for applicants graduating from a board-approved massage program: \$50.00

(b) Application fee for applicants completing an apprenticeship program: \$100.00.

(c) Initial licensure fee: \$100.00.

(d) Renewal fee (active or inactive license): \$100.00.

(e) Delinquent license fee: \$100.00.

(f) Reactivation fee: \$100.00.

(g) Change in status fee: \$50.00.

(h) Retired status fee: \$50.00.

(2) Fees applicable to massage establishments:

(a) Application fee: \$150.00.

(b) Initial licensure fee: \$100.00.

(c) Renewal fee: \$100.00.

(d) Change of business application fee: \$25.00.

(e) Transfer of location application fee: \$125.00.

(3) Other fees:

(a) Duplicate license fee: \$25.00.

(b) Unlicensed activity fee: \$5.00.

Rulemaking Authority 456.013(2), 456.025(1), 456.036(7), (8), 456.065(3), 480.035(7), 480.044 FS. Law Implemented 456.013(2), 456.025(1), 456.036(4), 456.065(3), 480.043(7), 480.044 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: RULE TITLE:

64B7-28.008 Display of Licenses

PURPOSE AND EFFECT: The Board proposes this rule amendment to implement 456.072(1)(t) in a manner that will assist the Department investigators in determining unlicensed practice of massage therapy.

Summary: This rule amendment to implement 456.072(1)(t) in a manner that will assist the Department investigators in determining unlicensed practice of massage therapy.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 456.072(1)(t), 480.043(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.008 Display of Licenses.

(1) Each licensed practitioner shall conspicuously display a current license issued by the Department, or photo copy thereof, at each location at which he or she practices. Effective on October 1, 2012, the licensee must attach to the displayed license a 2 inch by 2 inch photograph of the individual whose name appears on the certificate which was taken within the previous two years.

(2) Each apprentice shall conspicuously display his or her apprentice certificate issued by the Board office, in the establishment for which it has been issued. Effective on October 1, 2012, the licensee must attach to the displayed license a 2 inch by 2 inch photograph of the individual whose name appears on the certificate which was taken within the previous two years.

(3) The owner of each massage establishment shall conspicuously display a current establishment license issued by the Department on the premises.

Rulemaking Specific Authority 480.035(7) FS. Law Implemented 456.072(1)(t), 480.043(1) FS. History—New 4-21-86, Formerly 21L-28.008, 61G11-28.008, Amended 1-26-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: April 21 and October 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-28.0095  
 RULE TITLE: Continuing Education for Pro Bono Services

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate the forms developed for the pro bono method of achieving the required biennial continuing education.

SUMMARY: This rule amendment will incorporate the forms developed for the pro bono method of achieving the required biennial continuing education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.013, 480.0415 FS.

LAW IMPLEMENTED: 456.013, 480.0415 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.0095 Continuing Education for Pro Bono Services.

(1) Up to 6 hours of continuing education per biennium in satisfaction of the live classroom hours that include instruction demonstration and/or hands on practice in Rule paragraph 64B7-28.009(3)(a), F.A.C., may be awarded for the performance of pro bono services to the indigent, underserved populations or in areas of critical need within the state where the licensee practices. The standard for determining indigence shall be that recognized by the Federal Poverty income guidelines produced by the United States Department of Health and Human Services.

(2) In order to receive credit under this rule, the licensee must receive prior approval from the Board by submitting a formal request for approval on form DH-MQA 1243 "Request for Pro Bono Services (rev. 10/10), which must include the following information:

- (a) through (d) No change.
- (3) through (4) No change.

Rulemaking Specific Authority 456.013, 480.0415 FS. Law Implemented 456.013, 480.0415 FS. History—New 5-5-04, Amended 12-6-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy  
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-29.001  
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate in the definition of "direct supervision" the generally accepted standard of the boards regulating health care professionals.

SUMMARY: This rule amendment is to incorporate in the definition of "direct supervision" the generally accepted standard of the boards regulating health care professionals.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 480.035(7), 480.041(4)(b) FS.

LAW IMPLEMENTED: 480.041(4)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

- 64B7-29.001 Definitions.
- (1) through (3) No change.

(4) "Direct supervision" means the presence on the premises of the qualified massage establishment of the sponsoring massage therapist while an apprentice is participating in the apprentice program control, direction, instruction and regulation of an apprentice at a "qualified massage establishment" during the working hours of the establishment.

(5) No change.

Rulemaking Specific Authority 480.035(7), 480.041(4)(b) FS. Law Implemented 480.041(4)(b) FS. History--New 11-27-79, Amended 12-18-84, Formerly 21L-29.01, Amended 4-7-86, 12-22-92, Formerly 21L-29.001, 61G11-29.001, Amended 10-27-99.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy  
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-32.001  
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate the forms developed for the pro bono method of achieving the required biennial continuing education.

SUMMARY: This rule amendment will incorporate the forms developed for the pro bono method of achieving the required biennial continuing education.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.013, 480.0415 FS.

LAW IMPLEMENTED: 456.013, 480.0415 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-32.001 Definitions.

For the purposes of this rule chapter a “classroom hour” shall be defined as no less than 50 minutes of any one clock hour during which the student participates in a learning activity of the school. For the coursework required in paragraph 64B7-32.003(1)(b), F.A.C., the participation must be in the physical presence of a member of the faculty of the school.

Specific Authority 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS. History—New 3-25-86, Formerly 21L-32.001, 61G11-32.001, Amended.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-32.002  
 RULE TITLE: Documentation of Graduation from a Board Approved Massage School

PURPOSE AND EFFECT: The Board proposes this rule amendment to simplify and reduce the documentation necessary from Board approved massage programs regarding the documentation for the programs’ graduates.

SUMMARY: This rule amendment will simplify and reduce the documentation necessary from Board approved massage programs regarding the documentation for the programs’ graduates.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact

on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-32.002 Documentation of Graduation from a Board Approved Massage School.

~~In order to be acknowledged as a graduate of a Board approved massage school as referred to in subsection 480.033(9), F.S., the Board’s administrative office must receive a list of graduates sent electronically in a method designed by the Board office or an official transcript which indicates that an applicant has met all educational and institutional requirements indicating the start date and the date of graduation on an official transcript documenting the applicant’s training. Such transcript must document to the satisfaction of the Board that the applicant has successfully completed a course of study in massage which met the minimum standards for training and curriculum as delineated in this rule chapter. A transcript indicating passing grades in all courses, and including dates of attendance, and stating the date of successful completion of the entire course of study, is evidence of successful completion. If the transcript does not specifically state that the student successfully completed the entire course of study, the transcript must be accompanied by a diploma or certificate of completion indicating the dates of attendance and completion.~~

Rulemaking Specific Authority 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS. History—New 3-25-86, Formerly 21L-32.002, Amended 2-13-95, 2-21-96, 61G11-32.002, Amended.

NAME OF PERSON ORIGINATING RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2011

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-9.017  
 RULE TITLE: Optional Informed Consent for Cataract Surgery

PURPOSE AND EFFECT: The proposed rule sets forth an optional informed consent form which physicians may use as their consent form for cataract surgery.

SUMMARY: The proposed rule sets forth an optional informed consent form which physicians may use as their consent form for cataract surgery and other requirements for the use of said form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 458.351 FS.

LAW IMPLEMENTED: 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.017 Optional Informed Consent for Cataract Surgery.

Pursuant to Section 458.351, Florida Statutes, for those physicians who choose to use it, the Board has approved form DOH-MQA 1255 (10/11), entitled "Florida Board of Medicine and Florida Board of Osteopathic Medicine Approved Informed Consent Form for Cataract Operation With or

Without Implantation of Intraocular Lens's website at http://www.doh.state.fl.us/mqa/medical/. The Board-approved informed consent form is not executed until:

(1) The physician performing the surgery has explained the information in the consent form to the patient. Such physician is prohibited from delegating this responsibility to another person. The physician performing the surgery is also required to sign the informed consent form;

(2) The patient or the person authorized by the patient to give consent is required to sign the informed consent form; and

(3) A competent witness is also required to sign the informed consent form.

Rulemaking Authority 458.351 FS. Law Implemented 458.351 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine and Osteopathic Medicine Ophthalmology Informed Consent Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-14.012  
 RULE TITLE: Optional Informed Consent for Cataract Surgery

PURPOSE AND EFFECT: The proposed rule sets forth an optional informed consent form which physicians may use as their consent form for cataract surgery.

SUMMARY: The proposed rule sets forth an optional informed consent form which physicians may use as their consent form for cataract surgery and other requirements for the use of said form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of



estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 459.026 FS.

LAW IMPLEMENTED: 459.026 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.012 Optional Informed Consent for Cataract Surgery.

Pursuant to Section 459.026, Florida Statutes, for those physicians who choose to use it, the Board has approved form DOH-MQA 1255 (10/11), entitled "Florida Board of Medicine and Florida Board of Osteopathic Medicine Approved Informed Consent Form for Cataract Operation With or Without Implantation of Intraocular Lens's website at <http://www.doh.state.fl.us/mqa/osteopath/index.html>. The Board-approved informed consent form is not executed until:

(1) The physician performing the surgery has explained the information in the consent form to the patient. Such physician is prohibited from delegating this responsibility to another person. The physician performing the surgery is also required to sign the informed consent form;

(2) The patient or the person authorized by the patient to give consent is required to sign the informed consent form; and

(3) A competent witness is also required to sign the informed consent form.

Rulemaking Authority 459.026 FS. Law Implemented 459.026 FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Medicine and Osteopathic Medicine Ophthalmology Informed Consent Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Worker's Compensation

RULE NO.: RULE TITLE:

69L-5.201 Definitions

PURPOSE AND EFFECT: The original intent of the definition in Rule 69L-5.201, F.A.C., was to avoid the complexities of an affiliated self-insurer structure where a parent company was able to, but did not wish to, hold the self-insurance authorization. If the parent company instead wanted to execute a parental guaranty under Rule 69L-5.215, F.A.C., it would be precluded from doing so under the current language of subsection 69L-5.201(2), F.A.C. The added language will allow an affiliated self-insurer structure backed by the financial strength of a parent company (that may or may not operate in Florida) for purposes of providing a parental guaranty for affiliated self-insurers under Rule 69L-5.215, F.A.C., where the parent company elects not to hold the self-insurance authorization itself.

SUMMARY: The proposed change amends the definition of "affiliated self-insurer" to provide consistency with the parental guaranty rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There is neither a cost nor an exemption from cost associated with this rule. The clarification of language and amended definition should reduce the regulatory burden on the private sector by providing an additional option to becoming recognized as an affiliated self-insurer.

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: 440.38(1), (2), (3), 440.385(6), 440.591 FS.

LAW IMPLEMENTED: 440.38(1), (2), (3), 440.385(1), (3), (6) FS.

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

DATE AND TIME: Wednesday, January 25, 2012, 9:30 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Macon, Bureau Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1708 or Pamela.Macon@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-5.201 Definitions.

When used in these rules, the following words or terms shall mean:

(1) No change.

(2) "Affiliated Self-Insurer" – Two or more entities affiliated by common majority ownership, as discussed in Rule 3, R13, D., of the NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance, which either do not have a parent company to hold the self-insurance authorization or provide a parental guaranty in accordance with Rule 69L-5.215, F.A.C. and which are approved by the Department to fund their workers' compensation liabilities as prescribed in Section 440.38(1)(b), F.S. The NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability, 2003 Edition including updates through October 2008, is hereby incorporated by reference. A copy of the Manual may be obtained from the National Council on Compensation Insurance, Inc., Customer Service Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487, telephone 1(800)622-4123. A copy of the manual is also available for viewing at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

(3) through (28) No change.

Rulemaking Authority 440.38(1), (2), (3), 440.385(6), 440.591 FS. Law Implemented 440.38(1), (2), (3), 440.385(1), (3), (6) FS. History--New 3-9-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Macon, Bureau Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

### Section III Notices of Changes, Corrections and Withdrawals

#### WATER MANAGEMENT DISTRICTS

##### St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-2.101	Publications Incorporated by Reference
40C-2.331	Modification of Permits
40C-2.900	Forms and Instructions

#### 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. 37, No. 33, August 19, 2011 issue of the Florida Administrative Weekly.

##### 40C-2.101 Publications Incorporated by Reference

(1) The Governing Board hereby adopts by reference Parts I, II and III, the "Water Conservation Public Supply" requirements in Appendix I, and "Legal Description of the Central Florida Coordination Area of the St. Johns River Water Management District" in Appendix L of the document entitled "Applicant's Handbook, Consumptive Uses of Water", ~~December 1, 2011~~. The purpose of the document is to provide information regarding the policy, procedure, criteria, and conditions that pertain to the District's administration of the consumptive use permitting program.

(2) Copies of this document are available without charge from the following District offices:

District Headquarters  
St. Johns River Water Management District  
4049 Reid Street  
Palatka, Florida 32177-2529  
(386)329-4500

St. Johns River Water Management District  
7775 Baymeadows Way, Suite 102  
Jacksonville, Florida 32256  
(904)730-6270

St. Johns River Water Management District  
601 South Lake Destiny Rd, Ste. 200 975 Keller Road  
Maitland Altamonte Springs, Florida 3275144-1618  
(407)659-4800

St. Johns River Water Management District  
525 Community College Pkwy., S.E.  
Palm Bay, Florida 32909  
(321)984-4940

40C-2.331 Modification of Permits.

(1) A request for modification of a valid permit issued pursuant to chapters 40C-2 or 40C-20, F.A.C., shall be made as set forth in this section:

(a) By application on District Form Number 40C-2-1082-1 or 40C-2-1082-2, as applicable; or

(b) By letter that describes the proposed modification, provided that the modification is not excluded under paragraph (1)(c) below. The letter must include the full permit number for the requested permit modification and must describe the proposed modification.

(c) The following requests for modification are specifically excluded from the letter modification process and must be requested by application under paragraph (1)(a) above:

1. Requests to increase the duration of the consumptive use authorization;

2. Requests to increase the consumptive use allocation(s), except for:

(i) Increases in use of reclaimed water or water from a man-made surface water management system that do not increase the allocation by 100,000 or more gallons per day on an annual average basis, or

(ii) The addition of landscape irrigation of less than one acre;

3. Requests to change the permitted use type;

4. Requests to change the permitted use within a use type that has been allocated in the permit, unless it does not increase the consumptive use allocation(s);

5. Requests to add withdrawal points, unless the addition is for a well only for backup-allocation purposes to increase the permittee's ability to meet peak demands;

6. Requests to change the source(s) of withdrawal(s), unless the change is to use a source of reclaimed water or water from a man-made surface water management system; or

7. Requests to change the location(s) of withdrawal point(s), unless the change:

(i) Is for the relocation of withdrawal point(s) to a source of reclaimed water or water from a man-made surface water management system, or

(ii) Is for the relocation of a proposed well or replacement of an existing well with a well producing from the same hydrostratigraphic unit as the proposed well or existing well so long as the relocated or replacement well is within 1000 feet of the proposed or existing well it is intended to replace, and the total withdrawal capacity of the relocated or replacement well is less than or equal to the withdrawal capacity of the proposed or existing well that was authorized under the current consumptive use permit.

~~(2) When a request for modification by letter is excluded from the letter modification process under paragraph (1)(c) above, then the request shall be processed under paragraph (1)(a) above.~~

~~(2)(3) A request for modification under paragraph (1)(a) must meet the conditions for issuance in Rule 40C-2.301, F.A.C. A request for modification by letter in accordance with paragraph (1)(b) above need only provide information and meet the conditions for issuance in Rule 40C-2.301, F.A.C., that relate to the modification request, in accordance with subsection 373.239(2), F.S. A permit which has expired or which has been revoked shall not be subject to modification. A denial of a request for modification under paragraphs (1)(a) or (1)(b) above shall be processed as provided in sections 3.3.3.1(b) and 3.3.3.2 of the Applicant's Handbook, Consumptive Uses of Water (effective date), which are hereby incorporated by reference.~~

~~(4)(3) No change.~~

40C-2.900 Forms and Instructions

(1) Individual and Standard General Consumptive Use Permit Application, Form Number 40C-2-1082-1, effective ~~December 1, 2011~~, is hereby incorporated by reference. This form is referenced in paragraphs 40C-2.042(2)(c) and 40C-2.331(1)(a), F.A.C., and in sections 3.3.3(b), 4.2, 5.5.1(c), and 6.5.5 of the "Applicant's Handbook, Consumptive Uses of Water" (effective date), which is incorporated by reference in subsection 40C-2.101(1), F.A.C.

(2) Standard General Consumptive Use Permit for Landscape Irrigation, Form Number 40C-2-1082-2, effective 3-8-09, is hereby incorporated by reference. This form is referenced in paragraphs 40C-2.042(2)(c) and 40C-2.331(1)(a), F.A.C., and in sections 3.3.3(b), 4.2, and 5.5.1(c) of the "Applicant's Handbook, Consumptive Uses of Water" (effective date), which is incorporated by reference in subsection 40C-2.101(1), F.A.C.

(3) No change.

(4) Water Use Record (EN-50), Form Number 40C-2.900(4), effective ~~December 1, 2011~~, is hereby incorporated by reference. This form is referenced in section 6.7.1.8.1 of the "Applicant's Handbook, Consumptive Uses of Water" (effective date), which is incorporated by reference in subsection 40C-2.101(1), F.A.C.

(5) Water Use Reporting Verification (EN-51), Form Number 40C-2.900(5), effective ~~December 1, 2011~~, is hereby incorporated by reference. This form is referenced in section 6.7.1.8.1 of the "Applicant's Handbook, Consumptive Uses of Water" (effective date), which is incorporated by reference in subsection 40C-2.101(1), F.A.C.

(6) Annual Statement of Continuing Use, Form Number 40C-2.900(6), effective ~~December 1, 2011~~, is hereby incorporated by reference. This form is referenced in

section 6.7.1.8.1 of the “Applicant’s Handbook, Consumptive Uses of Water” (*effective date*), which is incorporated by reference in subsection 40C-2.101(1), F.A.C.

(7) No change.

APPLICANT’S HANDBOOK SECTION:

2.0 Definitions

(a) through (i) No change.

~~(j) Domestic use — the use of water for the individual personal household purposes of drinking, bathing, cooking, or sanitation. All other uses shall not be considered domestic (subsection 373.019(6), F.S.).~~

(k) through (uu) renumbered (j) through (tt) No change.

3.3.3 Modification of Permits

(a) A request for modification of a valid permit may be made by submitting a letter or an application form, as set forth in subsection 3.3.3. Many permit modifications may be requested by submittal of a letter; however, the following permit modifications are specifically excluded from the letter modification process:

1. Requests to increase the duration of the consumptive use authorization;

2. Requests to increase the consumptive use allocation(s), except for:

(i) Increases in use of reclaimed water or water from a man-made surface water management system that do not increase the allocation by 100,000 or more gallons per day on an annual average basis, or

(ii) The addition of landscape irrigation of less than one acre;

3. Requests to change the permitted use type;

4. Requests to change the permitted use within a use type that has been allocated in the permit (e.g., change from potato irrigation to cabbage irrigation), unless it does not increase the consumptive use allocation(s);

5. Requests to add withdrawal points, unless the addition is for a well only for backup-allocation purposes to increase the permittee’s ability to meet peak demands;

6. Requests to change the source(s) of withdrawal(s), unless the change is to use a source of reclaimed water or water from a man-made surface water management system; or

7. Requests to change the location(s) of withdrawal point(s), unless the change:

(i) Is for the relocation of withdrawal point(s) to a source of reclaimed water or water from a man-made surface water management system, or

(ii) Is for the relocation of a proposed well or replacement of an existing well with a well producing from the same hydrostratigraphic unit as the proposed well or existing well so long as the relocated or replacement well is within 1000 feet of the proposed or existing well it is intended to replace, and the total withdrawal capacity of the relocated or replacement well

is less than or equal to the withdrawal capacity of the proposed or existing well that was authorized under the current consumptive use permit.

(b) When a request for modification submitted by letter is excluded from the letter modification process under paragraph 3.3.3(a) above, then the request shall be processed by the applicant submitting an application using Form Number 40C-2-1082-1 or 40C-2-1082-2, as applicable.

3.3.3.1 Letter Modification

(a) A request for modification submitted by letter must reference the full permit number and must describe the proposed modification.

(b) Within 30 days after a request for modification submitted by letter is complete, the District staff shall issue the new modification if District staff find that the request meets the applicable criteria in Rule 40C-24.301, F.A.C. If District staff find that these criteria are not met, the permit holder shall be notified within 30 days after completeness that the request shall be processed as an individual permit application recommended for denial; however, no additional fee shall be required.

(c) Modification by letter in accordance with subsection 3.3.3(a) above must be approved and acknowledged in writing through correspondence to the applicant by a District staff member designated by the District Executive Director.

11.0 Evaluation Criteria for Other Types of Applications

11.1 Modification to an Existing Permit

Each application for modification to an existing permit will be evaluated using the criteria listed in Section 9.0 above (see also 40C-2.301(2)). The proposed modification must be for a reasonable-beneficial use, it must not interfere with presently existing legal uses, and it must be in the public interest. Likewise, it must not result in any of the conditions which are listed as reasons for recommendation of denial (see Section 9.4 above as well as 40C-2.301(5)(a)3-).

12.4 Mining/Dewatering Use-Type Uses

The reasonable need for a requested allocation must be based on the amount of water needed to economically and effectively extract subsurface materials or control surface or ground water when performing activities such as excavation or construction. For example, in some cases, dewatering may involve lowering the water table several feet in order to lower the level below “Caprock” which is used as an operating floor and drying surface. In other cases, it may involve completely dewatering a pit in order to remove minable rock and sand using pans and scrapers. The reasonable allocation may vary for a particular dewatering operation depending upon the excavation method. Staff may recommend the greater reasonable allocation if all other criteria are satisfied. However, if the greater reasonable allocation will generate adverse impacts, staff will recommend the excavation method with a lower reasonable allocation which satisfies all criteria. For example, a rockpit may be excavated using either draglines or

~~serapers. Drag lining may require dewatering only several feet in order to expose "Caprock" as an operating surface. The use of serapers requires totally dewatering the pit in order to use the floor of the pit as an operating surface. Thus, if staff cannot recommend total dewatering of a mining pit because of adverse impacts, then staff shall may recommend an the second alternative, such as drag-lining; (which has a smaller water use and a with its smaller discharge), if that extraction method # satisfies all other criteria listed in Section 8.0 or 9.0.~~

If all criteria listed in Section 8.0 or 9.0 are satisfied, the allocation is equal to the reasonable need for water. The reasonable need for water is the greatest volume which staff can recommend.

12.5.1 Supplemental Irrigation Requirement

The reasonable need for an agricultural use is based on the amount of water needed to supply the supplemental irrigation requirements of the type of crop grown. ~~The S~~supplemental irrigation requirements are determined through use of ~~supplemental irrigation models~~ the modified Blaney-Criddle formula for evapotranspiration. The formula is explained in detail in Appendix H. Supplemental irrigation models must accurately determine supplemental irrigation water use needs and be The model is based on the type of crop grown, the irrigation method employed, the season in which the water is used to grow the crop is grown, general crop location, including soil type, and associated atmospheric conditions. In determining reasonable need, the supplemental irrigation requirements used are those which would be needed in a two in ten year drought. Where supplemental irrigation data are not available from the modified Blaney-Criddle method, an average annual industry water figure is used.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:                   RULE TITLE:  
59A-6.034                   Administrative Enforcement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule, as advertised on November 23, 2011, did not fully address information that should have been included under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification: Review and analysis of statutory sections cited for this rule determined that the rule being repealed is not consistent with statutory language cited as law implemented by this rule and included a repetition of statutory language. Based on that analysis, the Agency has determined that no legislative ratification pursuant to subsection 120.541(3), F.S. is required for repeal of this rule.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NOS.:                   RULE TITLES:  
59A-7.038                   Administrative Hearings  
59A-7.039                   Administrative Enforcement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37 No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule, as advertised on November 23, 2011, did not fully address information that should have been included under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification: Review and analysis of statutory sections cited for these rules determined that the rules being repealed are not consistent with statutory language cited as law implemented by this rule and included repetition of statutory language. Based on that analysis, the Agency has determined that no legislative ratification pursuant to subsection 120.541(3), F.S. is required for repeal of these rules.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:                   RULE TITLE:  
59A-35.100                   Minimum License Requirements

NOTICE OF CORRECTION

The Notice of Proposed Rule, as advertised on November 23, 2011, did not fully address information that should have been included under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification: The Agency has determined that this rule revision 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. Based on that determination, the Agency found that a SERC is not required and a SERC has not been prepared by the agency. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. Review and analysis of statutory sections cited for this rule determined that the rule text being deleted was not consistent with statutory language cited as law implemented by this rule. Based on that analysis, the Agency has determined that no legislative ratification pursuant to subsection 120.541(3), F.S. is required.

The person to be contacted regarding the proposed rule and a copy of the preliminary draft, as advertised on November 23, 2011, was incomplete and should have included: Bill McCort, Health Facility Regulation, 2727 Mahan Drive, Mail Stop 28A, Building 1, Tallahassee, Florida 32308 or call (850)412-4341.

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

RULE NO.: 60FF1-5.002  
 RULE TITLE: Rural County Grants  
 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. 37, No. 40, October 7, 2011 issue of the Florida Administrative Weekly.

The change is in response to concerns by the Joint Administrative Procedures Committee in letters dated October 7, 2011 and October 12, 2011. The changes are as follows:

The STATEMENT OF ESTIMATED REGULATORY COST shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

The rule shall read as:

60FF1-5.002 Rural County Grants.

The E911 Rural County Grant program is a semi-annual grant program provided for the purpose of assisting rural counties, as defined by Section 365.172(3)(y), F.S., with the installation and maintenance of an Enhanced 911 (E911) system.

(1) Eligibility. Any Board of County Commissioners in the State of Florida, with a county population of fewer than 75,000 is eligible to apply.

(2) Definitions.

(a) "Enhanced 911" (E911): As defined by Section 365.172(3)(i), Florida Statutes, and as referenced in the State E911 Plan under Section 365.171, Florida Statutes.

(b) "E911 Maintenance": Means the preventative, routine and emergency maintenance required by the State E911 Plan, in order to maintain the E911 System in operable working condition.

(c) "E911 System": Means the Public Safety Answering Point equipment, in accordance with the State E911 Plan, including 911 call routing, processing, mapping and call answering communications equipment.

(d) "Government Accounting Standards Board" (GASB): Means the independent organization that establishes and improves standards of accounting and financial reporting for U.S. state and local governments.

(e) "Next Generation 911" (NG-911): Means the designation for an advanced 911 emergency communications system or service that provides a communications service subscriber with 911 service and, in addition, directs 911 emergency requests for assistance to appropriate public safety answering points based on the geographical location from which the request originated, or as otherwise provided in the State E911 Plan under Section 365.171, F.S., and that provides for automatic number identification and automatic location identification features and emergency data information through managed IP-based networks.

(f) "Public Safety Answering Point" (PSAP): As defined by Section 365.172(3)(a), Florida Statutes, and as referenced in the State E911 Plan under Section 365.171, Florida Statutes.

~~(3)(2)~~ General conditions.

(a) Each rural county applying for rural county grant funds shall complete and submit W Form 1A, "Application for the E911 Rural County Grant Program," effective ~~7/7/2011~~ ~~4/1/2011~~, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address: <https://www.flrules.org/Gateway/reference.asp?No=Ref-00410> or

State of Florida E911 Board  
 ATTN: Administrative Assistant  
 4050 Esplanade Way  
 Building 4030 – Suite 160  
 Tallahassee, Florida 32399-0950

The applicant must provide one original of the pages for Application Form items 1 through 14 and the associated quotes. ~~For~~ The grant application package must be postmarked or delivered on or before April 1 or October 1 of each year, dependent on the spring or fall application period.

(b) through (c) No change.

(d) Grant applications totaling \$35,000.00 or more must be accompanied by at least three written substantiated competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain at least three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses.

(e) Sole source funding will be considered on a case-by-case basis. Justification for sole source funding shall be provided with the application. Sole source funding will be approved if provided in accordance with Chapter 287, F.S., or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which shall ~~should~~ be provided with this grant application.

(f) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph ~~(3)(2)~~(a) above.

(g) through (i) No change.

(j) Grant funding shall be limited to eligible equipment maintenance and warranty costs for a primary PSAP and one other PSAP per county; either a primary, a secondary or a backup.

~~(k)(j)~~ No change.

(l) Grant funding for customer premise equipment shall be limited to eligible expenditures for a primary PSAP only.

(m) Any county that requires Board of County Commissioner approval of the grant program funding, prior to commencement of the project, shall notify the E911 Board in Application Form item #10. Grant funds for approved grant applications will be held until the county provides written notification to the E911 Board of the Board of County Commissioners approval of the project prior to the funds being disbursed from the E911 Trust Fund.

(n) Grant funds shall be deposited in an interest bearing account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 Rural County Grant funds in the account shall be accounted for separately from other grantee funds. Accounting shall be consistent with GASB 31 financial reporting. Utilization of the earned interest funds shall be authorized through an approved Request for Change Form and expenditure documentation shall be included in the final report. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board. Extension of time will not be granted unless the county has executed a contract for the grant equipment and/or services, or demonstrates good cause for failure to execute a contract within twelve months of award. Grant extensions shall be limited to a maximum of one additional year when approved by the Board.

~~(o)(k)~~ Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends March 31, June 30, September 30, and December 31. Updated Grant Budget/Expenditure, Quarter Report Forms, Request for Change Forms, and Final Report Forms and associated information In lieu of submitting a signed quarterly Grant Budget/Expenditure and Quarterly Report Form, the updated form should can be e-mailed to E911 Board-ElectronicGrantReports@dms.myflorida.com the Board's administrative/technical staff. The quarterly and final

reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

~~(p)(l)~~ At project completion, a final report shall be submitted based on the same reporting periods described in ~~(3)(o) above~~. The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(m) through (q) renumbered (q) through (u) No change.

~~(4)(3)~~ No change.

Rulemaking Authority 365.172(6)(a)11. FS. Law implemented 365.173(2)(g), 365.172(9)(a), (b), (c) FS. History–New 12-7-08, Amended 10-19-09, 4-15-10, 10-27-10, Formerly 60FF-5.002, Amended 7-17-11, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ryan Butler, Special Support Manager, 4030 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:	RULE TITLE:
61G15-23.003	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated November 2, 2011. The correction is as follows:

The SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST shall read as: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-5267

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-302.200	Definitions
62-302.531	Numeric Interpretations of Narrative Nutrient Criteria
62-302.532	Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion
62-302.800	Site Specific Alternative Criteria

**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 the November 10, 2011 issue of the Florida Administrative Weekly, Vol. 37, No. 45, pages 3753-3764. The changes are made in response to written and oral comments from the Joint Administrative Procedures Committee and the public, non-substantive corrections of technical errors, or as the result of staff recommendations that were discussed at an adoption hearing held on December 8, 2011. The proposed rule has changed so that when it is adopted it will read:

62-302.200 Definitions.

As used in this chapter:

(1) through (16) No change.

(17) "Lake Vegetation Index (LVI)" shall mean a Biological Health Assessment that measures lake biological health in predominantly freshwaters using aquatic and wetland plants, performed and calculated using the Standard Operating Procedures for the LVI (DEP-SOP-003/11 LVI 1000) and the methodology in *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer* (DEP-SAS-002/11), both dated 10-24-11, which are incorporated by reference herein. Copies of the documents may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(18) No change.

(19) "Natural background" shall mean the condition of waters in the absence of man-induced alterations based on the best scientific information available to the Department. The establishment of natural background for an altered waterbody may be based upon a similar unaltered waterbody, ~~or on~~ historical pre-alteration data, paleolimnological examination of sediment cores, or examination of geology and soils. When determining natural background conditions for a lake, the lake's location and regional characteristics as described and

depicted in the U.S. Environmental Protection Agency document titled *Lake Regions of Florida* (EPA/R-97/127, dated 1997, U.S. Environmental Protection Agency, National Health and Environmental Effects Research Laboratory, Corvallis, OR), which is incorporated by reference herein, shall also be considered. The lake regions in this document are grouped according to ambient total phosphorus and total nitrogen concentrations in the following lake zones:

(a) The TP1 phosphorus zone consists of the USEPA Lake Regions 65-03, and 65-05.

(b) The TP2 phosphorus zone consists of the USEPA Lake Regions 75-04, 75-09, 75-14, 75-15 and 75-33.

(c) The TP3 phosphorus zone consists of the USEPA Lake Regions 65-01, 65-02, 75-01, 75-03, 75-05, 75-11, 75-12, 75-16, 75-19, 75-20, 75-23, 75-24, 75-27, 75-32 and 76-03.

(d) The TP4 phosphorus zone consists of the USEPA Lake Regions 65-04, 75-02, 75-06, 75-08, 75-10, 75-13, 75-17, 75-21, 75-22, 75-26, 75-29, 75-31, 75-34, 76-01 and 76-02.

(e) The TP5 phosphorus zone consists of the USEPA Lake Regions 75-18, 75-25, 75-35, 75-36 and 76-04.

(f) The TP6 phosphorus zone consists of the USEPA Lake Regions 65-06, 75-07, 75-28, 75-30 and 75-37.

(g) The TN1 phosphorus zone consists of the USEPA Lake Region 65-03.

(h) The TN2 phosphorus zone consists of the USEPA Lake Regions 65-05 and 75-04.

(i) The TN3 phosphorus zone consists of the USEPA Lake Regions 65-01, 65-02, 65-04, 75-01, 75-02, 75-03, 75-09, 75-11, 75-15, 75-20, 75-23, 75-33 and 76-03.

(j) The TN4 phosphorus zone consists of the USEPA Lake Regions 65-06, 75-05, 75-06, 75-10, 75-12, 75-13, 75-14, 75-16, 75-17, 75-18, 75-19, 75-21, 75-22, 75-24, 75-26, 75-27 and 75-29, 75-31, 75-32, 75-34 and 76-02.

(k) The TN5 phosphorus zone consists of the USEPA Lake Regions 75-07, 75-08, 75-25, 75-28, 75-30, 75-35, 75-36, 75-37, 76-01 and 76-04.

The Lake Regions document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(20) through (24) No change.

(25) "Nutrient Watershed Region" shall mean a drainage area over which the nutrient thresholds in paragraph 62-302.531(2)(c), F.A.C., apply.

(a) through (f) No change.

A map of the Nutrient Watershed Regions, dated October 17, 2011, is incorporated by reference herein and may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by



writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(26) through (35) No change.

(36) "Stream" shall mean, for purposes of interpreting the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., under paragraph 62-302.531(2)(c), F.A.C., a predominantly fresh surface waterbody with perennial flow in a defined channel with banks during typical climatic and hydrologic conditions for its region within the state. During periods of drought, portions of a stream channel may exhibit a dry bed, but wetted pools are typically still present during these conditions. Streams do not include:

(a) Non-perennial water segments where fluctuating hydrologic conditions, including periods of desiccation, typically result in the dominance of wetland and/or terrestrial taxa (and corresponding reduction in obligate fluvial or lotic taxa), wetlands, or portions of streams that exhibit lake characteristics (e.g., long water residence time, increased width, or predominance of biological taxa typically found in non-flowing conditions), or tidally influenced segments that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions;  
or

(b) Ditches, canals and other conveyances, or segments of conveyances, that are man-made, or predominantly channelized or predominantly physically altered; and

1. Are primarily used for water management purposes, such as flood protection, stormwater management, irrigation, or water supply; and

2. Have marginal or poor stream habitat or habitat components, such as a lack of habitat or substrate that is biologically limited, because the conveyance has cross sections that are predominantly trapezoidal, has armored banks, or is maintained primarily for water conveyance.

(37) "Stream Condition Index (SCI)" shall mean a Biological Health Assessment that measures stream biological health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures for the SCI in the document titled *SCI 1000: Stream Condition Index Methods* (DEP-SOP-003/11 SCI 1000) and the methodology in *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), both dated 10-24-11, which are incorporated by reference herein. Copies of the documents may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. For water quality standards purposes, the Stream Condition Index shall not apply in the South Florida Nutrient Watershed Region.

(38) through (44) No change.

62-302.531 Numeric Interpretations of Narrative Nutrient Criteria.

(1) No change.

(2) The narrative water quality criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C., shall be numerically interpreted for both nutrients and nutrient response variables in a hierarchical manner as follows:

(a) Where a site specific numeric interpretation of the criterion in paragraph 62-302.530(47)(b), F.A.C., has been established by the Department, this numeric interpretation shall be the primary interpretation. If there are multiple interpretations of the narrative criterion for a waterbody, the most recent interpretation established by the Department shall apply. A list of the site specific numeric interpretations of paragraph 62-302.530(47)(b), F.A.C., may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

1. The primary site specific interpretations are as follows:

a. through c. No change.

d. Other site specific interpretations for one or more nutrients or nutrient response variables that are formally established by rule or final order by the Department, such as a Reasonable Assurance Demonstration pursuant to Rule 62-303.600, F.A.C., or Level II Water Quality Based Effluent Limitations (WQBEL) established pursuant to Rule 62-650.500, F.A.C. To be recognized as the applicable site specific numeric interpretation of the narrative nutrient criterion, the interpretation must establish the total allowable load or ambient concentration for at least one nutrient that results in attainment of the applicable nutrient response variable that represents achievement of the narrative nutrient criterion for the waterbody. A site specific interpretation is also allowable where there are documented adverse biological effects using one or more Biological Health Assessments, if information on chlorophyll *a* levels, algal mats or blooms, nuisance macrophyte growth, and changes in algal species composition indicate there are no imbalances in flora and a stressor identification study demonstrates that the adverse biological effects are not due to nutrients.

2. No change.

(b) through (c) No change.

(3) Except for data used to establish historical chlorophyll *a* levels, chlorophyll *a* data assessed under this Chapter shall be measured according to the DEP document titled "Applicability of Chlorophyll *a* Methods" (DEP-SAS-002/10), dated October 24, 2011, which is incorporated by reference herein. Copies of the chlorophyll *a* document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by

writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Chlorophyll *a* data collected after [effective date] shall be corrected for or free from the interference of phaeophytin.

(4) through (8) No change.

(9) The Commission adopts rules 62-302.200(4), 200(16)-(17), 200(22)-(25), 200(35)-(37), 200(39), 62-302.531, and 62-302.532(3), F.A.C., to ensure, as a matter of policy, that nutrient pollution is addressed in Florida in an integrated, comprehensive and consistent manner. Accordingly, these rules shall be effective only if EPA approves these rules in their entirety, concludes rulemaking that removes federal numeric nutrient criteria in response to the approval, and determines, in accordance with 33 U.S.C. § 1313(c)(3), that these rules sufficiently address EPA's January 14, 2009 determination. If any provision of these rules is determined to be invalid by EPA or in any administrative or

judicial proceeding, then the entirety of these rules shall not be implemented. Rule 62-302.531, F.A.C., shall not be implemented until it is approved in its entirety pursuant to 40 C.F.R. § 131.21 and 33 U.S.C. § 1313(e). If any provision of Rule 62-302.531, F.A.C., is later determined invalid, then the entirety of Rule 62-302.531, F.A.C., shall not be implemented.

62-302.532 Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion.

(1) Estuary-specific numeric interpretations of the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., are in the table below. The concentration-based estuary interpretations are open water, area-wide averages. The interpretations expressed as load per million cubic meters of freshwater inflow are the total load of that nutrient to the estuary divided by the total volume of freshwater inflow to that estuary.

Estuary	Total Phosphorus	Total Nitrogen	Chlorophyll <i>a</i>
(a) Clearwater Harbor/St. Joseph Sound	Annual geometric mean values not to be exceeded more than once in a three year period. <u>Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
1. through 3. No change.			
(b) Tampa Bay	Annual totals for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period. <u>Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
1. through 8. No change.			
(c) Sarasota Bay	Annual geometric mean values for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period. <u>Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
1. through 5. No change.			
(d) Charlotte Harbor/Estero Bay	Annual arithmetic mean values for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period. <u>Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u>		
1. through 9. No change.			
(e) through (h) No change.			

(i) Sarasota Bay	<p>For TN, the annual geometric mean target is calculated from monthly arithmetic mean color by region and season. Annual geometric means that shall not be exceeded more than once in a three year period. The Sarasota Bay regions are defined as north (Manatee County) and south (Sarasota County). The wet season for Sarasota Bay is defined as July through October and the dry season is defined as all other months of the year. The seasonal region targets are calculated using monthly color data and shall be calculated as follows:</p> $NW_i = \text{Ln}[(13.35 - (0.32 * CN_i)) / 3.58]$ $ND_i = \text{Ln}[(10.39 - (0.32 * CN_i)) / 3.58]$ $SW_i = \text{Ln}[(8.51 - (0.32 * CS_i)) / 3.58]$ $SD_i = \text{Ln}[(5.55 - (0.32 * CS_i)) / 3.58]$ <p>Where,</p> <p><math>NW_i</math> is the TN target for <math>i^{th}</math> month calculated for the north region during the wet season</p> <p><math>ND_i</math> is the TN target for <math>i^{th}</math> month calculated for the north region during the dry season</p> <p><math>SW_i</math> is the TN target for <math>i^{th}</math> month calculated for the south region during the wet season</p> <p><math>SD_i</math> is the TN target for <math>i^{th}</math> month calculated for the south region during the dry season</p> <p><math>CN_i</math> is the arithmetic mean color during the <math>i^{th}</math> month within the north region</p> <p><math>CS_i</math> is the arithmetic mean color during the <math>i^{th}</math> month within the south region</p> <p>The annual TN target is calculated as the geometric mean of all monthly regional and season targets as follows:</p> $e^{\frac{\sum_{i=1}^{12} (NW_i + ND_i + SW_i + SD_i)}{24}}$ <p><u>Nutrient and nutrient response values do not apply to tidally influenced areas that fluctuate between predominantly marine and predominantly fresh waters during typical climatic and hydrologic conditions.</u></p>
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(j) No change.

(2) Estuarine and marine areas are delineated in the eight maps map of the Florida Marine Nutrient Regions, all dated October 19, 2011, which are incorporated by reference. Copies of these maps that may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(3) The Department shall establish by rule or final order estuary specific numeric interpretations of the narrative nutrient criteria for TN and TP for Perdido Bay, Pensacola Bay (including Escambia Bay), St. Andrews Bay, Choctawhatchee Bay, and Apalachicola Bay by June 30, 2013, subject to the provisions of Chapter 120, F.S. The Department shall establish by rule or final order the estuary specific numeric

interpretation of the narrative nutrient criteria for TN and TP for the remaining estuaries by June 30, 2015, subject to the provisions of Chapter 120, F.S. ~~This subsection 62-302.532(3), F.A.C., shall not be implemented until Rule 62-302.531, F.A.C., is approved in its entirety pursuant to 40 C.F.R. § 131.21 and 33 U.S.C. § 1313(e). If any provision of Rule 62-302.531, F.A.C., is later determined invalid, then this subsection shall not be implemented.~~

62-302.800 Site Specific Alternative Criteria.

(1) through (2) No change.

(3) Type III Site Specific Alternative Criteria (SSAC) for Nutrients: Upon petition by an affected person or upon initiation by the Department, the Department shall establish, by Secretarial Order, site specific numeric nutrient criteria when an affirmative demonstration is made that the proposed criteria achieve the narrative nutrient criteria in paragraph

62-302.530(47)(b), F.A.C., and are protective of downstream waters. Public notice and an opportunity for public hearing shall be provided prior to adopting any order establishing alternative criteria under this subsection.

(a) The Department shall establish a Type III SSAC if all of the following conditions are met:

1. No change.

2. The petitioner provides sufficient data to characterize water quality conditions, including temporal variability, that are representative of the biological data used to support the SSAC. The water quality data shall be collected in the same waterbody segment as the biological monitoring stations and at a frequency and duration consistent with the study design concepts described in the document titled *Development of Type III Site Specific Alternative Criteria (SSAC) for Nutrients (DEP-SAS-004/11)*, dated October 24, 2011, which is incorporated by reference herein. Copies of this document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Water quality data associated with extreme climatic conditions, such as floods, droughts, and hurricanes, shall be excluded from the analysis.

3. No change.

(b) No change.

(4) through (6) No change.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-303.200	Definitions
62-303.330	Biological Assessment
62-303.350	Assessments of Numeric Interpretations of Narrative Nutrient Criteria
62-303.351	Nutrients in Freshwater Streams
62-303.352	Nutrients in Freshwater Lakes
62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.390	The Study List
62-303.430	Biological Impairment

**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 the November 10, 2011 issue of the Florida Administrative Weekly, Vol. 37, No. 45, pages 3764-3775. The changes are made in response to written and oral comments from the Joint Administrative Procedures Committee and the public, non-substantive corrections of technical errors, or as the result of staff recommendations that were discussed at an adoption hearing held on December 8, 2011. The proposed rule has changed so that when it is adopted it will read:

62-303.200 Definitions.

As used in this chapter:

(1) No change.

(2) "BioRecon" shall mean a biological assessment that measures stream health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures (SOP) for the BioRecon in the document titled *BRN1000: Biological Reconnaissance Field Method* (DEP-SOP-003/01 BRN 1000), dated 10-24-11, which is incorporated by reference herein. Copies of the SOP may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(3) "Clean techniques" shall mean those applicable field sampling procedures and analytical methods referenced in "Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, July 1996, USEPA, Office of Water, Engineering and Analysis Division, Washington, D.C.," which is incorporated by reference. Copies of the procedures and methods may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(4) through (8) No change.

(9) "Lake Vegetation Index (LVI)" shall mean a Biological Health Assessment that measures lake biological health in predominantly freshwaters using aquatic and wetland plants, performed and calculated using the Standard Operating Procedures for the LVI in the document titled *LVI 1000: Lake Vegetation Index Methods* (DEP-SOP-003/11 LVI 1000) and the methodology in *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer* (DEP-SAS-002/11), both dated 10-24-11, which are incorporated by reference herein. Copies of the documents may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(10) through (13) No change.

(14) "Nutrient Watershed Region" shall mean a drainage area over which the nutrient thresholds in paragraph 62-302.531(2)(c), F.A.C., apply.

(a) through (f) No change.

A map of the Nutrient Watershed Regions is incorporated by reference herein and may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm>

or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(15) through (28) No change.

(29) "Stream Condition Index (SCI)" shall mean a Biological Health Assessment that measures stream biological health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures for the SCI in the document titled *SCI 1000: Stream Condition Index Methods* (DEP-SOP-003/11 SCI 1000) and the methodology in *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), both dated 10-24-11, which are incorporated by reference herein. Copies of the documents may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. For water quality standards purposes, the Stream Condition Index shall not apply in the South Florida Nutrient Watershed Region.

(30) through (37) No change.

62-303.330 Biological Assessment.

(1) No change.

(2) Biological Health Assessments used to evaluate predominantly fresh water streams and lakes under this rule shall include the Stream Condition Index (SCI), the Lake Vegetation Index (LVI), and the Shannon-Weaver Diversity Index. BioRecons can also be used to evaluate predominantly fresh water streams under this rule. Because these Biological Health Assessment procedures require specific training and expertise, persons conducting a BioRecon, SCI or LVI must comply with the quality assurance requirements of Chapter 62-160, F.A.C. (including adherence to *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), which was incorporated by reference in subsection ~~62-303.200(29)~~ ~~62-303.200(10)~~, F.A.C., and *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer* (DEP-SAS-002/11), which was incorporated by reference in subsection ~~62-303.200(9)~~ ~~62-303.200(30)~~, F.A.C.), attend at least eight hours of Department field training; and pass a Department field audit that verifies the sampler follows the applicable SOPs, as set forth in Chapter 62-160, F.A.C., before their Biological Health Assessment data will be considered valid for use under this rule.

(3) through (5) No change.

62-303.350 Assessments of Numeric Interpretations of Narrative Nutrient Criteria.

(1) No change.

(2) To be used to determine whether a waterbody should be assessed further for nutrient enrichment,

(a) through (b) No change.

(c) To be assessed under this chapter, except for data used to establish historical chlorophyll *a* levels, chlorophyll *a* data shall be determined using Department-approved methods as measured according to the DEP document titled, "Applicability of Chlorophyll *a* Methods" (DEP-SAS-002/10), dated October 24, 2011, incorporated by reference herein. Copies of the chlorophyll *a* document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Chlorophyll *a* data shall be corrected for or free from the interference of pheophytin.

62-303.351 Nutrients in Freshwater Streams.

A stream or stream segment shall be included on the planning list for nutrients if:

(1) No change.

(2) For streams meeting the definition in subsection 62-302.200(36), F.A.C., the nutrient thresholds in subparagraph ~~62-302.531(2)(c)2~~, ~~62-302.531(2)(e)3~~, F.A.C., are exceeded and insufficient Biological Health Assessment data are available to fully assess achievement of the nutrient provisions in subparagraph 62-302.531(2)(c)1, ~~62-302.531(2)(e)2~~, F.A.C.;

(3) through (4) No change.

(5) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP or chlorophyll *a* over the planning period using a Mann's one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724, which are incorporated by reference herein. Copies of these pages may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

62-303.352 Nutrients in Freshwater Lakes.

Lakes or lake segments shall be included on the planning list for nutrients if:

(1) through (2) No change.

(3) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP, or chlorophyll *a* over the planning period using a Mann's one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724, which were incorporated by reference in subsection 62-303.351, F.A.C.

62-303.353 Nutrients in Estuaries and Open Coastal Waters.

Estuaries, estuary segments, or open coastal waters shall be included on the planning list for nutrients if:

- (1) through (3) No change.
- (4) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP, or chlorophyll *a* over the planning period using a Mann's one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724, which were incorporated by reference in subsection 62-303.351(5), F.A.C.

62-303.390 The Study List.

(1) The Study List contains waters where evidence indicates nonattainment of water quality standards, but the Department does not have enough information to determine the causative pollutant(s) and therefore cannot determine the appropriate remedy, and waters where a site specific numeric interpretation has not been established pursuant to paragraph 62-302.531(2)(a), F.A.C., and there is a clear adverse trend in nutrients or nutrient response variables. Causes of nonattainment can include excess pollutant loading or concentrations, habitat or hydrologic alterations, or natural conditions. Waters that do not attain water quality standards due to natural conditions pursuant to paragraph 62-303.420(1)(b), F.A.C., shall not be added to the Study List. To conform to the expectations of Section 303(d) of the Federal Clean Water Act and federal regulations at 40 C.F.R. 130.7(b), waters and associated parameters identified in the Study List will be submitted to EPA as water quality limited segments. However, pursuant to paragraph 403.067(2)(a), F.S., the Study List cannot be used in the administration or implementation of any regulatory program. A TMDL shall not be established for a waterbody placed on the Study List pursuant to subsection 62-303.390(2), F.A.C., until such time as it is placed on the verified list pursuant to Part IV of this Chapter.

(2) A Class I, II, or III water shall be placed on the study list if:

- (a) No change.
- (b) A waterbody segment does not achieve the Biological Health Assessment provisions in Rule 62-303.430, F.A.C., but a cause causative pollutant has not been identified;
- (c) A waterbody segment is verified as not meeting the dissolved oxygen criterion pursuant to Part IV of this Chapter, but a cause causative pollutant has not been identified;
- (d) No change.
- (e) For streams meeting the definition in subsection 62-302.200(36), F.A.C., the nutrient thresholds in subparagraph 62-302.531(c)2, 62-302.531(2)(e)3, F.A.C., are exceeded based on data from the last 7.5 years and insufficient Biological Health Assessment, chlorophyll *a*, or other response variable data are available to fully assess achievement of the

nutrient provisions in paragraph 62-302.531(2)(c), F.A.C. A TMDL shall not be established for the waterbody prior to the collection of additional response variable data and the conclusion of the next assessment cycle.

- (3) through (5) No change.

62-303.430 Biological Impairment.

(1) All Biological Health Assessments used to list a water on the verified list shall be conducted and interpreted in accordance with Chapter 62-160, F.A.C., including Department-approved Standard Operating Procedures and the Department documents, *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), which was incorporated adopted by reference in subsection 62-303.200(29) 62-303.200(10), F.A.C., and *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer* (DEP-SAS-002/11), which was incorporated adopted by reference in subsection 62-303.200(9) 62-303.200(30), F.A.C. To be used for placing waters on the verified list, any Biological Health Assessments conducted before the adoption of applicable SOPs for such Biological Health Assessments as part of Chapter 62-160, F.A.C., shall substantially comply with the subsequent SOPs. Biological Health Assessments conducted during conditions inconsistent with the applicable primer shall be excluded from the assessment.

- (2) through (6) No change.

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.:	RULE TITLE:
64B-4.007	Military Spouse Temporary Professional License Fee

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 50, December 16, 2011 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a)1.2. and 3., F.S.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Lola Pouncey, Bureau Chief, Bureau of Operations, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3260.

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.:	RULE TITLE:
64B-9.003	Military Spouse Temporary License

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 50, December 16, 2011 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a)1., 2. and 3., F.S.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Lola Pouncey, Bureau Chief, Bureau of Operations, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3260.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-11.001                      RULE TITLE: Application for Licensure Examination

**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. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

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

1. Subsection (1) shall now read as follows:

(1) Any person desiring to be licensed as a chiropractor shall apply to the Department of Health on board approved form DH-MQA 1147, (Rev 11/2011), Application for Chiropractic Examination and Initial Licensure, which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, or from its website at [http://www.doh.state.fl.us/mqa/chiro/ap\\_chap.doc](http://www.doh.state.fl.us/mqa/chiro/ap_chap.doc).

2. 456.039, F.S. will be added as Law Implemented.

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-5.002                      RULE TITLE: Supervisor

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-5.0011                      RULE TITLE: Definitions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-9.001                      RULE TITLE: Application Fees

**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. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

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

Subsection (5) shall now read as follows:

(5) Public Health Science Technician – \$25

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-9.002                      RULE TITLE: Initial Licensure Fees

**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. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

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

Subsection (1)(e) shall now read as follows:

(e) Public Health Technician – \$25

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-10.005                      RULE TITLE: Scope of Practice Relative to Specialty of Licensure

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-7.0081  
 RULE TITLE: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders.

**NOTICE OF PUBLIC HEARING**

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a hearing regarding the above rule, as noticed in Vol. 37, No. 41, October 14, 2011 Florida Administrative Weekly.

DATE AND TIME: Thursday, February 9, 2012, 2:00 p.m., or as soon thereafter as can be heard

PLACE: DoubleTree by Hilton, Tampa Airport Westshore, 4500 W. Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed text of Rule 64B4-7.0081, F.A.C.

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 five days before the workshop/meeting by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-12.005  
 RULE TITLE: Competency and Knowledge Requirements Necessary to Qualify the LPN to Administer IV Therapy

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 37 No. 43, October 28, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.: 64B10-16.005  
 RULE TITLE: Domains of Practice, Objectives, Reports

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 11, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

The person to be contacted regarding the above change is: Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-5.005  
 RULE TITLE: Mandatory Courses

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 38, September 23, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE NO.: 64B21-500.002  
 RULE TITLE: Application Form Required for Licensure

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 49, December 9, 2011 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a)1., 2. and 3., F.S.



THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Allen Hall, Executive Director, Office of School Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Naturopathic Examiners**

RULE NOS.:	RULE TITLES:
64B28-3.001	Annual Educational Requirements
64B28-3.002	Exceptions

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 50, December 16, 2011 issue of the Florida Administrative Weekly.

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

The repeal of these rules will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a)1., 2. and 3., F.S.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Joy Tootle, Executive Director, 4052 Bald Cypress Way, Bin #C-03, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE NO.:	RULE TITLE:
64B33-2.003	Requirements for Continuing Education

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 27, 2011 and December 8, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary because the rule changes were necessitated by statutory changes. No further information was reviewed. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE NO.:	RULE TITLE:
64B33-2.005	Requirements for Reactivation of an Inactive License

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 27, 2011 and December 8, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary because the rule changes were necessitated by statutory changes. No further information was reviewed. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.005	Food and Nutrition
65C-22.008	School Age Child Care
65C-22.010	Enforcement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 44, November 5, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

RULE NO.: 65G-4.014  
 RULE TITLE: Eligibility for Agency Services – 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. 37, No. 44, November 4, 2011 issue of the Florida Administrative Weekly.

No changes have been made to Proposed Rules 65G-4.015, 4.016, and 4.017.

65G-4.014 Eligibility for Agency Services – Definitions.

(1) Autism means a condition which meets the requirements of Section 393.063, F.S., that the condition is:

- (a) Pervasive, meaning always present and without interruption;
- (b) Neurologically based, meaning that the condition is not the result of physical impairment;
- (c) A developmental disability with age of onset during infancy or childhood;
- (d) With extended duration, meaning that the condition reasonably can be expected to continue indefinitely into the future;

(e) Causes severe learning disorders resulting in both severe communication disorders affecting both verbal and nonverbal skills, and severe behavior disorders. Autism is characterized by an individual evidencing at least six of the following twelve features from the following subparts 1 and 2, with at least one feature from subpart 2:

- 1. Severe communication disorders, which may include:
  - i. A delay in, or total lack of, the development of spoken language (not accompanied by an attempt to compensate through alternative modes of communication such as gesture or mime);
  - ii. Stereotyped and repetitive use of language or idiosyncratic language;
  - iii. For those applicants with speech, marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
  - iv. Failure to develop peer relationships appropriate to developmental level;

- v. A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people (e.g., by a lack of showing, bringing, pointing out objects of interest, or achievements to others);
- vi. Lack of social or emotional reciprocity;
- vii. Marked impairment in the ability to initiate or sustain a conversation with others in individuals with adequate speech; or
- viii. Impaired imaginative ability evidenced by a lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level.

2. Severe behavior disorders, which are restricted, repetitive and stereotyped patterns of behavior, interests, and activities which may include:

- ix. Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
- x. Apparently inflexible adherence to specific, nonfunctional routines or rituals;
- xi. Stereotyped and repetitive motor mannerisms (e.g., hand or finger flapping or twisting, or complex whole-body movements); or
- xii. Persistent preoccupation with parts of objects.

(2) through (9) No change.

Rulemaking Authority 393.065, 393.501, 393.063 FS. Law Implemented 393.065 FS. History–New \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.: 68B-22.002, 68B-22.005  
 RULE TITLES: Definitions, Bag and Vessel Limits; Sale Prohibited

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. 37, No. 9, March 4, 2011 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68B-22.002 has been changed to include the following new effective date:

68B-22.002 Definitions.  
 (1) through (14) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-12-85, Amended 2-12-87, 1-1-89, 1-1-96, 1-1-98, Formerly 46-22.002, Amended 3-17-04, 7-1-06, ~~2-1-12~~ Amended ~~7-1-11~~.

Proposed amendment to Rule 68B-22.005 has been changed to include the following new subsection and new effective date:

68B-22.005 Bag and Vessel Limits; Sale Prohibited.  
 (1) through (3) No change.

(4) Transport Possession Limit – No person shall possess more than six native red drum while in transit on land.

~~(5)~~(4) Sale of Native Redfish Prohibited – The purchase, sale, or exchange of any native redfish is prohibited. This prohibition, however, does not apply to legally harvested non-native redfish that have entered the State of Florida in interstate commerce. The burden shall be upon any person possessing such redfish for sale or exchange to establish the chain of possession from the initial transaction after harvest, by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such redfish originated from a point outside the waters of the State of Florida, and entered the state in interstate commerce. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute a violation of this rule.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 2-12-87, Amended 1-1-89, 6-3-91, 1-1-96, Formerly 46-22.005, Amended 3-17-04, 2-1-12 Amended 7-1-11.

No other changes were made to the rule amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-37.002	Definitions
68B-37.003	Size Limits
68B-37.004	Regional Bag Limits
68B-37.005	Commercial Seasons; Daily Harvest Limit; Vessel Limit
68B-37.006	Gear Specifications and Prohibited Gear; Bycatch Allowance

**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. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68B-37.002 has been changed to amend the effective date and clarify the border between two regions:

68B-37.002 Definitions.

(1) through (6) No change.

(7) “Southeast Region” means all state waters lying south of the Flagler-Volusia County Line and north of the Miami-Dade-Monroe County Line at Card Sound, and adjacent federal Exclusive Economic Zone (EEZ) waters.

(8) “Southwest Region” means all state waters lying south and west of the Miami-Dade-Monroe County Line at Card Sound and south of the southern boundary of the Northwest

Region on the Gulf of Mexico in Pinellas County, as specified in subsection (6), and adjacent federal Exclusive Economic Zone (EEZ) waters.

(9) through (10) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.002, Amended 7-1-00, 7-1-06, ~~1-1-12~~2-1-12.

Proposed amendment to Rule 68B-37.003 has been changed to amend the effective date:

68B-37.003 Size Limits.

(1) through (3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.003, Amended 7-1-00, ~~1-1-12~~2-1-12.

Proposed amendment to Rule 68B-37.004 has been changed to amend the bag limit and the effective date:

68B-37.004 Regional Bag Limits.

~~(4)~~(4) Regional bag limits – Except as provided in Rule 68B-37.005, F.A.C. no person shall harvest more spotted seatrout per day or possess at any time, within or without state waters or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more spotted seatrout than the specified bag limit established in this subsection within the following identified regions:

~~(1)(a)~~(1) Southeast and Southwest Regions– Four (4) spotted seatrout.

~~(2)(b)~~(2) Northwest ~~and Northeast~~ Regions – Five (5) spotted seatrout.

(3) Northeast Region – Six (6) spotted seatrout.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.004, Amended 7-1-00, ~~1-1-12~~2-1-12.

Proposed amendment to Rule 68B-37.005 has been changed to amend the effective date, change the commercial seasons, and change time for allowable sale:

68B-37.005 Commercial Seasons; Daily Harvest Limit; Vessel Limit.

(1) Commercial Season – The harvest of spotted seatrout for commercial purposes shall be limited each year to the period established in this subsection within the following identified regions:

(a) Southwest Region and Northwest Region ~~and Northeast Region~~ – Beginning June 1 and continuing through October August 31.

(b) Southeast Region – Beginning May 1 and continuing through September 30 31.

~~(c) Northwest Region — Beginning September 1 and continuing through January 31.~~

(c) Northeast Region – Beginning June 1 and continuing through November 30.

Such harvest is limited to persons possessing a valid saltwater products license with a restricted species endorsement.

(2) Commercial Daily Harvest Limit and Vessel Limit – Each person harvesting spotted seatrout for commercial purposes pursuant to subsection (1) of this rule shall be governed by a daily harvest limit of 75 spotted seatrout per day. No such harvester shall possess within or without state waters more than 75 spotted seatrout. The possession of more than 150 spotted seatrout aboard any vessel within or without state waters with two or more commercial licensees aboard is prohibited. The towing of any vessel in order to exceed the commercial daily harvest limit or vessel limit established by this subsection is prohibited.

(3) No change.

(4) Sale of spotted seatrout shall adhere to the following restrictions:

(a) In a closed region, within the first 30 days following a regional closure, inventory of spotted seatrout may be possessed or sold, and all spotted seatrout in inventory must be reported to the Commission on the Closed Season Spotted Seatrout Declaration Form DMF-3700 (02/12), which is hereby incorporated by reference. Copies can be obtained by contacting the Fish and Wildlife Conservation Commission, Saltwater Licenses and Permits, 620 S. Meridian Street, Tallahassee, Florida, 32399-1600 or at <http://www.flrules.org/>. Form DMF-3700 (02/12) must be submitted to the Commission by the seventh day after a regional closure and a copy shall be held at the place of business through the 30 days following a regional closure. After 30 days following a regional closure, no spotted seatrout may be possessed in a closed region, except as provided for in (c). At the initial sale, no wholesale dealer located in a region that is closed to commercial harvest may purchase spotted seatrout.

(b) ~~During the closed season, no person, firm or corporation shall have in their possession, sell or offer for sale, any spotted seatrout or any parts thereof, except for:~~

~~1. Spotted seatrout placed in inventory prior to the close of the fishing season in that region by a wholesale or retail dealer as defined in Section 379.414, Florida Statutes;~~

~~2. Spotted seatrout purchased from a wholesale dealer located in an open region; or~~

~~3. Spotted seatrout legally harvested outside Florida, which have entered the State of Florida in interstate commerce.~~

(c) ~~During the closed season all spotted seatrout in inventory must be reported to the Commission on the Closed Season Spotted Seatrout Declaration Form DMF-3700 (01/12), which is hereby incorporated by reference. Copies can be obtained by contacting the Fish and Wildlife Conservation Commission, Division of Marine Fisheries, 2590 Executive Center Circle E, Suite 203, Tallahassee, Florida 32301 or at <http://www.flrules.org/>.~~

~~(d) Form DMF-3700 (01/12) must be submitted to the Commission by the seventh day of the each month during the closed season and a copy shall be held at the place of business during the closed season.~~

~~(b)(e)~~ For purposes of form DMF-3700 (02/12) ~~(01/12)~~, the following counties are included in the regions:

1. Northeast Region includes Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties;

2. Southeast Region includes Brevard, Broward, Dade, Indian River, Lake, Martin, Okeechobee, Orange, Osceola, Palm Beach, Seminole, St. Lucie, and Volusia Counties;

3. Southwest Region includes Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Monroe, Pinellas, Polk, and Sarasota Counties;

4. Northwest Region includes Alachua, Bay, Bradford, Calhoun, Citrus, Columbia, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hernando, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Marion, Okaloosa, Pasco, Santa Rosa, Sumter, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties.

~~(c)(f)~~ A wholesale dealer or retailer may import spotted seatrout from outside Florida. However, the burden shall be upon any person possessing imported spotted seatrout during the regional closed seasons to establish the chain of possession from the initial transaction after harvest, by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such spotted seatrout was in inventory prior to the regional closure, was purchased from a wholesale dealer in an open region, or originated from a point outside Florida and entered the state in interstate commerce. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute a violation of this rule.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-1-89, Amended 1-1-96, Formerly 46-37.005, ~~1-1-12~~ 2-1-12.

Proposed amendment to Rule 68B-37.004 has been changed to amend the effective date:

68B-37.006 Gear Specifications and Prohibited Gear; Bycatch Allowance.

(1) through (3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-1-89, Amended 1-1-96, Formerly 46-37.006, ~~1-1-12~~ 2-1-12.

No other changes were made to the rule amendments as proposed.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NO.:                   RULE TITLE:  
69B-162.009                Licensing of Agents  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37 No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The following is added to the end of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule repeal will not require legislative ratification based on the following information. This rule is being repealed since it is obsolete. Based upon the economic analysis conducted by the Department and past experiences with rules of this nature, there will be no adverse effect on small businesses, economic growth, private-sector job creation, employment or investment in excess of the threshold requiring legislative ratification. There will also be no increase in regulatory costs in excess of the threshold requiring legislative ratification.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:                RULE TITLES:  
69B-175.006                Unfair Discrimination in Private  
                                  Passenger Motor Vehicle Insurance  
                                  Rates – Allocation of  
                                  Administrative Expenses  
69B-175.008                Unfair Discrimination in Private  
                                  Passenger Motor Vehicle Insurance  
                                  Rates – Based on History of  
                                  Accidents  
69B-175.010                Unfair Discrimination in Private  
                                  Passenger Motor Vehicle Insurance  
                                  – Based on Age

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37 No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The following is added to the end of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule repeals will not require legislative ratification based on the following information. These rules are repealed since they are duplicative of their correspondingly numbered rules in Chapter

690-175, F.A.C., which are administered by the Office of Insurance Regulation. Based upon the economic analysis conducted by the Department and past experiences with rules of this nature, there will be no adverse effect on small businesses, economic growth, private-sector job creation, employment or investment in excess of the threshold requiring legislative ratification. There will also be no increase in regulatory costs in excess of the threshold requiring legislative ratification.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:                RULE TITLES:  
69B-241.030                Definitions  
69B-241.040                Calculating Penalty  
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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. 36, No. 23, June 11, 2010 issue of the Florida Administrative Weekly.

These changes are made in response to a proposed objection by the Joint Administrative Procedures Committee.

The language included under the Summary of Statement of Estimated Regulatory Costs is changed as follows: Summary of Estimated Regulatory Costs and Legislative Ratification: The Department 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 this rule. A SERC has not been prepared by the Department.

The Department has determined that the proposed rule is not expected to require legislative ratification based on the Statement of Estimated Regulatory Costs or if no SERC is required, the information expressly relied upon and described herein: The Department has determined the proposed rule

chapter will not result in additional costs to small businesses because it simply quantifies and organizes the penalty structure as found under the existing statute and regulations.

69B-241.030 Definitions.

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

(1) through (3) No change.

(4) “Department” means the Florida Department of Financial Services.

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

(6) “Penalty per count” means the penalty to be assessed for a single count and is equal to the highest stated penalty in the count for all proven violations.

(7) “Reasonable distance” means the sign must be easily read from the center of the public street or road in front of the agency’s location.

(8) and (9) No change.

69B-241.040 Calculating Penalty.

(1) and (2) No change.

(3) Final Penalty.

(a) No change.

(b) The Department shall convert the total penalty to an administrative fine and probation if:

1. The licensee has not previously been subjected to an administrative penalty and the current action does not involve a violation of Sections 648.45 or 648.571, F.S.;

2. Any restitution due a consumer has been fully paid.

(c) No change.

(d) In the event that the final penalty would exceed a suspension of 2 years (24 months), the final penalty shall be revocation. This provision shall not apply to an immediate temporary suspension imposed pursuant to Section 648.45(1), F.S.

69B-241.080 Penalties for Violation of Section 648.44, F.S.

If it is found that the licensee has violated any of the following subsections of Section 648.44, F.S., the following stated penalty shall apply:

(1) through (27) No change.

(28) The period of suspension may not exceed 2 years (24 months) as required by 648.49(1), F.S.

(29) A person who has had his/her license suspended for 2 years (24 months) will need to re-apply for licensure as provided in Rule 69B-241.200, F.A.C.

69B-241.090 Penalties for Violation of Section 648.45, F.S.

If it is found that the licensee has violated any of the following subsections of Section 648.45, F.S., for which suspension or revocation of license(s) and appointment(s) is authorized, the following stated penalty shall apply:

(1) through (8) No change.

(9) Section 648.45(2)(h), F.S. – Suspension for not less than 1 month for each count, plus full restitution for the first violation; suspension for not less than 12 months up to 24 months, plus full restitution for every violation subsequent to the first.

(10) Section 648.45(2)(i), F.S. – Administrative fine equal to two times the amount paid or foregone for the first violation; suspension for not less than 6 months up to 12 months and an administrative fine equal to five times the amount paid or foregone, for every violation subsequent to the first.

(11) through (14) No change.

(15) Section 648.45(2)(n), F.S. – An administrative fine equal to five times the dollar amount or value of the collateral as provided in Section 648.571(4), F.S., and a suspension for not less than 3 months for every violation.

(16) through (20) No change.

(21) Section 648.45(3)(d), F.S. –

(a) Temporary suspension which shall continue until all money belonging to any insurer has been fully paid to the proper insurer; and

(b) No change.

(c) If the calculated penalty is greater than 2 years (24 months) the penalty shall be revocation.

(22) through (23) No change.

(24) The period of suspension may not exceed 2 years (24 months) as required by Section 648.49(1), F.S.

(25) A person who has had his/her license suspended for 2 years (24 months) will need to re-apply for licensure as provided in Rule 69B-241.200, F.A.C.

69B-241.100 Penalties for Violation of Other Specific Provisions of the Insurance Code.

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

(1) through (16) No change.

(17) Section 648.382(2)(b), F.S. – Denial or suspension of appointment and an administrative fine shall be imposed in an amount equal to the total amount owed to the insurer. The administrative fine is in addition to the amount owed to the insurer that shall also be paid.

(18) No change.

(19) Section 648.382(5), F.S. – Administrative fine of not less than \$250 and not more than \$500 for the first violation; an administrative fine of not less than \$500 for every violation subsequent to the first not to exceed the amount provided in Section 648.52 and/or 648.571, F.S.

(20) through (22) No change.

(23) Section 648.40(2), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 6 months for every violation subsequent to the first.

(24) Section 648.41, F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 6 months for every violation subsequent to the first.

(25) Section 648.421, F.S. – Suspension for not more than 6 months for the first violation; suspension for not less than 3 months but not more than 12 months for every violation subsequent to the first.

(26) Section 648.43(2), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 6 months for every violation subsequent to the first.

(27) Section 648.43(3), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 6 months for every violation subsequent to the first.

(28) Section 648.441(1), F.S. – Suspension for not more than 3 months for the first violation; suspension for 12 months for every violation subsequent to the first.

(29) Section 648.442(1), F.S. – Suspension for not more than 3 months for the first violation; suspension for 12 months for every violation subsequent to the first.

(30) Section 648.442(2), F.S. – Suspension for not more than 3 months for the first violation; suspension for 12 months for every violation subsequent to the first.

(31) Section 648.442(3), F.S. – Suspension for not less than 3 months for the first violation; suspension for not less than 12 months for every violation subsequent to the first.

(32) Section 648.442(4), F.S. – Suspension for not less than 12 months up to 24 months; revocation for any subsequent violation.

(33) Section 648.442(5), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(34) Section 648.442(6), F.S. – Suspension for not less than 3 months for the first violation; suspension for not less than 12 months for every violation subsequent to the first.

(35) Section 648.442(7), F.S. – Suspension for not more than 12 months for the first violation; suspension for not less than 6 months up to 24 months for every violation subsequent to the first.

(36) Section 648.442(8), F.S. – Suspension of all current appointments until the licensee is in compliance.

(37) Section 648.442(10), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(38) Section 648.4425(1), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(39) Section 648.4425(2), F.S. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(40) Section 648.50(3), F.S. – Suspension for not more than 12 months.

(41) Section 648.55, F.S. – Suspension of license of the primary bail bond agent of that agency until such time as all bail bond agents in the agency are in compliance.

(42) Section 648.571, F.S. – Suspension for not less than 12 months up to 24 months for the first violation; revocation for any subsequent violation.

(43) If the calculated penalty for the sections of this rule is greater than 2 years (24 months) the penalty shall be revocation.

69B-241.110 Penalties for Violation of Specific Provisions of Rule Chapter 69B-221, F.A.C.

If the licensee is found to have willfully violated any of the following Department rules, the following stated penalties shall apply:

(1) through (3) No change.

(4) Paragraph 69B-221.051(4)(a), F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not less than 6 months up to 12 months for every violation subsequent to the first.

(5) Paragraph 69B-221.051(4)(b), F.A.C. – Administrative fine of up to two times the amount of hours worked times the amount of minimum salary or wages as required by Florida minimum wage Act, pursuant to Section 448.110 F.S.

(6) Paragraph 69B-221.051(4)(c), F.A.C. – Except for violations for which the penalty is stated in the Florida Statutes, the penalty shall be suspension for not more than 6 months and an administrative fine of \$500 per report.

(7) Subsection 69B-221.055(1), F.A.C. – Administrative fine of \$1,000.

(8) Subsection 69B-221.055(2), F.A.C. – Suspension for 6 months and an administrative fine of \$250 per file.

(9) Rule 69B-221.060, F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not less than 3 months but not more than 12 months for every violation subsequent to the first.

(10) Rule 69B-221.065, F.A.C. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(11) Rule 69B-221.085, F.A.C. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(12) Rule 69B-221.095, F.A.C. – Suspension for 3 months for the first violation; suspension for not less than 12 months up to 24 months for every violation subsequent to the first.

(13) Rule 69B-221.100, F.A.C. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(14) Rule 69B-221.105, F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(15) Rule 69B-221.110, F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(16) Rule 69B-221.115, F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(17) Rule 69B-221.120, F.A.C. – Suspension for not more than 6 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(18) Rule 69B-221.130, F.A.C. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(19) Rule 69B-221.135, F.A.C. – Suspension for not more than 12 months for the first violation; suspension for not less than 12 months for every violation subsequent to the first.

(20) Rule 69B-221.140, F.A.C. – Suspension for not more than 3 months for the first violation; suspension for not more than 12 months for every violation subsequent to the first.

(21) Rule 69B-221.145, F.A.C. – Suspension for 3 months for the first violation; suspension for 24 months up to revocation for every violation subsequent to the first.

69B-241.130 Penalties for Violation of Other Department Rules.

If the licensee is found to have willfully violated a Department rule, the stated penalty shall be a six (6) month suspension, unless otherwise prescribed in these rules or in the specific rule violated.

69B-241.140 Penalties for Violation of Department Orders.

If a licensee is found to have violated a Department order, the stated penalty shall be a six (6) month suspension, unless the penalty is prescribed in the order violated itself.

69B-241.165 Imposition of Administrative Fine In Lieu of Suspension.

An administrative fine imposed pursuant to Section 648.52, F.S., shall be \$1,000 per month of suspension.

69B-241.170 Field Office Settlement Stipulation.

The Department shall offer a Field Office Settlement Stipulation (“FOSS”) to any licensee as an opportunity to pay a fine for an alleged violation in lieu of the administrative hearing process. The FOSS shall only be offered to the respondent for committing certain non-criminal violations. The Department shall use form DFS-H1-2021 (Effective: 11/2011) titled “Field Office Settlement Stipulation Program (FOSS)”, which is adopted and incorporated herein by reference, to outline such violations and their respective FOSS fine amount. The copy of this form is available on the Department’s website at <http://www.MyFloridaCFO.com/agents/Licensure/Forms/index.htm>. The fines utilized on the FOSS shall be as follows:

(1) Advertising/Signage:

(a) Misleading and deceptive advertisement: \$500;

(b) Advertising under an unregistered trade name : \$500;

(c) Failure to include address of record filed with Department in advertising: \$500;

(d) Advertising/other/Failure to (specify allegation): \$500;

(e) Place of business not suitable as an agency: \$1,000;

(f) Signage not readable from reasonable distance: \$1,000;

(2) Business Engagement/Licensee:

(a) Place of business not open and accessible during business hours as defined by 69B-221.051(3), F.A.C.: \$1,000;

(b) Failure to designate primary bail bond agent for each bail bond agency location: \$1,000;

(c) Failure to submit Designation of Primary Bail Bond Agent form to the Department: \$1,000;

(d) Failure to notify the Department of any change to the bail bond agency name, ownership, primary bail bond agent, or other operator of the bail bond agency: \$1,000;

(e) Failure to appoint all bail bond agents with the same companies within the same bail bond agency: \$1,000;

(f) Failure to prominently display and post applicable service credit card charge: \$1,000;

(3) Record Keeping:

(a) Failure to maintain a register: \$500;

(b) Failure to produce a register: \$500;

(c) Failure to keep an individual file for each principal for whom bond is made: \$250;

(d) Failure to keep in an individual file all the documents of a principal as defined in rule: \$250;

(e) Failure to complete or correctly write original application form: \$250;

(f) Failure to properly execute power of attorney/bond power number: \$500;

(g) Failure to state terms and conditions of the contract for a bail bond: \$500;

(h) Failure to provide Information Notice (Department’s contact address): \$500;

(i) Failure to use a pre-numbered premium receipt: \$1,000;

(j) Failure to include name and address of agency on premium receipt: \$1,000;

(k) Failure to include name and address of surety company on premium receipt: \$1,000;

(l) Failure to use a pre-numbered collateral receipt: \$1,000;

(m) Failure to give to person giving collateral a pre-numbered collateral receipt: \$1,000;

(n) Failure to include name and address of agency on collateral receipt: \$1,000;

(o) Failure to include name and address of surety company on collateral receipt: \$1,000;



(p) Failure to attach the affidavit accepting collateral on the Department prescribed form to the bond within 30 days of the release of the defendant: \$500;

(q) Failure to respond to Department’s request for information: \$1,000;

(r) Failure to indicate name and address of referring agent on transfer bond: \$500;

(s) Failure to complete statement of surrender: \$500;

(t) Failure to keep copies of bond forfeiture documents in individual files: \$250;

(u) Failure to file notice of change of bail bond agency name, business and/or personal addresses and phone numbers with the Department: \$1,000;

(4) Licensing/Appointments:

(a) Failure to submit to Department temporary bail bond agent certified monthly employment reports: \$500;

(b) Failure to file with the Department the temporary bail bond agent appointment: \$500;

(c) Failure to notify Department about termination of appointment of temporary bail bond agent: \$1,000.

The remainder of the rule reads as previously published.

## Section IV Emergency Rules

### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

#### Family Safety and Preservation Program

RULE NO.:                    RULE TITLE:  
65CER11-1                    General Information

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2010-161, sections 17 & 18, Laws of Florida, eliminated the Department of Health’s (DOH) authority to license and inspect food preparation and food service in child care facilities (i.e. daycare). The Department currently has minimal rules providing standards for food preparation and food service. A rule amendment is needed to provide the standards and an enforcement process to provide for minimal food safety in child care facilities. The Department enacted an Emergency rule on July 29, 2010, that incorporated 64E-11 F.A.C. along with an interchange agreement with DOH to continue conducting food service inspections in child care facilities until the end of the FY 2010-11. During which time the Department published a notice of rule development, held public two workshops, held a public hearing, and revised proposed rule language based on public comment/feedback and to satisfy concerns presented by JAPC. The proposed rule language was ultimately approved by JAPC to continue with rule adoption. However, based on constituent concerns and guidance provided the Office of Fiscal Accountability and Regulatory Reform; the Department is withdrawing the rule

and a new rule amendment has been developed and is under review. Upon review the Department will move forward with a new Notice of Rule Development and host public workshops. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, Phone: (850)488-4900, Email: Dinah\_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER11-1 (65C-22.001) General Information.

(1) Application.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department’s website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(b) Each completed CF-FSP Form 5017 must be submitted with the licensure fee pursuant to Section 402.315, F.S.

(c) The completed CF-FSP Form 5017 must be signed by the individual owner, prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire ~~and environmental health~~ inspections.

(d) A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.010(2)(d), F.A.C.

(e) Urban Child Care.

1. In order to be classified as an urban child care facility, the applicant, prior to submitting an application for licensure must:

a. Obtain written documentation from the local governing body that confirms the geographical area has been declared urban; and

b. Consult with the licensing authority to verify that the required outdoor play space, required by subsection 65C-22.002(4), F.A.C., does not exist or cannot be made available. Urban designation will not be granted if the licensing authority determines space for an outdoor play area is available. Outdoor play space is "available" if appropriate space:

(I) Is adjacent to the facility, or

(II) Can be reached by a route that is free of hazards and is within 1/8 mile of the facility.

2. If requirements in subparagraph 1., above, are met, the applicant must complete and submit the CF-FSP Form 5017.

3. No application for an urban child care facility designation will be approved by the licensing authority without the above criteria being met.

(2) License.

(a) A child care facility license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation.

(b) At least one week prior to changing ownership of a child care facility, in compliance with Section 402.305(18), F.S., one of the following methods of notification to custodial parents or legal guardians must be observed:

1. Posting a notice in a conspicuous location at the facility;

2. Incorporating information into an existing newsletter; or

3. Individual letters or flyers.

(c) The total number of children in care on-site and while on field trips may never exceed the facility's licensed capacity.

(d) The Department may issue a provisional license allowing a facility to operate for a designated period of time while working to correct one or more licensing standard(s) not met, provided the owner is making adequate provisions to ensure the health and safety of the children in care. A provisional license is a not a disciplinary sanction.

(3) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the child care facility, and on the premises at all times.

(4) Ratios.

(a) The staff-to-child ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct supervision of children, and applies at all times while children are in care.

(b) Mixed Age Groups.

1. In groups of mixed age ranges, where children under one year of age are included, one staff member shall be responsible for no more than four children of any age group, at all times.

2. In groups of mixed age ranges, where children one year of age but under two years of age are included, one staff member shall be responsible for no more than six children of any age group, at all times.

(c) For every 20 children, a child care facility must have one credentialed staff member pursuant to Section 402.305(3), F.S.

(5) Supervision.

(a) Direct supervision means watching and directing children's activities within the same room or designated outdoor play area, and responding to the needs of each child. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children, and be present with that group of children at all times. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care, shall be capable of responding to emergencies, and are accountable for children at all times, including when children are separated from their groups.

(b) During nap time, supervision requires that staff be in close proximity, within sight and hearing of all the children. All other staff required to meet the staff-to-child ratio shall be within the same building on the same floor, and must be readily accessible and available to be summoned to ensure the safety of the children. Nap time supervision, as described in this section, does not include supervision of children up to 24 months of age, who must be directly supervised at all times.

(c) No person shall be an operator, owner, or employee of a child care facility while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

(d) Additional Supervision Requirements.

1. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the child care facility to assist in providing direct supervision.

2. If a child care facility uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the child care facility must provide one person with a certified lifeguard certificate or equivalent unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the child care facility provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (d)1., above.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

(6) Transportation. For the purpose of this section, vehicles refer to those that are owned, operated or regularly used by the child care facility and vehicles that provide

transportation through a contract or agreement with an outside entity. Parents' personal vehicles used during field trips are excluded from meeting the requirements in paragraphs 65C-22.001(6)(a)2., (b) and (c), F.A.C.

(a) When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have the following:

1. A valid Florida driver's license,

2. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

(b) All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

(c) All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure proper working order. Documentation by the mechanic shall be maintained in the vehicle.

(d) The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

(e) Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute.

(f) When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio. Prior to transporting children and upon the vehicle(s) arrival at its destination, the following shall be conducted by the driver(s) of the vehicle(s) used to transport the children:

1. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.

2. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children depart the vehicle;

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

c. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.

3. Upon arrival at the destination, a second staff member shall:

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the log is complete.

(g) Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.

(7) Planned Activities.

(a) Each age group or class must have a written and followed plan of scheduled daily activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served and include scheduled activities that:

1. Promote emotional, social, intellectual and physical growth;

2. Include quiet and active play, both indoors and outdoors; and

3. Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.

(b) Providers are encouraged to advise parents or legal guardians of their child's activities on a daily basis and to participate in the program's activities.

(c) Parents or legal guardians must be advised in advance of each field trip activity. The date, time and location of the field trip must be posted in a conspicuous location at least two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

(8) Child Discipline.

(a) Verification that the child care facility has provided, in writing, the disciplinary policy used by the facility shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

(b) All child care personnel must comply with the facility's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited for all child care personnel.

(c) A copy of the facility's current written disciplinary policy must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(9) Access. A child care facility must provide the custodial parent or legal guardian access, in person and by telephone, to the child care facility during the facility's normal hours of operation or during the time the child is in care.

(10) Attendance. Daily attendance of children shall be taken and recorded by the child care facility personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for Voluntary Pre-Kindergarten or School Readiness may be used if applicable.

(11) Child Safety.

(a) Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., constitute a violation of the standards in Sections 402.301-319, F.S., and shall support imposition of a sanction, as provided in Section 402.310, F.S.

(b) Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Sections 402.301-319, F.S.

Rulemaking Authority 402.305, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 12-15-11.

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: December 15, 2011

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NO.: 65CER11-2  
RULE TITLE: Food and Nutrition

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2010-161, sections 17 & 18, Laws of Florida, eliminated the Department of Health's (DOH) authority to license and inspect food preparation and food service in child care facilities (i.e. daycare). The Department currently has minimal rules providing standards for food preparation and food service. A rule amendment is needed to provide the standards and an enforcement process to provide for minimal food safety in child care facilities. The Department enacted an Emergency rule on July 29, 2010, that incorporated Chapter 64E-11 F.A.C. along with an interchange agreement with DOH to continue conducting food service inspections in child care facilities until the end of the FY 2010-11. During

which time the Department published a notice of rule development, held public two workshops, held a public hearing, and revised proposed rule language based on public comment/feedback and to satisfy concerns presented by JAPC. The proposed rule language was ultimately approved by JAPC to continue with rule adoption. However, based on constituent concerns and guidance provided the Office of Fiscal Accountability and Regulatory Reform; the Department is withdrawing the rule and a new rule amendment has been developed and is under review. Upon review the Department will move forward with a new Notice of Rule Development and host public workshops. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, Phone: (850)488-4900, Email: Dinah\_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER11-2 (65C-22.005) Food and Nutrition.

(1) Nutrition.

(a) If a facility chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPyramid, April 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA MyPyramid may be obtained from the USDA website at [www.mypyramid.gov](http://www.mypyramid.gov). Using the USDA MyPyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. Operators who participate in the USDA Food Program shall provide nutritious meals and snacks in accordance with the Department of Health and the USDA requirements.

(b) If a facility chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

(c) If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the custodial parent or legal guardian notifies the child care facility of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

(d) Meal and snack menus shall be planned, written, and posted at the beginning of each week. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and the USDA requirements.

(2) ~~Food Hygiene, Preparation Area:~~ All licensed child care facilities that supply food must comply with requirements outlined ~~approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.~~

(3) Food Service.

(a) Children shall be individually fed or supervised at feeding, and offered foods appropriate for their ages.

(b) Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles, and sippy cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

(c) There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed. Formula shall be refrigerated and handled in a sanitary manner at all times.

(d) All bottles and sippy cups prepared and used continuously throughout the day or brought from home shall be individually labeled with the child's first and last name. Sippy cups and bottles brought from home shall be returned to the custodial parent or legal guardian daily.

(e) Heated foods and bottles must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

(f) Facilities shall provide sufficient age appropriate seating so that children are seated at tables for meals.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, 12-15-11.

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: December 15, 2011

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Family Safety and Preservation Program

RULE NO.: 65CER11-3  
RULE TITLE: School Age Child Care

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2010-161, sections 17 & 18, Laws of Florida, eliminated the Department of Health's (DOH) authority to license and inspect food preparation and food service in child care facilities (i.e. daycare). The Department currently has minimal rules providing standards for food preparation and food service. A rule amendment is needed to provide the standards and an enforcement process to provide for minimal food safety in child care facilities. The Department enacted an Emergency rule on July 29, 2010, that incorporated 64E-11 F.A.C. along with an interchange agreement with DOH to continue conducting food service inspections in child care facilities until the end of the FY 2010-11. During which time the Department published a notice of rule development, held public two workshops, held a public hearing, and revised proposed rule language based on public comment/feedback and to satisfy concerns presented by JAPC. The proposed rule language was ultimately approved by JAPC to continue with rule adoption. However, based on constituent concerns and guidance provided the Office of Fiscal Accountability and Regulatory Reform; the Department is withdrawing the rule and a new rule amendment has been developed and is under review. Upon review the Department will move forward with a new Notice of Rule Development and host public workshops. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, Phone: (850)488-4900, Email: Dinah\_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER11-3 (65C-22.008) School Age Child Care.

(1) Definitions.

(a) "School-Age Child" means a child who is at least five years of age by September 1st of the beginning of the school year and who attends kindergarten through grade five.

(b) "School-Age Child Care Program" means any licensed child care facility serving school-aged children as defined in paragraph (1)(a), above or any before and after school programs that are licensed as a child care facility defined in Section 402.302, F.S., and serve only school-aged children as defined in paragraph (1)(a), above.

(2) Licensure Requirements.

(a) An after school program exempted under subparagraph (2)(c)1. or 3., below may become licensed if they choose to meet all of the applicable licensing standards in subsection (3) below.

(b) After school programs that choose to expand their program beyond the parameters in subparagraphs (2)(c)1. through 4., below must be assessed to determine if licensure is required. Any of the after school programs accepting children under the age of the school-age child as defined in paragraph (1)(a) above, must be licensed.

(c) An "After School Program" serving school-age children is not required to be licensed if the program meets one of the following criteria, and complies with the minimum background screening requirements provided in Sections 402.305 and 402.3055, F.S.:

1. Program is located on public/nonpublic school sites, operated and staffed directly by that school or through a written or formal agreement between the school and a provider to serve school-age children attending the school. These programs exclusively serve those children who attend the public/nonpublic school during the school day. The program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year. Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or

2. Program provides activities that are strictly instructional or tutorial/academic in nature. These programs cannot extend beyond the instructional and tutorial/academic activities of that program and cannot serve or prepare meals. The program may choose to provide drinks, snacks, and vending machine items

that do not require refrigeration. Some examples of these programs include, but are not limited to, computer class; ballet; karate; gymnastics; baseball, and other sports; or

3. Program meets all of the following criteria:

a. Operates for a period not to exceed a total of four hours in any one day; however, the program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year; and

b. Allows children to enter and leave the program at any time, without adult supervision; and

c. Does not provide any transportation, directly or through a contract or agreement with an outside entity, for the purpose of field trips, during the hours of operation; and

d. Does not serve or prepare any meals or snacks. The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration; or

4. Provides after school care exclusively for children in grades six and above.

(d) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5017, March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. Each completed CF-FSP Form 5017 must be submitted with the licensure fee.

2. The completed CF-FSP Form 5017 must be signed by the individual owner, or prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire ~~and~~ ~~environmental health~~ inspections.

3. For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

4. A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.010(2)(d), F.A.C.

(e) License. A school-age child care license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation, and the license must be posted in a conspicuous location where the school-age child care program is operating.

(3) School-Age Child Care Standards. The following school-age child care standards apply to "School-Age Child Care Programs" as defined in paragraph (1)(b), above. These programs must meet the following licensing standards:

(a) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the school-age child care program and on the premises at all times.

(b) Ratios. For children five years of age and older, there must be one child care personnel for every 25 children.

(c) Supervision. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for children at all times, which includes when children are separated from their groups. At all times lighting must be sufficient to visually observe and supervise children while in care.

1. No person shall be an operator, owner, or employee in a school-age child care program while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

2. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the school-age child care program to assist in providing direct supervision.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

4. If a school-age child care program uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the school-age child care program must provide one person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the school-age child care program provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (c)2., above.

(d) Access. A school-age child care program must provide the custodial parent or legal guardian access, in person and by telephone, to the program during the program's normal hours of operation or during the time the child is in care.

(e) General Requirements.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children. It is the responsibility of the director/owner that all areas of the

facility are free from fire hazards, such as lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents.

2. All areas and surfaces accessible to children shall be free from toxic substances and hazardous materials.

3. All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items, including knives, sharp tools, and other potential dangerous hazards, shall either be stored in a locked area or must be inaccessible and out of a child's reach.

4. No firearms or weapons, as defined in Section 790.001, F.S., shall be allowed within any building or upon any person located on the premises, excluding federal, state, or local Law Enforcement Officers.

5. No narcotics, alcohol, or other impairing drugs shall be present on the premises.

6. Animals must be properly immunized, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Documentation of current immunizations must be available for review upon request by the licensing authority.

7. Pursuant to Chapter 386, F.S., smoking is prohibited within the school-age child care facility, all outdoor areas, during field trips, and in vehicles when being used to transport children. Owner/operators are to notify custodial parents and legal guardians, in writing that smoking is prohibited on the premises of the child care facility.

8. Design and construction of a new child care facility or modifications to an existing facility must meet the minimum requirements of the applicable local governing body.

(f) Rooms Occupied by Children.

1. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.

2. Cleaning shall not take place while rooms are occupied by children except for general clean-up activities which are a part of the daily routine.

3. Pest control shall not take place while rooms are occupied by children.

(g) Napping and Sleeping Space. For the purposes of this standard, sleeping refers to the normal night time sleep cycle while napping refers to a brief period of rest during daylight or early evening hours. Each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap. When not in use, napping space and usable indoor floor space may be used interchangeably as described in paragraph (3)(i), below.

(h) Toilet and Bath Facilities.

1. Each school-age child care program shall provide and maintain toilet and bath facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed, with impervious surfaces that can be easily cleaned and sanitized or disinfected.

2. For facilities having from one to fifteen children, there shall be at least one toilet and one wash basin. There shall be one additional toilet and basin for every 30 children thereafter. For design and construction of a new child care facility or modification to an existing facility, subparagraph (3)(e)8., above shall apply.

3. Toilet facilities shall not open directly into an area where food is prepared. A toilet facility may open directly into an area used by children where food is served.

4. Running water, soap, trash receptacles, toilet paper, and disposable towels or hand drying machines that are properly installed and maintained shall be available and within reach of children using the toileting facility.

5. Each basin and toilet must be maintained in good operating condition, cleaned and sanitized or disinfected as needed, at least once per day.

(i) Indoor Floor Space.

1. A school-age child care program that held a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child. A school-age child care program that did not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a school-age child care program, must have a minimum of 35 square feet of usable indoor floor space for each child.

2. Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap space. Usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space.

3. In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times.

a. The capacity, as calculated by the licensing authority for each room, must be posted in a conspicuous location within the room.

b. When common or multi-purpose areas are used for dining or occasional large group assembly activities and special events, the applicable 20 or 35 square feet requirement of usable space for each child does not apply for that period of time only; however, the facility must maintain minimum square footage per child in accordance with the requirements of the local fire authority.

4. Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

5. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to usable indoor floor space as specified in paragraph (3)(i), above. The written request must include an explanation of why the exception is necessary as well as an alternate plan to accommodate instances of inclement weather.

(j) Outdoor Play Area.

1. There shall be a minimum of 45 square feet of usable, safe and sanitary outdoor play area per each school-age child. A minimum outside play area shall be provided for one-half of the licensed capacity.

2. Based on the outdoor square footage, the total number of children using the play area may not exceed the outdoor capacity.

3. The outdoor play area shall be clean and free from litter, nails, glass, and other hazards.

4. The outdoor play area shall provide shade.

5. During outdoor play, personnel must situate themselves in the outdoor play area so that all children can be observed and direct supervision can be provided.

6. The facility's outdoor play area shall be fenced in accordance with local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention and fish ponds.

7. The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four feet in height. Fencing, including gates, must be continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, and be free from erosion or build-up to prevent inside or outside access by children or animals.

8. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to outdoor floor space as specified above. The written request must include an explanation of why the exception is necessary as well as an alternate plan for inclusion of fine and gross motor skills opportunities. If not requesting an exemption to the outdoor play area, the school-age child care program may operate without a fence if all the following provisions are met:

a. The children using the outdoor play area are in five year old kindergarten and grades one or above;

b. In addition to the established staff-to-child ratios, for the purpose of safety, an additional staff member is present at all times during outdoor activities, to assist in providing direct supervision;

c. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or



unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and

d. The licensing authority has provided written authorization to the program to operate without a fence.

(k) Health and Sanitation.

1. All buildings, when the windows or doors are open, must have and maintain screens to prevent entrance of any insect or rodent. Screens are not required for open air classrooms and picnic areas.

2. Employees, volunteers, and children shall wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play.

3. Safe drinking water shall be available to all children. If disposable cups are used, they must be discarded after each use.

~~4. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards.~~

(l) Equipment and Furnishings.

1. Indoor Equipment.

a. A school-age child care program shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity suitable for each child to be involved in activities.

b. Toys, equipment and furnishings must be safe and maintained in a sanitary condition, and shall be cleaned and sanitized or disinfected immediately if exposed to bodily fluids, such as saliva.

2. Outdoor Equipment.

a. A school-age child care program shall provide and maintain equipment and play activities suitable to each child's age and development.

b. All playground equipment shall be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance shall include inspections, at least every other month, of all supports above and below the ground and all connectors and moving parts. Documentation of maintenance inspections shall be maintained for one year.

c. Permanent or stationary playground equipment must have a ground cover or other protective surface under the equipment that provides resilience, and is maintained to reduce the incidence of injuries to children in the event of falls.

d. All equipment, fences, and objects on the program's premises shall be free from sharp, broken and jagged edges, and shall be properly placed to prevent overcrowding or safety hazards in any one area.

e. All equipment used in the outdoor play area shall be constructed and maintained to allow for water drainage, and shall be maintained in a safe and sanitary condition.

(m) Health Related Requirements.

1. Communicable Disease Control.

a. Children in care shall be observed on a daily basis for signs of communicable disease. Any child, child care personnel or other person in the school-age child care program suspected of having a communicable disease shall be removed from the program or placed in an isolation area until removed. Such person may not return without medical authorization, or until the signs and symptoms of the disease are no longer present. A child's condition shall be reported to the custodial parent or legal guardian. Signs and symptoms of a suspected communicable disease include the following:

(I) Severe coughing, causing a child to become red or blue in the face or to make a whooping sound;

(II) Difficult or rapid breathing;

(III) Stiff neck;

(IV) Diarrhea (more than one abnormally loose stool within a 24 hour period);

(V) Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness;

(VI) Pink Eye;

(VII) Exposed, open skin lesions;

(VIII) Unusually dark urine and/or gray or white stool;

(IX) Yellowish skin or eyes; or

(X) Any other unusual sign or symptom of illness.

b. A child identified as having head lice shall not be permitted to return until the following day, only if treatment has occurred and has been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred. The child care facility must treat areas, equipment, toys, and furnishings with which the child has been in contact.

c. Isolation Area. Each school-age child care program shall have a designated isolation area for a child who becomes ill while in care of the program. Such space shall be adequately ventilated, heated, and equipped with a bed, mat, or cot, and materials that can be cleaned and sanitized or disinfected easily. Linens shall be changed after each use and used linens shall be kept in a closed container in the isolation area until cleaned. Disposable items shall be kept in a closed container in the isolation area until thrown away. The isolated child must be within sight and hearing of a staff person at all times. The child must be carefully observed for worsening conditions.

d. Outbreaks. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease in accordance with Chapter 64D-3, F.A.C., Communicable Disease Control and must follow the health department's direction. A suspected outbreak occurs when two or more children or employees have the onset

of similar signs or symptoms, as outlined in sub-subparagraph (3)(m)1.a., above, within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or employee.

2. First Aid, Cardiopulmonary Resuscitation and Emergency Procedures.

a. Each school-age child care program must have at least one staff member with current and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures. One staff member satisfying these training requirements shall be present at all times that children are in care at the program, both on-site and on field trips. A field trip includes all activities away from the program excluding regular transportation to and from the program, i.e., pick-up and drop-off.

b. Certificate(s) of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years. CPR courses must include on-site instructor-based skill assessments by a certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the facility and available for review by the licensing authority. Documentation that identifies staff members have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement shall be kept on file at the school-age child care program facility.

c. At least one first aid kit must be maintained on the premises of the school-age child care program at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled "First Aid." The kits shall be accessible to the child care staff at all times and kept out of the reach of children. Each kit must at a minimum include:

- (I) Soap,
- (II) Band-aids or equivalent,
- (III) Disposable non-porous gloves,
- (IV) Cotton balls or applicators,
- (V) Sterile gauze pads and rolls,
- (VI) Adhesive tape,
- (VII) Thermometer,
- (VIII) Tweezers,
- (IX) Pre-moistened wipes,
- (X) Scissors, and
- (XI) A current resource guide on first aid and CPR procedures.

3. Emergency Procedures and Notification.

a. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit and the address and directions to the facility, including major intersections and local landmarks,

must be posted on or near all school-age child care program telephones and shall be used to protect the health, safety and well-being of any child in day care.

b. Custodial parents or legal guardians shall be notified immediately in the event of any serious illness, accident, injury or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the school-age child care program owner will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

c. All accidents and incidents which occur at a school-age child care program or while a child is in the care of program staff must be documented on the day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of program staff and custodial parent or legal guardian. The documentation must be maintained for one year. If the parent or legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.

4. Medication. School-age child care programs are not required to give medication; however, if a program chooses to do so, the following shall apply:

a. The school-age child care program must have written authorization from the custodial parent or legal guardian to dispense prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain the child's name; the name of the medication to be dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the program personnel who gave the medication.

b. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with staff and posted with stored medication.

c. Prescription and non-prescription medication brought to the school-age child care program by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician, child's name, name of the medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.

d. In the event of an emergency, non-prescription medication that is not brought in by the parent or legal guardian can be dispensed only if the program has written authorization from the parent or legal guardian to do so.

e. Any medication dispensed under these conditions must be documented in the child's file and the custodial parent or legal guardian must be notified on the day of occurrence.

f. The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of four months after the last day the child received the dosage.

g. All medicine must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child's reach.

h. Medication that has expired or that is no longer being dispensed shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled at the school-age child care program.

(n) Child Discipline.

1. Verification that the school-age child care program has provided, in writing, the disciplinary policy used by the program shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

2. All child care personnel must comply with the school-age child care program's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care personnel.

3. A copy of the school-age child care program's current written disciplinary policies must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(o) Attendance. Daily attendance of children shall be taken and recorded by the school-age child care program personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for School Readiness may be used if applicable.

(p) Nutrition.

1. If a school-age child care program chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA My Pyramid, April 2005, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. Using the USDA My Pyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall

consist of at least two different food groups. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA My Pyramid may be obtained from the USDA website at [www.mypyramid.gov](http://www.mypyramid.gov).

2. If a school-age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

3. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the parent or legal guardian notifies the school-age child care program of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

4. Meal and snack menus shall be planned, written, and posted at the beginning of each week. Any menu substitution shall be noted on the menu. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and USDA requirements.

(q) Food Hygiene ~~Preparation Area~~.

~~1. All licensed school-age child care programs that supply food must comply with requirements outlined approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.~~

~~2. School age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards, specified in Chapter 64E-11, F.A.C., Food Hygiene, as it pertains to the food preparation area defined above.~~

(r) Food Service.

1. School-age child care programs shall provide sufficient age appropriate seating so that children are seated at tables for meals.

2. Children shall be supervised during all meals and snacks and offered foods appropriate for their ages.

3. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils and cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

(s) Fire and Emergency Safety.

1. Unless statutorily exempted, all school-age child care programs shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Fire Safety Standards for Nonresidential Child Care Facilities and shall be

inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the licensing authority. If the school-age program is granted a fire inspection exemption by the local fire inspection office, the exemption must be documented and maintained on file at the program.

2. There shall be at least one corded telephone in the school-age child care program facility that is neither locked nor located at a pay station that is available to all staff during the hours of operation.

3. The child care facility must properly maintain fire extinguishers at all times.

4. The operator shall prepare and post the emergency evacuation plan in each room of the program, including a diagram of safe routes by which the personnel and children may exit in the event of fire or other emergency requiring evacuation.

5. During the facility's licensure year, fire drills shall be conducted a minimum of 10 times and be conducted at various dates and times when children are in care, and shall not occur less than 30 days apart. A current attendance record must accompany staff out of the building during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

a. One fire drill using an alternate evacuation route, and

b. One drill in the presence and at the request of the licensing authority in coordination with the operator or designee.

6. The operator shall maintain a written record of fire drills showing the date, number of children and staff in attendance, evacuation route used, and time taken for all individuals to evacuate the premises. Each record shall be maintained for a minimum of one year from the date of the fire drill.

7. When the school-age program's fire alarm is activated, all adults and children must evacuate the facility.

8. The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the child care facility during a fire, lockdown, and inclement weather (tornadoes).

9. Emergency preparedness drills shall be conducted when children are in care. Each drill, excluding the fire drills, outlined in the emergency preparedness plan must be practiced a minimum of one time per year, documentation of which must be maintained for one year. A current attendance record must accompany staff during the drill or actual emergency and must be used to account for all children.

10. The operator shall maintain and post in a conspicuous location a written record of emergency preparedness drills showing the type of drill, date conducted, number of children and staff in attendance, and time taken for all individuals to complete the drill.

11. Documentation of conducted fire and emergency preparedness drills must be available at the time of the inspection. Documentation produced after the inspection shall not meet the licensing standard or corrective action requirements.

12. After a fire or natural disaster, the operator must notify the licensing authority within 24 hours as to their operational status in order for the licensing authority to ensure health standards are being met for continued operation.

(t) Transportation. For the purpose of this section, vehicles refer to those owned, operated, or regularly used by the school-age child care program, and vehicles that provide transportation through a contract or agreement with an outside entity. Parents' personal vehicles used for transporting during field trips are excluded from meeting the requirements in subparagraph 65C-22.001(6)(a)2. and paragraphs (b) and (c), F.A.C.

1. When any vehicle is regularly used by a school-age child care program to provide transportation, the driver shall have the following:

a. A valid Florida driver's license,

b. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

2. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

3. All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic shall be maintained in the vehicle.

4. The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

5. Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint unless the vehicle is excluded from this requirement by Florida Statute.

6. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio.

7. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.

8. Prior to transporting children, the driver's log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.

9. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children depart the vehicle;

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

c. Record, sign, and date the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.

10. Upon arrival at the destination, a second staff member shall:

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the log is complete.

11. Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.

#### 12. Planned Activities.

a. Each group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served and include scheduled activities that:

(I) Include both indoors and outdoor play, if applicable; and

(II) Include meals, snacks, and the times the children are in care.

b. Parents must be advised in advance of each field trip activity. The date, time, and location of the field trip must be posted in a conspicuous location at least two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

#### (u) Record Keeping.

##### 1. General Requirements.

a. Each of the records described in this section shall be maintained at the school-age child care program and shall be available during the hours of operation for review by the licensing authority.

b. A copy of all background screening clearance documents for the director and owner must be provided to the department to be included in the department's official licensing file.

c. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.

2. Health Records. School-aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school-age child care program as such records are on file at the school where the child is enrolled.

3. Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Child Care Application for Enrollment, which is incorporate by reference in subsection 65C-22.006(3), F.A.C., or an equivalent form that contains all the information required by the department on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or by going to the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

a. Enrollment information shall be kept current and on file.

b. The child shall not be released to any person other than the person(s) authorized or in the manner authorized in writing by the custodial parent or legal guardians.

c. There shall be signed statements from the custodial parents or legal guardian that the school-age child care program has provided them with the following information:

(I) The department's child care facility brochure, CF/PI 175-24, Know Your Child Care Facility, which is incorporated by reference in subparagraph 65C-22.006(3)(a)1., F.A.C. This brochure may be obtained from the licensing authority or by going to the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Local licensing agencies may use an equivalent brochure approved by the department.

(II) The school-age child care program's written disciplinary practices.

(III) Annually, during the months of August and September, the child care facility director must provide parents with information detailing the causes, symptoms, and transmission of the influenza virus. To assist providers the department developed a brochure, CF/PI 175-70, June 2009, Influenza Virus, Guide to Parents, which may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

4. Personnel Records. Records shall be maintained and kept current on all child care personnel, as defined by Section 402.302(3), F.S., and household members if the facility is located in a private residence. These shall include:

a. An employment application with the required statement pursuant to Section 402.3055(1)(b), F.S.

b. Position and date of employment.

c. CF-FSP Form 5337, Child Abuse & Neglect Reporting Requirements, which is incorporated by reference in paragraph 65C-22.006(4)(c), F.A.C., must be signed annually by all child care personnel.

d. Prior to beginning volunteering in a school-age program, a CF-FSP 5217, March 2009, Volunteer Affidavit, which is incorporated by reference, and may be obtained from the department's website [www.myflorida.com/childcare](http://www.myflorida.com/childcare), must be completed and on file at the facility for the volunteer.

e. Initial Screening. Screening information must be documented on CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph 65C-22.006(4)(d), F.A.C. Screening includes the following:

(I) Level 2 screening as defined in section 435.04., which includes at a minimum, FBI, FDLE, and local law enforcement records checks.

(II) An employment history check must include the previous two years, which shall include the applicant's job title and a description of their regular duties, confirmation of employment dates, and level of job performance. Failed attempts to obtain the employment history must be documented in the personnel file and include date, time, and the reason the information was not obtained.

(III) CF Form 1649A, January 2007, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. CF Form 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

f. Re-Screening. A screening conducted under this rule is valid for five years, at which time a statewide re-screen must be conducted.

(I) The five year re-screen is required for the all child care personnel.

(II) The five year re-screen must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement (FDLE) and a local criminal records check.

(III) CF 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(IV) A copy of all background screening clearance documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate local licensing agency requirements.

g. Break In Employment. Child care personnel must be re-screened following a break in employment in the child care industry as outlined in sub-subparagraph (3)(u)4.e. above that exceeds 90 days.

h. Leave of Absence. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five year re-screen has come due during the leave of absence.

i. Copies of training information and credentials as described in subsection 65C-22.008(4), below.

j. Driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle, and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures must also be maintained in the driver's personnel file.

5. Summary of Records. In addition to the documentation outlined in subparagraphs (3)(u)1., 2. and 3., above, the following is a list of records that shall be maintained at the school-age child care program and available during the hours of operation for review by the licensing authority.

a. Driver's log. Must be retained for the previous four months as referenced in subparagraph (3)(t)7., above.

b. Facility's written disciplinary policies as referenced in subparagraph (3)(n)3., above.

c. Written record of fire drills. Must be maintained for a minimum of one year as referenced in subparagraph (3)(s)4., above.

d. Documentation of staff members who have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement as referenced in sub-subparagraph (3)(m)2.b., above.

e. Posted emergency telephone numbers, the facility address and directions to the facility as referenced in sub-subparagraph (3)(m)3.a., above.

f. Documentation of accidents/incidents. Must be maintained for one year as referenced in sub-subparagraph (3)(m)3.c., above.

g. Emergency evacuation plan and preparedness plan as referenced in subparagraph (3)(s)9., above. Documentation must be maintained for one year from the date of each drill.

h. Record for each child receiving medication. Must be maintained for a minimum of four months after the last day the child received the dosage as referenced in sub-subparagraph (3)(m)4.f., above.

i. Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)3., above.

j. Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)3., above.

k. Daily meal and snack menus, including meal substitutions. Must be maintained for four months as referenced in subparagraph (3)(p)4., above.

(4) School-Age Child Care Personnel Training Requirements.

(a) Definitions.

1. "Active" is the status of a candidate's awarded credential or certification signifying requirements have been successfully met.

2. "Before-School and After-School site" refers to a program, regardless of location, that provides child care for children who are at least five years old, are enrolled in and attend a kindergarten program, or grades one and above during a school district's calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

3. "Begin training for child care personnel" refers to a candidate's commencement of at least one of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance in a department-approved training course, acquiring an educational exemption from a department-approved training course, beginning a department-approved online child care training course, or by receiving results from a department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida school-age child care program. The child care facility is responsible for obtaining documentation from child care personnel.

4. "Continuing Education Unit (CEU)" is a standard unit of measure of coursework used for training and credential purposes. The department will accept CEUs from education institutions accredited and recognized by the U.S. Department of Education, or nationally affiliated state professional organizations.

5. "Director" means "operator" as defined in Section 402.302(11), F.S., is the on-site administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

6. "Director Credential" is a department-approved comprehensive credential that consists of educational and experiential requirements as referenced—in paragraph (4)(i), below.

7. "Foster Grandparents" are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents shall be required to have 100% attendance in the following department's training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher's aides, group leaders or other similar positions."

8. "High School Diploma, GED and/or College Degree" means a diploma or degree obtained from institution accredited and recognized by U.S. Department of Education. High school diplomas issued by private schools that are registered with the Florida Department of Education will be accepted. If a high school diploma is earned outside the U.S., it must be translated by someone who is a member of the American Translators Association, an approved credential evaluation agency approved by the Bureau of Educators Certification, or an accredited college/university. If a college degree is earned outside the U.S., it must be evaluated by an approved credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university to be equivalent to a U.S. degree.

9. "Inactive" refers to the status of a candidate's awarded credential or certification that is no longer active; however, remains eligible for renewal.

10. "Professional contribution" for the purpose of Director Credential renewal, demonstrates a dedication to early childhood or school-age education outside of the child care program responsibilities.

11. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

12. "Weighted score" means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

13. "Year of experience" is equivalent to a minimum of 1040 hours of paid and/or nonpaid documented work experience.

(b) Child care personnel must begin training within 90 days of employment and successfully complete the department's training within 12 months from the date training begins. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care facility.

(c) Child care personnel must successfully complete 40 hours of child care training by completing the following department's training as evidenced by successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better. School-age child care personnel must complete:

1. Child Care Facility Rules and Regulation;
  2. Health, Safety, and Nutrition;
  3. Identifying and Reporting Child Abuse and Neglect;
- and
4. School Age-Appropriate Practices.
  5. The remaining hours must be met by completing any combination of training identified in sub-subparagraphs a. and b. below.

a. Successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better for any of the following courses:

- (I) Child Growth and Development (6 or 10 hours),
- (II) Behavioral Observation and Screening (6 or 10 hours),
- (III) Infant and Toddler Appropriate Practices (10 hours),
- (IV) Preschool Appropriate Practices (10 hours),
- (V) Special Needs Appropriate Practices (10 hours),
- (VI) Basic Guidance and Discipline (5 hours online),
- (VII) Early Literacy for Children Ages Birth Through Three (5 hours online),
- (VIII) Early Childhood Computer Learning Centers (5 hours online),
- (IX) Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online), or

b. Completion of specialized school-age training, provided by the department, a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

6. School-age child care personnel in compliance with paragraph 65C-22.003(2)(a), F.A.C., shall be considered in compliance with the school-age child care personnel training requirements.

7. Child care personnel who left the child care industry in compliance with training requirements, upon returning, shall be granted 90 days to comply with any new mandated training requirements. Completion of such training may be counted toward the annual in-service training requirement.

8. Child care personnel who left the child care industry not in compliance with training requirements must complete required training prior to re-employment.

9. Child care personnel employed at the same child care facility prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.

(d) Documentation of Training. Effective October 1, 2010, the department's Training Transcript will be the only acceptable verification of successful completion of the department's training. Training completion documented on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference, will no longer be accepted by the department after October 1, 2010, nor will any previous versions. Form CF-FSP 5267 is provided to participants upon completion of a department approved training course. A copy of the department's Training Transcript may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. A copy of the CF-FSP Form 5267 until October 1, 2010, or Training Transcript must be maintained at the school-age child care program.

2. A copy of the CF-FSP Form 5267 until October 1, 2010, or Training Transcript for the director of a school-age child care program must be maintained in the department's licensing file.

3. Training documented on CF-FSP Form 5267 that is not included on the Training Transcript must be sent to the department or designated representative prior to October 1, 2010, to be documented on the individual's Training Transcript.

4. As of October 1, 2010, any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, child care facilities will be out of compliance with the mandated training standard.

(e) School-age child care personnel are exempt from the training requirement of five clock-hour early literacy and language development of children from birth to five years of age, under paragraph 65C-22.003(2)(b), F.A.C.

(f) School-age child care programs are exempt from the staff credential requirement as outlined in subsection 65C-22.003(7), F.A.C.

(g) Exemptions from the Introductory Child Care Training.

1. Competency Examination Exemptions. Child care personnel have one opportunity, if they choose, to exempt from one or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.

2. Educational Exemptions.

a. The department or its designated representative shall exempt child care personnel from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one of the following educational qualifications:

(I) Associate's degree or higher with six college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade.

(II) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).

b. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.



c. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Elementary Education from the School-Age Appropriate Practices course.

d. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Exceptional Student Education from the Special Needs Appropriate Practices course.

e. There are no educational exemptions from the Child Care Facility Rules and Regulations and the Identifying and Reporting Child Abuse and Neglect courses or from the department's online training courses.

(h) Annual In-Service Training.

1. All child care facility personnel must complete a minimum of 10 clock-hours or one CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

2. The annual 10 clock-hours or one CEU of in-service training concentrating on children ages birth through 12 must be completed in one or more of the following areas (college level courses will be accepted):

- a. Health and safety, including universal precautions;
- b. Child CPR;
- c. First Aid (may only be taken to meet the in-service requirement once every three years);
- d. Nutrition;
- e. Child development – typical and atypical;
- f. Child transportation and safety;
- g. Behavior management;
- h. Working with families;
- i. Design and use of child oriented space;
- j. Community, health and social service resources;
- k. Child abuse;
- l. Child care for multilingual children;
- m. Working with children with disabilities in child care;
- n. Safety in outdoor play;
- o. Literacy;
- p. Guidance and discipline;
- q. Computer technology;
- r. Leadership development/program management and staff supervision;
- s. Age appropriate lesson planning;
- t. Homework assistance for school-age care;
- u. Developing special interest centers/spaces and environments; or
- v. Other course areas relating to child care or child care management.

3. Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, Child Care In-Service Training Record, which is incorporated by reference in paragraph 65C-22.003(6)(c), F.A.C., and included in the

child care facilities' personnel records. CF-FSP Form 5268 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). A new in-service training record is required each fiscal year. The in-service training records for the previous two fiscal years must also be maintained at the school-age child care program for review by the licensing authority.

4. Mandated 40-clock-hour introductory child care training, Parts I and II, may be used to meet the annual in-service training requirement during the first fiscal year of employment.

5. All child care personnel continuously employed or hired between July 1 and June 1 of the state's fiscal year must complete the annual in-service training requirement. This includes any changes in employment from one program to another.

6. Child care personnel continuously employed or hired between July 1 and June 1 of the state's fiscal year who do not complete the required annual in-service training during any given year must complete the remaining in-service training hours within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year's in-service training requirements.

(i) Director Credential.

1. Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., a child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which is incorporated by reference in paragraph 65C-22.003(8)(a), F.A.C. CF-FSP Form 5290 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). All applications and documentation will be verified, and if complete, the credential will be issued by the department or designated representative on CF-FSP Form 5252, April 2006, Florida Director Credential Certificate, which is incorporated by reference in paragraph 65C-22.003(8)(a), F.A.C.

a. An individual may not be the director of child care facilities that overlap in the hours of operation.

b. Each school-age child care program must have a credentialed director that is on-site a majority of hours that the facility is in operation.

c. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.

d. School-age child care program owners must notify the licensing authority within five working days of when the facility loses a credentialed director or when there is a change of director.

(I) The licensing authority will then issue a provisional license for a period not to exceed six months for any facility without a credentialed director.

(II) The provisional license will have an effective date of the first day the facility was without a credentialed director.

e. CF-FSP Form 5252, Florida Director Credential Certificate, must be maintained at the school-age child care program for review by the licensing authority.

2. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:

a. Three sites regardless of the number of children enrolled, or

b. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

c. In counties where the public school district has included four year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts that serve four year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraph 65C-22.003(7)(a), F.A.C., in order to accommodate the four year-old children.

d. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:

(I) Be at least 21 years of age;

(II) Have completed the approved 40 clock-hour Introductory Child Care Training approved by the department; and

(III) Have completed the department's Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight hours of in-service training in serving children with disabilities; or

(IV) Have completed the department's School-Age Appropriate Practices specialized training module.

3. Director Credential Renewal.

a. To maintain an active Director Credential at either level, complete the renewal section of the CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

b. A Director Credential renewal, as documented on CF-FSP Form 5252, Florida Director Credential Certificate is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the department for review, and issuance of a Director Credential Renewal Certificate no earlier than one

year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.

c. If a renewal application is received after the end of the active period for the Director Credential, the Director Credential Renewal Application will be reviewed and, if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.

4. Director Credential Training Providers.

a. The department is responsible for reviewing and approving "Overview of Child Care Management" courses offered through vocational-technical schools, community colleges and universities to determine if the requirements for the Director Credential coursework are met. Applications for new coursework will no longer be accepted by the department. A list of approved "Overview of Child Care Management" courses may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

b. All college level coursework pertaining to the following content areas will be accepted as approved coursework towards the Advanced Level Director Credential requirements:

(I) Child Care and Education Organizational Leadership and Management;

(II) Child Care and Education Financial and Legal Issues; and

(III) Child Care and Education Programming.

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History—New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, 12-15-11.

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: December 15, 2011

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

#### DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Economic Opportunity hereby gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF PETITIONER: Suwannee County Board of County Commissioners

DATE PETITION WAS FILED: August 25, 2011. It was assigned the number DCA11-WAI-181.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C. Requesting a waiver of the \$750,000

cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: Vol. 37, No. 39 September 30, 2011, issue of the Florida Administrative Weekly.

THE DATE OF THE ORDER DENYING OR APPROVING THE VARIANCE OR WAIVER: November 28, 2011.

THE GENERAL BASIS FOR THE AGENCY DECISION: Because the statutory basis for the cap was repealed, there was no authority to enforce the rule. Waiving the limit to allow greater grant amounts encourages economic development and the underlying purpose of the statute.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, FL 32399-4128, e-mail: miriam.snipes@deo.myflorida.com.

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NOTICE IS HEREBY GIVEN that on October 31, 2011, the Florida Division of Emergency Management, received a petition for Boca Royale Golf and Country Club. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on April 5, 2011, the Florida Division of Emergency Management, received a petition for Boca Woods County Club Association, Inc. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by paragraphs 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 1, 2011, the Florida Division of Emergency Management, received a petition for DeLand Country Club. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 22, 2011, the Florida Division of Emergency Management, received a petition for Great Northern Corporation-Laminations Southeast. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on June 23, 2011, the Florida Division of Emergency Management, received a petition for Halifax Plantation Golf Course. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on October 31, 2011, the Florida Division of Emergency Management, received a petition for the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for Honours Golf WGV, LLC. Petitioner seeks a

waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by paragraphs 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 4, 2011, the Florida Division of Emergency Management, received a petition for Kelly Greens Golf & Country Club. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 14, 2011, the Florida Division of Emergency Management, received a petition for Marisol Club, Inc. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 15, 2011, the Florida Division of Emergency Management, received a petition for NCH Healthcare System. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements.

Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on November 22, 2011, the Florida Division of Emergency Management, received a petition for Palm Beach National Golf and Country Club. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on October 5, 2011, the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for Russell Stover Candies. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by paragraphs 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that on August 4, 2011, the Florida Division of Emergency Management, received a petition for St. Andrews South Golf Club. Petitioner seeks a waiver of the requirements of Chapter 252.85, Sections (4) and (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on October 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Alachua County Sheriff's Office on behalf of five officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle and one officer for the 2008-2010 (7/1/2008-6/30/10) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the six officers by stating that the six officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 44, on November 4, 2011. On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Blountstown Police Department on behalf of James E. Godwin for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supported the requested

waiver by stating that the officer at issue shot the mandated course of fire with passing scores for the 2008 reporting cycle. The firearms instructor who supervised the mandatory firearms retraining documented Godwin's performance on the CJSTC 86A form. The instructor, the agency, and Godwin believed the instructor was a CJSTC-certified firearms instructor at the time. The instructor's firearms instructor certification had lapsed without anyone becoming aware of it. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete all of the requirements for the 2008 reporting cycle with the only deficiency being that the instructor who supervised him was inactive at the time of the qualifying shoots.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on October 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Cedar Key Police Department on behalf of five officers for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the five officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on October 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Daytona Beach Police Department on behalf of 32 officers for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 32 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Green Cove Springs Police Department on behalf of six officers for the 2008 and 2010 reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supported the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner stated that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the six officers did successfully complete the requirement simply because non-CJSTC-certified firearms instructors supervised their 2008 and 2010 mandatory firearms retraining requalifications.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Gulf Breeze Police Department on behalf of 33 officers for the 2006-2008 (7/1/06

– 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 33 officers by stating that they officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Florida City Police Department on behalf of 31 officers for the 2008 mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 31 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the

Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Hillsboro Beach Police Department on behalf of 18 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 18 officers by stating that they officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Jupiter Inlet Colony Police Department on behalf of 18 officers for the 2006-2008

(7/1/2006 – 6/30/2008) and 2008-2010 (7/1/08 – 6/30/10) reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supported the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner stated that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because non-CJSTC-certified firearms instructors supervised their 2006-2008 and 2008-2010 requalifications.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on October 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Lake Hamilton Police Department on behalf of 2 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 2 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on October 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Lawtey Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the one officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was not ordered to complete the 40 round course of fire and the instructor did not place a signed CJSTC 86A form in the officer's file. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.



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

The Criminal Justice Standards and Training Commission hereby gives notice that on October 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Lee County Port Authority Police Department on behalf of 59 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 59 officers by stating that they officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Maitland Police Department on behalf of Instructor Greg Fox for the 2010 mandatory firearms requalification cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supported the requested waiver by stating that the officer at issue did successfully complete the course of fire, however, because he was a CJSTC-certified firearms

instructor, he signed his own CJSTC 86A form for the 2010 reporting cycle. Petitioner stated that it will suffer a substantial hardship if the instructor's certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the instructor did successfully complete the requirement simply because he signed his own CJSTC 86A form for the 2010 reporting cycle.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

The Criminal Justice Standards and Training Commission hereby gives notice that on October 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of Subsection 11B-27.00212(14), F.A.C., from Parker Police Department on behalf of ten officers for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the ten officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the

Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Satellite Beach Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on October 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Office of the State Attorney, First Judicial Circuit on behalf of 16 officers for the 2006-2008

(7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the 16 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 4, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Tavares Police Department on behalf of Instructor Danny Feleccia for the 2008 and 2010 mandatory firearms requalification cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supported the requested waiver by stating that the officer at issue did successfully complete the course of fire, however, because he was a CJSTC-certified firearms instructor, he signed his own CJSTC 86A form for the 2008 and 2010 reporting cycles. Petitioner stated that it will suffer a substantial hardship if the instructor's certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the instructor did successfully complete the requirement simply because he signed his own CJSTC 86A forms for the 2008 and 2010 reporting cycles.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, on November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

The Criminal Justice Standards and Training Commission hereby gives notice on November 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-35.001(9)(b), F.A.C., from Valencia College Police Department on behalf of two Correctional Officers. Paragraph 11B-35.001(9)(b), F.A.C., requires officers to achieve a passing score of 80% or higher on Advanced and Specific Specialized Training Program Courses. The petition supported the requested waiver by stating that the officers at issue achieved what would have been passing scores (76%) under the old rule that took effect the week before the two officers took their end-of-course examinations. Petitioner stated that the two officers should not be penalized because of the rule change that increased the passing scores from 75% to 80% when that rule change took effect immediately prior to the end-of-course examinations in which the two officers were affected. Petitioner stated that the officers at issue will suffer a substantial hardship if their scores are not recognized because they will not receive the benefit of their retraining and will be obliged to repeat the entire course. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement according to the rules as they existed prior to the date the two officers took the examination.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 46, November 18, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. These two officers who took the examination for the

Criminal Law course one week after the rule changed the passing score for the course should not be penalized. The Commission issued an order granting the Petitioner's waiver.

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

The Criminal Justice Standards and Training Commission hereby gives notice that on November 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Wildwood Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by non-CJSTC-certified firearms instructors. The instructors did place signed CJSTC 86A forms for both requalifications in the officer's file memorializing that the officer did, in fact, successfully complete the course of fire. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 42, on October 21, 2011.

On December 7, 2011, pursuant to notice, at a special telephonic meeting originating in Tallahassee, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to be supervised by non-CJSTC-certified firearms instructors. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

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

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on December 9, 2011, the South Florida Water Management District ("District"), received a petition for waiver from Florida Department of Transportation, Application No. 11-1209-1M, for utilization of Works or Lands of the District known as C-103N, for the proposed installation of a light pole within Lands of the

District; Section 33, Township 56 South, Range 39 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussel@sfwmd.gov The District will accept comments concerning the petition received by end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 2, 2011, the South Florida Water Management District (District), received a petition for waiver that was amended. The amended petition for waiver was filed on November 2, 2011, by Robert B. Whaley-CenturyLink, Application No. 11-1007-1, for utilization of Works or Lands of the District known as the Cocohatchee Canal, Collier County for the proposed installation of aerial telecommunications cable spanning the Cocohatchee Canal. The proposed project within the Cocohatchee Canal right of way is located approximately 290 feet West of Centerline of the Old Cypress Bridge (Logan Boulevard), Section 29, Township 48 South, Range 26 East. The Petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs vertical clearance for aerial crossings within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN that on November 29, 2011, the Florida’s Office of Early Learning (formerly the Agency for Workforce Innovation), received a petition for from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: The Early Learning Coalition of Alachua County, 4424 N.W. 13th St., A-5, Gainesville, Florida 32609.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida’s Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on December 7, 2011, the Florida’s Office of Early Learning (formerly the Agency for Workforce Innovation), received a petition for variance from paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by: Early Learning Coalition of Pasco and Hernando Counties, 15506 County Line Road, Suite 103, Spring Hill, FL 34610.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida’s Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on December 13, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Edison State College, filed November 2, 2011, and advertised in Vol. 37, No. 46, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-370).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On December 13, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from WPT Parking Garage, filed November 7, 2011, and advertised in Vol. 37, No. 47, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a 9.5 mm steel rope and a metallic sheave because the

Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-379).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on December 13, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Venetian Bayview Condo Assoc, Inc., filed November 14, 2011, and advertised in Vol. 37, No. 47, of the Florida Administrative Weekly. 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 Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until March 31, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-380).

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

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NOTICE IS HEREBY GIVEN that on December 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lemon Bayview East. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-399).

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

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NOTICE IS HEREBY GIVEN that on December 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Comfort Suites Baymeadows. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a),

Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-400).

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

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NOTICE IS HEREBY GIVEN that on December 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Church of Scientology. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 3.10.4(u), 3.3.2, 2.1.3(b), 2.1.5, 3.4.3(a)(3) and 3.4.5(d) and of ASME A17., Section 303.1c, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations, an emergency stop switch, platform guards, fascia under the hoistway sill to extend no less than the depth of the leveling zone plus 3 inches, counterweight guard in the pit, the maximum distance between hoistway and car doors as 5.5 inches, emergency lighting and support of the hydraulic line which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-401).

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

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NOTICE IS HEREBY GIVEN that on December 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bethesda Memorial Hospital. Petitioner seeks four emergency variances of the requirements of ASME A17.1, Section 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1 and 2.20.9, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a machine room, and the use of coated steel belt which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-402, VW 2011-403, 2008-2010W 2011-404 and VW 2011-405).

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

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Petersburg College – Ethics & Social Sciences Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.18.5.1 and 2.20.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-412).

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

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Crowne Plaza. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-413).

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

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hilton Garden Inn Tampa Airport/Westshore. Petitioner seeks an emergency variance of the requirements of Section 3002.6, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that prohibits doors other than hoistway and car doors at the point of access to an elevator car which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-414).

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

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Belvedere Investment Associates LLC. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-415).

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

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Children's Museum. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2, Florida Building Code, and Section 3008.1(3)(e), Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump and a sump with or without a pump in the elevator pit which poses a significant economic/financial hardship. The Bureau determined that this request does not meet the criteria for an emergency request and will be processed as a Routine. An Order to this effect was sent notifying the Petitioner. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-416).

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

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NOTICE IS HEREBY GIVEN that on December 13, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Brandon Regional Hospital. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 211.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the

elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-417).

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

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NOTICE IS HEREBY GIVEN that on December 9, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Houlihan's #525 located in Kissimmee. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the omelet station handwash sink.

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

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

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on November 17, 2011, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Nauti-Dawgs located in St. Petersburg. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

The Petition for this variance was published in Vol. 37, No. 48 on December 2, 2011. The Order for this Petition was signed on December 8, 2011 and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring casters must be maintained in good repair and no additional equipment is to be installed. The unit must report to the commissary each day of operation for support services.

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

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: on November 17, 2011, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from Savory Scenes located in Sarasota. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another adjacent business.

The Petition for this variance was published in Vol. 37, No. 48 on December 2, 2011. The Order for this Petition was signed on December 8, 2011 and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathroom located within 33 S. Beneva Road are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of 33 S. Beneva Road changes, an updated signed agreement for use of the bathroom facilities is required immediately.

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

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The Electrical Contractors' Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance which was filed on October 14, 2011, by Daryl Johnson. The Notice of Petition for Variance/Waiver was published in Vol. 37, No. 43, of the October 28, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance from Rule 61G6-6.017, Florida Administrative Code, entitled, "Duration of Examination Scores," which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination. The Board considered the instant Petition at a duly-noticed public meeting, held November 16-18, 2011, in Gainesville, Florida.

The Board's Order, filed on December 12, 2011, granted the petition, finding Petitioner had demonstrated that application of the rule to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

A copy of the Order or additional information may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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NOTICE IS HEREBY GIVEN that on December 12, 2011, the Board of Accountancy, received a petition for Deborah A. Lunn, seeking a variance or waiver of paragraph 61H1-27.002(2)(b), Florida Administrative Code, which states that specialized industry courses will be acceptable as general business courses but not as accounting courses unless as defined in subsection 61H1-27.002(2), F.A.C., and they have an accounting prefix, further such courses in order to qualify must be certified by the chairman of the school or college's accounting department as qualifying for general business credit.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on August 24, 2011, by Noa Rawlinson. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 36, of the September 9, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61H1-27.0041(2), F.A.C., entitled "One Year of Work Experience," which lists the requirements for work experience supervision as the subjection of the applicant, during employment, to oversight, guidance and evaluation by a supervisor who had the right to control and direct the applicant as to the result to be accomplished by the work and also as to the means by which the result was to be accomplished and which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C. The Board considered the instant Petition at a duly-noticed public meeting, held October 7, 2011, in Tampa, Florida.

The Board's Order, filed on November 22, 2011, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(4), Florida Statutes, would be met by granting a variance or waiver from subsection

61H1-27.0041(2), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN that on December 8, 2011, the Board of Accountancy, received a petition for Rafael J. Duran, seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, report on forms prescribed by the Board, compliance with continuing professional education requirements completed during the applicable reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on December 9, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Joseph Pecoraro, M.D., from Rule 64B8-8.019, F.A.C., with regard to the requirement for submission of the record of the malpractice trial to the Board of Medicine. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

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The Board of Medicine hereby gives notice that the Petition for Waiver or Variance filed by Suhail N. Alsheikh, M.D., has been withdrawn, upon request of the Petitioner. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 38, of the September 23, 2011, issue of the F.A.W.

The person to be contacted regarding this Petition is: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

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NOTICE IS HEREBY GIVEN that on December 9, 2010, the Department of Health, received a petition for Variance from paragraph 64E-16.007(2)(e), Florida Administrative Code,



from David Freedman, on behalf of Medical Innovations, Inc. This rule prescribes a procedure for conducting routine efficacy testing. The Petitioner requests a variance from these rules to allow the Petitioner to validate the efficacy using indicator discs in place of biological indicators to prove efficacy of sterilization. Comments on this Petition should be filed with the: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Penny Barwick, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

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## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Bureau of Historic Preservation, Friends of Florida Main Street** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2012, 10:00 a.m.

PLACE: St. Cloud Main Street Office, 903 Pennsylvania Avenue, St. Cloud, Florida 34769

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the organization.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator at 1(800)847-7278 or via email: Joan.Jefferson@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: Joan Jefferson, Florida Main Street Coordinator at 1(800)847-7278 or via email: Joan.Jefferson@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: Joan Jefferson, Florida Main Street Coordinator at 1(800)847-7278 or via email: Joan.Jefferson@dos.myflorida.com.

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The **Friends of Mission San Luis** announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2012, 11:00 a.m.

PLACE: Mission San Luis, 2100 W Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Executive Committee will meet to discuss upcoming events, income and expense reports, marketing reports and other Friends business.

A copy of the agenda may be obtained by contacting: Cookie Stevens at (850)245-6388.

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: Cookie Stevens at (850)245-6388 or Cookie.Stevens@dos.myflorida.com.

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The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 10, 2012, 10:00 a.m. (CST)

PLACE: Conference Room, Jackson County Health Department, 4979 Healthy Way, Marianna, FL 32446-7993

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Jackson County Health Department in Marianna will meet to evaluate the proposal submitted by their selected artist.

A copy of the agenda may be obtained by contacting: Lee Modica, 500 S. Bronough St., Third Floor, Tallahassee, FL 32399-0250, (850)294-5445.

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: Lalulra Blischke at (850)245-6475. 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.

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#### DEPARTMENT OF EDUCATION

The **Gulf Coast State College District**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2012, 10:00 a.m.

PLACE: Gulf Coast State College, Emergency Operations Center, Room 105, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold a meeting. Contact person for the meeting is: Dr. Jim Kerley, President, Gulf Coast State College.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College.

The Florida **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 2, 2012, 9:00 a.m. – 2:00 p.m.

PLACE: Florida’s Office of Early Learning, 250 Marriott Drive, Tallahassee, Florida 32399; Sleeping Room Block: Courtyard Marriott Tallahassee Capital, 1018 Apalachee Parkway, Tallahassee, Florida 32301, 1(888)236-2427

GENERAL SUBJECT MATTER TO BE CONSIDERED: ELAC quarterly meeting and Board Governance.

A copy of the agenda may be obtained by contacting: Lisa.Billups@OEL.Myflorida.com.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Building Commission**, the “Commission”, announces a public meeting to which all persons are invited.

STRUCTURAL TECHNICAL ADVISORY COMMITTEE

DATE AND TIME: January 5, 2012, 10:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 2059360213; Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and make recommendations to the Commission and the Product Approval Oversight Committee regarding the equivalency of standards as follows: “ASTM E 1996-05 is equivalent to 1996-02 and for impact devices is equivalent to 1996-06”, and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, call: (850)487-1824 or Fax (850)414-8436.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, call: (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, call: (850)487-1824 or Fax: (850)414-8436.

The **Florida Building Commission**, “the Commission” announces a public meeting to which all persons are invited.

DATES AND TIME: January 17, 2012; January 23, 2012; February 6, 2012; February 13, 2012; February 20, 2012; February 27, 2012; March 5, 2012; March 12, 2012, 10:00 a.m. – until Completion

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 7975951832; Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative updates and other old and new business approved by the Commission Chair.

A copy of the agenda may be obtained by contacting: Ms Ila Jones, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, (Physical Address) 2555 Shumard Oak Boulevard, Tallahassee, Florida, (Mailing Address) 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824, Fax: (850)414-4836.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, (Physical Address) 2555 Shumard Oak Boulevard, Tallahassee, Florida, (Mailing Address) 1940 North Monroe Street, Tallahassee, Florida 32399-0772, Telephone: (850)487-1824, Fax: (850)414-4836. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms Ila Jones, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, (Physical Address) 2555 Shumard Oak Boulevard, Tallahassee, Florida.

(Mailing Address) 1940 North Monroe Street, Tallahassee, Florida 32399-0772, Telephone: (850)487-1824, Fax: (850)414-4836.

The **State Emergency Response Commission for Hazardous Materials Training Task Force (TTF)** announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2012, 9:30 a.m. (EDT)

PLACE: Embassy Suites – Orlando North, The Florida Room, 222 Shorecrest Drive, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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 **Local Emergency Planning Committee (LEPC)**, Chairpersons and Staff Contacts for the **State Emergency Response Commission for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2012, 1:30 p.m. (EDT)

PLACE: Embassy Suites – Orlando North, The Florida Room, 222 Shorecrest Drive, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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 hours before the workshop/meeting by contacting: Division of Emergency Management at

(850)413-9970. 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 **State Emergency Response Commission for Hazardous Materials (SERC)** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2012, 10:00 a.m. (EDT)

PLACE: Embassy Suites – Orlando North, The Florida Room, 225 Shorecrest Drive, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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 LAW ENFORCEMENT

The **Criminal Justice Standards and Training Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 30, 2012, 8:30 a.m., Officer Discipline Class; January 31, 2012, 8:30 a.m., Florida Criminal Justice Educators Association Meeting and Officer Discipline Class; 1:00 p.m., Training Center Director Board Meeting; 2:00 p.m., Training Center Director Basic Recruit Committee and Physical Fitness Committee; 3:00 p.m., Training Center Director Advanced Training Committee, Rules Committee, and Technology Committee; 4:00 p.m., Training Center Director Open Form; February 1, 2012, 8:30 a.m., Officer Discipline Class and Training Center Directors Business Meeting; 10:00 a.m., Probable Cause Determination Hearings; 1:00 p.m., Regional Criminal Justice Selection Center Directors Association; February 2, 2012, 8:00 a.m., Criminal Justice Standards and Training Commission Business Agenda; 8:30 a.m., Officer Discipline Class; 9:30 a.m., Officer Disciplinary Proceedings

PLACE: Hilton Sandestin Beach, 4000 Sandestin Boulevard, Miramar Beach, FL 32550-4214. (850)267-9500 or 1(800)367-1271, Group Name: Criminal Justice or "CJS"; Group Rate: \$77.00 each night for Single/Double from 1/29/12 – 2/5/12; Reservation Deadline: January 13, 2012.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings will be held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. Commission.

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

The February 2012 Commission Meeting Packet can be viewed or downloaded after January 17, 2012, at <http://www.fdle.state.fl.us>. (Click on "A-Z Index," Click on "Criminal Justice Standards and Training Commission," and Click on "Criminal Justice Standards and Training Commission meeting for February 2, 2012 where it says "Click Here"). Supporting information is only available for Commission packet agenda items on a CD-ROM. To request a CD-ROM please e-mail: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615 or email: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Donna Hunt at (850)410-8615 or email: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 13, 2012, 8:30 a.m. – 12:30 p.m.

PLACE: Embassy Suites Orlando North, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by contacting: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Investigations & Forensic Science Program, Office of Policy & Planning, Post Office Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7096.

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## DEPARTMENT OF TRANSPORTATION

The Florida **Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2012, 1:00 p.m. (EST) – until conclusion of business; January 10, 2012, 8:00 a.m. (EST) – until conclusion of business

PLACE: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399 or phone (850)414-4105.

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The Florida **Department of Transportation**, District 2 announces a workshop to which all persons are invited.

DATE AND TIME: January 19, 2012, 4:30 p.m. – 6:30 p.m.

PLACE: Courtyard by Marriott, 14402 Old St. Augustine Road, Jacksonville, Florida 32258

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning noise barriers as part of Financial Project ID Number 209294-9, otherwise known as the Interstate 95/SR 9B Interchange project in Duval County, Florida. The planned segment of SR 9B under consideration would extend from US 1 to I-95 in Duval County. The need for the SR 9B interchange is primarily to provide linkage from SR 9B to I-95 and from I-95 to SR 9A. This linkage is needed to satisfy the traffic demand expected as a result of development and rapid population growth in the southeastern Jacksonville area. The Florida Department of Transportation (FDOT) is seeking input to verify support for, or opposition to, the construction of noise barriers within FDOT right-of-way. Primary consideration will be given to the viewpoints of adjacent, affected property owners.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and

Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 9:00 a.m.

PLACE: Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The sole purpose of the special meeting is to receive, evaluate and process SBA management responses to the Crowe Horwath report.

A copy of the agenda may be obtained by contacting: Dennis Mackee at (850)413-1251.

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: Jamel Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Hurricane Catastrophe Fund Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 12, 2012, 2:00 p.m. (ET) – until conclusion of meeting

PLACE: Persons wishing to participate may dial: 1(888)808-6959, and enter Conference Code: 4765251363

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain approval for the filing of a Notice of Proposed Rule for 19-8.029, F.A.C., Insurer Reporting Requirements and 19-8.030, F.A.C., Insurer Responsibilities. In addition, approval will be sought to file these rules for adoption if no member of the public timely requests a rule hearing. Other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, tracy.allen@sbafla.com, (850)413-1341.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tracy Allen at the email or number 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).

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#### FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, January 11, 2012; January 25, 2012, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission at ada@fpc.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).

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.

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#### PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: January 10, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The agenda and recommendations are accessible on the PSC Website: <http://www.floridapsc.com>, at no charge or can be purchased by contacting: Florida Public Service Commission,

Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850, (850)413-6770 at a cost of 15 cents per single sided page or 20 cents per duplexed page.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: January 11, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

\*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website: <http://www.psc.state.fl.us/agendas/internalaffairs/>.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Jobs for Floridians with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: Room 412, The Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the Governor's Commission on Jobs for Floridians with Disabilities pursuant to Executive Order 11-161.

A copy of the agenda may be obtained by contacting: David Darm at (850)488-8873 or [david.darm@laspbs.state.fl.us](mailto:david.darm@laspbs.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Darm at (850)488-8873 or email: [david.darm@laspbs.state.fl.us](mailto:david.darm@laspbs.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Darm at (850)488-8873 or [david.darm@laspbs.state.fl.us](mailto:david.darm@laspbs.state.fl.us).

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The **Children and Youth Cabinet** announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2012, 9:00 a.m. – 3:00 p.m.

PLACE: The Capitol, 400 S. Monroe Street, Governor's Large Press Conference Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Children's Cabinet and Forum for Youth Investment will conduct a Policy Roundtable focused on identifying low cost/no cost strategies for improving post-secondary education rates for low-income, first generation, foster children and other vulnerable youth and increasing education rates in science, technology, engineering, and mathematics.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Office of Adoption and Child Protection, telephone: (850)921-2015 or [Cyndee.Odom@eog.myflorida.com](mailto:Cyndee.Odom@eog.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 3 days before the workshop/meeting by contacting: Cyndee Odom, Office of Adoption and Child Protection, (850)921-2015 or email: [Cyndee.Odom@eog.myflorida.com](mailto:Cyndee.Odom@eog.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: Cyndee Odom at (850)921-2015 or [Cyndee.Odom@eog.myflorida.com](mailto:Cyndee.Odom@eog.myflorida.com).

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The **Children and Youth Cabinet** announces a workshop to which all persons are invited.

DATE AND TIME: January 31, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: The Capitol, 400 S. Monroe Street, Cabinet Meeting Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Cabinet members will meet to conduct regular business of the Children and Youth Cabinet.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Office of Adoption and Child Protection, telephone: (850)921-2015 or Cyndee.Odom@eog.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 3 days before the workshop/meeting by contacting: Cyndee Odom, Office of Adoption and Child Protection, telephone: (850)921-2015 or email: Cyndee.Odom@eog.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: Cyndee Odom, Office of Adoption and Child Protection, (850)921-2015 or Cyndee.Odom@eog.myflorida.com.

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#### REGIONAL PLANNING COUNCILS

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

DATE AND TIME: January 5, 2012, 7:00 p.m.

PLACE: County Commission Meeting Room, Administrative Complex, 201 East Green Street, Perry, Florida

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Tampa Bay Regional Planning Council**, Regional Planning Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2012, 1:30 p.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Advisory Committee.

A copy of the agenda may be obtained by contacting: Mr. Avera Wynne, (727)570-5151, ext. 30.

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 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. 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: Mr. Avera Wynne, (727)570-5151, ext. 30.

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The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2012, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

A copy of the agenda may be obtained by contacting: wren@tbrpc.org.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2012, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. 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: Wren Krahl, (727)570-5151, ext. 22.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Stuart Learning Center, 800 S.E. Bahama Avenue, Stuart, FL 34994-3114

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Regional Schools Working Group meeting will be held to discuss the 'next steps' of the college/career readiness discussion. Multiple school board members from the Palm Beach, Martin, St. Lucie and Indian River, and Okeechobee County School Districts as well as the respective superintendents may be in attendance. The meeting is free and open-to-the-public.

A copy of the agenda may be obtained by contacting: Kimberly DeLaney, (772)221-4060.

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: Kimberly DeLaney, (772)221-4060. 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: Kim DeLaney, (772)221-4060.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2012, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 S.E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its monthly Council meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. 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: Liz Gulick at (772)221-4060.

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## METROPOLITAN PLANNING ORGANIZATIONS

The **Charlotte County-Punta Gorda MPO Transportation Disadvantaged Local Coordinating Board (LCB)** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2012, 10:00 a.m.

PLACE: East Port Environmental Campus, Training Room B, 25550 Harbor View Road, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: At the public hearing, public comments are welcome on the Transportation Disadvantaged Service Plan, which is also the Coordinated Public Transit-Human Service Transportation Plan (under the provisions of SAFETEA-LU).

A copy of the agenda may be obtained by contacting: Ms. Wendy Scott at [scott@ccmpo.com](mailto:scott@ccmpo.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535. 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: Charlotte County-Punta Gorda MPO, (941)883-3535.

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## WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 5, 2012, 5:00 p.m., Projects & Land Committee Business Meeting

PLACE: Mission Inn Conference Center, 10400 County Road 48, Howey-in-the-Hills, FL 34737

DATE AND TIME: Friday, January 6, 2012, 8:00 a.m., Projects & Land Committee Site Visits

PLACE: Various locations along Upper Ocklawaha River Basin, Lake Apopka and Harris Chain of Lakes.



Starting location: Mission Inn Conference Center, 10400 County Road 48, Howey-in-the-Hills, FL 34737

The item and location of the site visits may be changed due to inclement weather or other unforeseen circumstances. Notice of such change will be made at the January 5, 2012, Business Meeting. Notice of such change will also be available by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, by phone: (386)329-4347.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Updates and discussion of the Upper Ocklawaha River Basin, Lake Apopka and Harris Chain of Lakes. The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

**NOTE:** In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, January 10, 2012, 8:00 a.m., District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board Members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

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: Heather Barnes at (386)329-4347. 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.

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

**DATE AND TIMES:** Tuesday, January 10, 2012, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board Meeting and Public Hearing on Land Acquisition

**PLACE:** District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

**NOTE:** One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, by phone: (386)329-4101 or by visiting the District's website: www.floridaswater.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: District Clerk at (386)329-4500. 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.

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

**DATE AND TIME:** January 3, 2012, 9:00 a.m.

**PLACE:** Tampa Service Office, 7601 US 301, Tampa, FL 33637

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Permit/Application No. and Project Name

- 20003848.010 Diamond D Ranch
- 20011123.004 Clay Gully Ranch, LLC
- 20012154.002 H D Budd Farms Inc.
- 20011181.011 Batista & Evelyn Madonia/SR 60 Farm
- 639067 Village at Venice
- 648966 Wildwood Springs DRI
- 650632 Hillsborough River Mitigation Bank
- 653035 FDOT US 19
- 654498 Heritage Springs
- 654925 Crystal Springs
- 654986 SR 35 (US 17) /CR 760A to Heard Street
- 655746 Stormwater Infrastructure Management – Sarasota Co
- 656700 SR 35 (US 17) from SW Collins Street to CR 760A
- 657687 Fruitville Initiative Parcels/Floodplain Celery Fields Compensation
- 43018279.006/655733 Champions Gate – Sports Complex
- 43007090.004 Highland Avenue Stormwater Retrofit Phase 1
- 43009430.008/653885 Oakwood Subdivision and Golf Club
- 43023491.163/657575 The Villages of Lake-Sumter, Inc./Villages of Sumter – Big Cypress Mangrove & Sweetgum Golf Courses

43034389.004/658190 USF Polytechnic – Infrastructure Package – Phase 1

49034389.003/658191 USF Polytechnic – Conceptual

653377 Reeder Snell Industrial Park

656190 Charlotte Regional Interstate Business Park

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, FL 34609-6749 or by visiting the District's website: [www.watermatters.org](http://www.watermatters.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702. 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 Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 4, 2012, 4:00 p.m. – 6:00 p.m.

PLACE: Ruskin Branch Library, 26 Dickman Drive S.E., Paula Dickman Lawler Room, Ruskin, Florida 33570-4313

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open discussion of the Bahia Beach Restoration project.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, 1(352)796-7211 or 1(800)423-1476 (Florida Only), extension 4275.

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: (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4702; TDD (Florida Only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto: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 Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 5, 2012, 6:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Public Workshop: Evaluation of SWFWMD lands for potential hunting opportunities. Governing Board and Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

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 at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto: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).

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: [Cheryl.Hill@watermatters.org](mailto:Cheryl.Hill@watermatters.org), 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4452 (Ad Order EXE0181).

**The Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 9, 2012, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Environmental Advisory Committee meeting to discuss committee business. One or more Governing Board members may attend.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings & Event Calendar; or the Planning Department 1(800)423-1476 (FL Only), (352)796-7211.

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 at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103; or email: [ADACoordinator@swfwmd.state.fl.us](mailto: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).

For more information, you may contact: [Teri.Hudson@watermatters.org](mailto:Teri.Hudson@watermatters.org) or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD Order #10235).

**SPACE FLORIDA**

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 25, 2012, 2:30 p.m. – 4:30 p.m. (Eastern Time)

PLACE: Residence Inn, 600 W. Gaines St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board Of Directors Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Juanell Kirkendoll at email: [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

**DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 3, 2012; February 7, 2012; March 6, 2012; April 3, 2012; May 1, 2012; June, 5, 2012; July 3, 2012; August 7, 2012; September 4, 2012, October 2, 2012; November 6, 2012; December 4, 2012, 9:30 a.m. – 10:45 a.m. (EST/EDT)

PLACE: Temple Shalom, 21390 Utica Ave., Port Charlotte, FL 33949

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southwest Florida District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org). If

you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2012, 10:00 a.m. – 11:30 a.m. (EST/EDT)

PLACE: 3601 Kirby Loop Road, Ft. Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Treasure Coast District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 9, 2012; February 20, 2012; March 19, 2012; April 16, 2012; May 21, 2012; June 18, 2012; July 16, 2012; August 20, 2012; September 17, 2012, October 15, 2012; November 19, 2012; December 17, 2012, 11:00 a.m. – 12:00 Noon (EST/EDT)

PLACE: 111 South Sapodilla Avenue, Room #113B, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Palm Beach County District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323, or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org). If

you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 10, 2012; February 14, 2012; March 13, 2012; April 10, 2012; May 8, 2012; June 12, 2012; July 10, 2012; August 14, 2012; September 11, 2012; October 9, 2012; November 13, 2012; December 11, 2012, 10:00 a.m. – 11:00 a.m. (EST/EDT)

PLACE: Elder Source, 4160 Woodcock Ave., Bldg. 2800, 2nd Floor, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Coast District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 10, 2012; February 14, 2012; March 13, 2012; April 10, 2012; May 8, 2012; June 12, 2012; July 10, 2012; August 14, 2012; September 11, 2012; October 9, 2012; November 13, 2012; and December 11, 2012, 1:00 p.m. – 2:15 p.m. (EST/EDT)

PLACE: 8333 West McNab Road, Second Floor, DOEA Conference Room, Tamarac, Florida 33321

GENERAL SUBJECT MATTER TO BE CONSIDERED: Broward County District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

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

contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 12, 2012; February 9, 2012; March 15, 2012; April 12, 2012; May 10, 2012; June 14, 2012; July 12, 2012; August 9, 2012; September 13, 2012; October 11, 2012; November 8, 2012; December 13, 2012, 10:30 a.m. – 12:30 p.m. (EST/EDT)

PLACE: North Miami Beach Public Library, 1601 N.E. 164th Street, North Miami Beach, FL 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Dade District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 12, 2012; February 9, 2012; March 8, 2012; April 12, 2012; May 10, 2012; June 14, 2012; July 12, 2012; August 9, 2012; September 13, 2012; October 11, 2012; November 8, 2012; December 13, 2012, 12:00 Noon – 2:00 p.m. (EST/EDT)

PLACE: 988 Woodcock Road, Suite 105, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: East Central District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 12, 2012; February 9, 2012; March 8, 2012; April 12, 2012; May 10, 2012; June 14, 2012; July 12, 2012; August 9, 2012; September 13, 2012; October 11, 2012; November 8, 2012; December 13, 2012, 1:00 p.m. – 2:30 p.m. (EST/EDT)

PLACE: 375 Commerce Parkway, Suite 101, Rockledge, FL 32955

GENERAL SUBJECT MATTER TO BE CONSIDERED: Brevard Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 12, 2012; March 8, 2012; April 12, 2012; June 14, 2012; July 12, 2012; September 13, 2012; October 11, 2012; December 13, 2012, 2:00 p.m. – 3:00 p.m. (EST/EDT)

PLACE: United Way of Central Florida, 5605 US Hwy. 98 South, Lakeland, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Central Florida District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 26, 2012; February 23, 2012; March 29, 2012; April 26, 2012; May 31, 2012; June 28, 2012; July 26, 2012; August 30, 2012; September 27, 2012; October 25, 2012; November 29, 2012; December 20, 2012, 9:30 a.m. – 12:00 Noon (EST/EDT)

PLACE: 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northwest Florida District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: February 13, 2012; March 12, 2012; April 9, 2012; May 14, 2012; June 11, 2012; July 9, 2012; August 13, 2012; September 10, 2012; October 8, 2012; November 5, 2012; December 10, 2012, 10:00 a.m. – 11:30 a.m. (EST/EDT)

PLACE: Thomas Counseling Center, 5000 Dunn Road, Ft. Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Treasure Coast District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATES AND TIME: January 5, 12, 19, 26, 2012; February 2, 19, 16, 23, 2012; March 1, 8, 15, 22, 29, 2012, 12:00 Noon – 1:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9247380#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: burgesse@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: burgesse@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: burgesse@elderaffairs.org.

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 29, 2011, 10:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room “A”, Tallahassee, FL 32308. Any person interested in participating by telephone may dial: 1(888)808-6959, Participant Code: 8509223803. If you have any difficulty accessing the teleconference, please call the Florida Center’s Main Number at (850)412-3730

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Commission on Review of Taxpayer Funded Hospital Districts. The commission was created by Governor’s Executive Order Number 11-63, to assess and make recommendations on the role of hospital districts, whether it is in the public’s best interest to have government entities operating hospitals and what is the most effective model for enhancing health-care access for the poor.

A copy of the agenda may be obtained by contacting: Faye Miller, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5407. The agenda will also be posted at the Agency website: <http://ahca.myflorida.com/mchq/FCTFH/fctfh.shtml>.

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: Beth Eastman, Bureau of Health Facility Regulation, Florida Center, email: Beth.Eastman@ahca.myflorida.com or (850)412-3746. 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: Beth Eastman, Bureau of Health Facility Regulation, Florida Center at Beth.Eastman@ahca.myflorida.com or (850)412-3746.

The **Agency for Health Care Administration**, on behalf of the Low Income Pool (LIP) Council announces a public meeting to which all persons are invited.

DATES AND TIMES: January 5, 2012, Conference Room F, 10:00 a.m. – 4:00 p.m.; January 13, 2012, Conference Room A, 10:00 a.m. – 4:00 p.m.; January 19, 2012, Conference Room F, 10:00 a.m. – 4:00 p.m.

PLACE: 2727 Mahan Drive, Building 3, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the LIP program including legislative updates, funding methodology, policies and procedures in accordance with the approved Medicaid Reform Section 1115 Demonstration.

A copy of the agenda may be obtained by contacting: [http://ahca.myflorida.com/medicaid/medicaid\\_reform/lip/lip.shtml](http://ahca.myflorida.com/medicaid/medicaid_reform/lip/lip.shtml). If you need additional information, please contact: Nicole Maldonado, (850)412-4287, email: Nicole.Maldonado@ahca.myflorida.com, with any questions.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Nicole Maldonado, (850)412-4287, email: Nicole.Maldonado@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nicole Maldonado, (850)412-4287, Nicole.Maldonado@ahca.myflorida.com.

The **Agency for Health Care Administration, Division of Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2012, 1:00 p.m. – 2:00 p.m. (Eastern Standard Time)

PLACE: Agency for Health Care Administration, Dial In Only: 1(877)519-7657, Conference ID: 36246677

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hemophilia Medical Advisory Panel (HMAP) will meet to review and approve the minutes from the previous meeting and to discuss the future contracting of the Comprehensive Hemophilia Management Program. The meeting will be conducted via conference call.

A copy of the agenda may be obtained by contacting: Twila Sisk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, Florida 32308-5403, (850)412-4004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Twila Sisk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308-5403, (850)412-4004. 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: Twila Sisk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308-5403, (850)412-4004.

The **Agency for Health Care Administration, Division of Medicaid** announces a public meeting to which all persons are invited.

DATES AND TIME: February 23, 2012; March 22, 2012; April 26, 2012; May 24, 2012; June 28, 2012; 9:30 a.m. – 11:00 a.m. (Eastern Standard Time)

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308; Dial In number: 1(888)808-6959, Conference Code: 8509227332. Those not able to attend in person may call the conference phone number (listed above)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or by calling (850)412-4004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or by calling (850)412-4004. 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: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, Florida 32308 or by calling (850)412-4004.

#### DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services, Division of Telecommunications, E911 Board** announces the following meeting schedule information:

DATES AND TIME: January 11-12, 2012, 9:00 a.m. – until conclusion of business

PLACE: Telephone Conference Call: 1(888)808-6959, Conference Code 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business.

DATE AND TIME: January 26, 2012, 2:00 p.m. – until conclusion of business

PLACE: Telephone Conference Call: 1(888)808-6959, Conference Code: 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business related to the 2011 Annual Report to the Governor and Legislature.

DATE AND TIME: February 9, 2012, 2:00 p.m. – until conclusion of business

PLACE: Telephone Conference Call: 1(888)808-6959, Conference Code 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business related to the 2011 Annual Report to the Governor and Legislature.

**DATES AND TIME:** February 15-16, 2012, 9:00 a.m. – until conclusion of business

**PLACE:** Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

**DATES AND TIME:** March 14-15, 2012, 9:00 a.m. – until conclusion of business

**PLACE:** Telephone Conference Call: 1(888)808-6959, Conference Code 4149636

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss general business.

**DATES AND TIME:** April 10-12, 2012, 9:00 a.m. – until conclusion of business

**PLACE:** Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

**DATES AND TIME:** May 16-17, 2012, 9:00 a.m. – until conclusion of business

**PLACE:** Telephone Conference Call: 1(888)808-6959, Conference Code 4149636

**DATES AND TIME:** June 12-14, 2012, 9:00 a.m. – until conclusion of business

**PLACE:** Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

If accommodation due to disability is needed in order to participate, please notify: The DMS – Division of Telecommunications Office/E911 Board in writing at least five (5) days in advance at 4030 Esplanade Way, Tallahassee, Florida 32399-0950.

The **State Retirement Commission** announces a hearing to which all persons are invited.

**DATE AND TIME:** Monday, January 9, 2012, 8:30 a.m.

**PLACE:** Embassy Suites Orlando Airport, Earhart B Room, 5835 TG Lee Boulevard, Orlando, Florida 32822

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399-0950 or by telephoning (850)487-2410. 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: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation, Division of Hotels and Restaurants** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 17, 2012, 2:00 p.m. – 4:00 p.m.

**PLACE:** Department of Business and Professional Regulation, Board Room, 1940 North Monroe Street, Tallahassee, FL; Conference Call: 1(888)808-6959, Conference Code: 9225046#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Hotels and Restaurants Advisory Council Meeting.

A copy of the agenda may be obtained by contacting: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1274.

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: Suzanne Keele, Division of Hotels and Restaurants, (850)717-1274. 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: Suzanne Keele, Division of Hotels and Restaurants, (850)717-1274.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** January 11, 2012, 10:00 a.m.

**PLACE:** Conference Call: 1(888)808-6959, Conference Code: 4878197#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by



contacting: The Board Office. 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.

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The Florida **Board of Professional Engineers**, Educational Advisory Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 8:30 a.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

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The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 1:00 p.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing: 1(888)392-4560; Participant Code: 1188973. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Shannon McCoy at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by contacting: Shannon McCoy.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

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The **Florida Engineers Management Corporation**, Board Operations Committee announces a telephone Conference Call to which all persons are invited.

DATE AND TIME: January 13, 2012, 10:00 a.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the Committee.

Telephone Conference #: 1(888)392-4560, Passcode: 1188973

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

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

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The Florida **Board Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2012, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Educational Advisory Review Committee to approve or deny applications for licensure and any old or new business of the Board.

Telephone Conference #: 1(888)392-4560, Passcode: 1188973  
A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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

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

For more information, you may contact: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 15, 2012, 1:00 p.m. or soon thereafter; February 16, 2012, 8:30 a.m. or soon thereafter

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

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

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

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

For more information, you may contact: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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The **Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, January 25, 2012, 1:00 p.m.; Thursday, January 26, 2012, 9:00 a.m.

PLACE: Hilton University of Florida Conference Center Gainesville, 1714 S.W. 34th Street, Gainesville, Florida 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Geology Applications and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399.

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: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399. 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: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399.

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The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 27, 2012, 8:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 3332505

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607.

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: Karan Lee, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607. 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: Karan Lee, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, in conjunction with the **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2012, 6:00 p.m. (Central Time)

PLACE: Emerald Coast Convention Center, 1250 Miracle Strip Pkwy. S.E., Fort Walton Beach, FL 32548

DATE AND TIME: January 12, 2012, 6:00 p.m. (Central Time)

PLACE: University of West Florida, Conference Center Rooms B and C, 11000 University Pkwy., Pensacola, Florida 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the Oil Pollution Act of 1990, the National Environmental Policy Act, and the Framework Agreement for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill, Federal and State trustee agencies have prepared a Draft Phase I Early Restoration Plan and Environmental Assessment (DERP/EA) describing and proposing a suite of early restoration projects intended to commence the process of restoring natural resources and services injured or lost as a result of the Deepwater Horizon oil spill, which occurred on or about April 20, 2010 in the Gulf of Mexico.

The Florida and Federal Trustees will host a public meeting to discuss and take public comments on the DERP/EA. A copy of the DERP/EA may be accessed via: <http://www.dep.state.fl.us/deepwaterhorizon/>.

A copy of the agenda may be obtained by contacting: Kristin Lock, 3900 Commonwealth Blvd., MS #30, Tallahassee, Florida 32399-3000, telephone: (850)245-2118, email: [Kristin.Lock@dep.state.fl.us](mailto:Kristin.Lock@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kristin Lock, 3900 Commonwealth Blvd., MS #30, Tallahassee, Florida 32399-3000, telephone: (850)245-2118, email: [Kristin.Lock@dep.state.fl.us](mailto:Kristin.Lock@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristin Lock, 3900 Commonwealth Blvd., MS #30, Tallahassee, FL 32399-3000, telephone: (850)245-2118, email: [Kristin.Lock@dep.state.fl.us](mailto:Kristin.Lock@dep.state.fl.us).

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: February 22, 2012, 2:00 p.m.

PLACE: Room 611, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and take final action on management of the Fiscal Year (FY) 2012 Water Pollution Control State Revolving Fund (SRF) priority list for loan projects under Chapter 62-503, Florida Administrative Code (F.A.C.).

Project increase requests and new projects which have met program requirements will be ranked and added to the bottom of the FY 2012 fundable portion of the priority list, subject to the \$10 million segment cap.

Pursuant to subsection 62-503.600(4), F.A.C., the Department's funding commitment to projects currently assigned to the water pollution control loan priority list may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled.

Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding the list and any proposed actions. The Department may adopt, modify, or deny the proposed actions at the hearing.

After the hearing, the Department will file the written Record of Final Agency Action. A copy of the Record of Final Agency Action will be made available to persons sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing. A copy of the draft priority list may be obtained by contacting: Gary Powell at the same address as shown above, phone (850)245-8358 or e-mail: [gary.powell@dep.state.fl.us](mailto:gary.powell@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Gary Powell at the same address, phone (850)245-8358 or e-mail: [gary.powell@dep.state.fl.us](mailto:gary.powell@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gary Powell at the same address, phone (850)245-8358 or e-mail: [gary.powell@dep.state.fl.us](mailto:gary.powell@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gary Powell at the same address, phone (850)245-8358 or e-mail: gary.powell@dep.state.fl.us.

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## DEPARTMENT OF HEALTH

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 9, 2012, 2:00 p.m.; February 10, 2012, 8:30 a.m.

PLACE: Double Tree by Hilton Tampa Airport Westshore, 4500 W. Cypress Street, Tampa, Florida 33607, (813)879-4800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to the meeting.

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The **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 30, 2011, 9:00 a.m. (EST) or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

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: Paula Mask at (850)245-4161. 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.

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

DATE AND TIME: Friday, January 13, 2012, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 8180978700

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

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen\_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen\_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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

DATE AND TIME: Friday, January 20, 2012, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 8180978700

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

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan\_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan\_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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

DATE AND TIME: Friday, February 17, 2012, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 8180978700

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

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen\_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen\_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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

DATE AND TIME: Friday, February 24, 2012, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 8180978700

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

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan\_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan\_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **Board of Pharmacy**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 4, 2012, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Line 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration cases.

A copy of the agenda may be obtained by contacting: Board of Pharmacy at (850)245-4292, for the public portion of the agenda.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pharmacy at (850)245-4292.

The Florida **Board of Podiatric Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 17, 2012, 8:15 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida at Meet Me Number: 1(888)808-6959, Conference Code: 9849329103

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the web at: [www.doh.state.fl.us/mqa/ClinLab/index.html](http://www.doh.state.fl.us/mqa/ClinLab/index.html). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra W. Causey. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: January 4, 2012, 10:00 a.m. – 12:00 Noon (Central Time)

PLACE: Big Bend Community Based Care Facility, 910 Harrison Avenue, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Circuit 14 Community Alliance meeting.

A copy of the agenda may be obtained by contacting: Jeanna Olson at [Jeanna\\_Olson@dcf.state.fl.us](mailto:Jeanna_Olson@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jeanna Olson at [Jeanna\\_Olson@dcf.state.fl.us](mailto:Jeanna_Olson@dcf.state.fl.us) or (850)921-8269. 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: Jeanna Olson at [Jeanna\\_Olson@dcf.state.fl.us](mailto:Jeanna_Olson@dcf.state.fl.us) or (850)921-8269.

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The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2012, 10:00 a.m.

PLACE: Florida Department of Children & Families, 1317 Winewood Blvd., Bldg. 6, Room 335, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: RFP #10D11GC1 – Partnerships for Success Grant for Broward, Duval, Palm Beach, Miami-Dade, Orange and Pinellas Counties. The purpose of this Meeting of Department Evaluators is to distribute copies of the responsive proposals received to the evaluators and review instructions to be followed by evaluators in their review and scoring of the proposals.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, [michele\\_staffieri@dcf.state.fl.us](mailto:michele_staffieri@dcf.state.fl.us).

DATE AND TIME: January 9, 2012, 1:00 p.m.

PLACE: Florida Department of Children & Families, 1317 Winewood Blvd., Bldg. 6, 2nd Floor, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Opening of responses to ITN #10H11GC1 – To Become the Community-Based Managing Entity for Substance Abuse & Mental Health Services in Broward County. Responses will be opened, recorded, and reviewed for compliance with mandatory criteria.

A copy of the agenda may be obtained by contacting: Michele Staffieri, Procurement Manager, (850)717-4354 or email: [mstaffieri@dcf.state.fl.us](mailto:mstaffieri@dcf.state.fl.us).

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The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, 2nd Floor, Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial meeting of evaluators for ITN #10H11GC1 – To Become the Community-Based Managing Entity for Substance Abuse & Mental Health Services in Broward County. This meeting is being held to distribute the responses who met the mandatory criteria to the evaluators and provide them with instructions regarding their responsibilities in evaluating the responses.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, by email: [mstaffieri@dcf.state.fl.us](mailto:mstaffieri@dcf.state.fl.us).

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The **Agency for Persons with Disabilities, Area 14**, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Drive, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14 at (863)413-3360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: APD Area 14 at (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

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: APD Area 14 at (863)413-3360.

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### FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission**, in conjunction with the **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2012, 6:00 p.m. (Central Time)

PLACE: Emerald Coast Convention Center, 1250 Miracle Strip Pkwy. S.E., Fort Walton Beach, FL 32548

DATE AND TIME: January 12, 2012, 6:00 p.m. (Central Time)

PLACE: University of West Florida, Conference Center Rooms B and C, 11000 University Pkwy., Pensacola, Florida 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the Oil Pollution Act of 1990, the National Environmental Policy Act, and the Framework Agreement for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill, Federal and State trustee agencies have prepared a Draft Phase I Early Restoration Plan and Environmental Assessment (DERP/EA) describing and proposing a suite of early restoration projects intended to commence the process of restoring natural resources and services injured or lost as a result of the Deepwater Horizon oil spill, which occurred on or about April 20, 2010 in the Gulf of Mexico.

The Florida and Federal Trustees will host a public meeting to discuss and take public comments on the DERP/EA. A copy of the DERP/EA may be accessed via <http://www.dep.state.fl.us/deepwaterhorizon/>.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, Florida 32399, telephone: (850)488-4676, email: [doc.kokol@myfwc.com](mailto:doc.kokol@myfwc.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: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Doc Kokol, 620 S. Meridian St., Tallahassee, Florida 32399, telephone: (850)488-4676, email: [doc.kokol@myfwc.com](mailto:doc.kokol@myfwc.com).

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### DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF CHANGE – The **Board of Funeral, Cemetery, and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2012, 10:00 a.m. (please note that this meeting is in lieu of the meeting previously scheduled for February 2nd)

PLACE: Room 230A, Alexander Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Applications for license; disciplinary actions; applications for approval of change in ownership or control of existing licenses; reports by staff; approval of minutes of prior meetings.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker, (850)413-3039 at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at [LaTonya.Bryant-Parker@myfloridacfo.com](mailto:LaTonya.Bryant-Parker@myfloridacfo.com) or (850)413-3039. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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### FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: January 12, 2012, 9:00 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Oak Insurance Company has requested a 19.1% overall rate increase for its dwelling fire line of coverage. The proposed rate increase would be effective February 15, 2012, for new business and July 31, 2012, for renewal business. The requested rate increase is not uniform. Some areas are subject to a higher rate increase.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at [ratehearings@fior.com](mailto:ratehearings@fior.com); the subject line of your e-mail should read "Southern Oak."

A copy of the agenda may be obtained by contacting: Bruce Culpepper, Assistant General Counsel, (850)413-4139 and Cindy Walden, (850)413-2616.

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: Cindy Walden at (850)413-2616 or e-mail her at: cindy.walden@flor.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).

For more information, you may contact: Bruce Culpepper, Assistant General Counsel, (850)413-4139 and Cindy Walden, (850)413-2616.

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#### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE (USF)**

The **H. Lee Moffitt Cancer** working in coordination with the Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 6, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Physical Address: Department of Health Conference Room – HSF 110F, Call In Number: 1(888)808-6959, Conference Code: 5088661795

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCRAB Goal II Prevention. General discussion of action items identified on previous call.

A copy of the agenda may be obtained by contacting: Laura.Lenhart@moffitt.org.

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

For more information, you may contact: Laura.Lenhart@moffitt.org.

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#### **ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2012, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

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#### **SOUTHWOOD SHARED RESOURCE CENTER**

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

DATE AND TIME: Tuesday, January 3, 2012, 3:00 p.m.

PLACE: CCOC, Department of Revenue, Building B2, Room 2103, Conference Room, 2450 Shumard Oak Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Finance and Budget Workgroup.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, email: rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

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#### **FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION (NICA)**

The **Florida Birth-Related Neurological Injury Compensation Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 13, 2012, 12:00 Noon

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board items during public meeting. Executive Session to follow public meeting to discuss pending litigation.

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#### **PITMAN HARTENSTEIN AND ASSOCIATES, INC.**

The Florida **Department of Transportation**, District 3 announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2012, 5:30 p.m. – 6:30 p.m.

PLACE: Lake Community Center, 1865 Highway 77, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT proposes to replace the existing single lane timber bridge at Gainer Road over Flat Creek with a two lane concrete structure, paving the approaches, new guardrail, minor drainage improvements, sodding, and placement of new signs and pavement markings. Gainer Road will be closed during construction. County Road 276 (Clayton Road), State Road 77



and Joe Neel Road have been identified as detour routes. This meeting is being held in an open house format (no formal presentation is scheduled) to allow citizens an opportunity to preview the proposed design, ask questions and/or submit comments concerning the upcoming project. FDOT representatives will be available to answer questions and receive comments.

A copy of the agenda may be obtained by contacting: Dean Mitchell, P. E., General Consultant Project Manager, Atkins, 1141 Jackson Avenue, Chipley, Florida 32428 or Dean.Mitchell@atkinsglobal.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 7 days before the workshop/meeting by contacting: Dean Mitchell, P.E., FDOT, Project Manager, Atkins, 1141 Jackson Avenue, Chipley, Florida 32428 or Dean.Mitchell@atkinsglobal.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).

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#### **PB AMERICANS, INC.**

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

DATE AND TIME: Tuesday, January 10, 2012, 5:00 p.m. – 7:00 p.m.

PLACE: Southside Baptist Church, 2035 Magnolia Street, Sarasota, FL 34239

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information meeting is being held to inform interested persons about the construction on US Highway 41 between Siesta Drive and Bee Ridge Road, in the City of Sarasota; and on State Road 72/Clark Road between Sailors Way and Gantt Road in Sarasota County.

Financial Project ID No.: 429775-1-52-01

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, FL 33830-3809, (863)519-2675 or robin.parrish@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian Bollas, Project Public Information Officer at 1(800)396-7273 or bollas@pbworld.com.

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#### **QUEST CORPORATION OF AMERICAN, INC.**

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

DATE AND TIME: Thursday, January 19, 2012, 5:00 p.m. – 6:00 p.m. (EST)

PLACE: Thomasville Road Baptist Church Fellowship Hall, 3131 Thomasville Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The resurfacing of State Road 61 (U.S.319/Thomasville Road) From Live Oak Plantation Road to Woodbine Drive, Leon County, Florida, Financial Project Identification Number: 426931-1-52-01

A copy of the agenda may be obtained by contacting: William Barber, P.E., Project Manager at (850)415-9612 or via email: william.barber2@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: William Barber, P.E., Project Manager at (850)415-9612 or via email: william.barber2@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: William Barber, P.E., Project Manager at (850)415-9612 or via email: william.barber2@dot.state.fl.us or Ian Satter, District Three Public Information Director, toll-free at 1(888)638-0250, extension 205 or via email: ian.satter@dot.state.fl.us.

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#### **ATKINS**

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

DATE AND TIME: Tuesday, January 17, 2012, 6:00 p.m. – 7:00 p.m. (CST)

PLACE: Olive Baptist Church Passmore Hall, 1836 East Olive Road, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to update local government officials, affected property owners, tenants, and the public concerning proposed improvements to I-10 from east of S.R. 291 (Davis Highway) to east of S.R. 10A (U.S. 90) and to provide them an opportunity to express their views and comments concerning the status of the design project. Plans showing the proposed improvements will be on display. The meeting will be conducted in an open house format (no formal presentation is scheduled). FDOT representatives will be available to discuss the project, receive comments, answer questions and explain the proposed improvements.

Currently, FDOT proposes to widen I-10 from four to six lanes from east of Davis Highway to east of U.S. 90. Widening along I-10 will occur within the existing right-of-way by reducing the median from 64 feet to 40 feet. This project is approximately

2.74 miles in length and will consist of three 12-foot lanes in each direction, 10-foot paved inside and outside shoulders with rumble strips, and a 40-foot median.

The existing travel lanes and paved shoulders will be resurfaced as a part of this project. The Department is scheduled to accept bids in August 2013, with construction anticipated to begin in winter 2013. Construction duration is anticipated to be three years. Additional right-of-way will be required to construct stormwater ponds and improvements along Scenic Highway.

A copy of the agenda may be obtained by contacting: William Barber, P.E., FDOT, Project Manager, 1(888)638-0250, extension 612 or via e-mail: [william.barber2@dot.state.fl.us](mailto:william.barber2@dot.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: William Barber, P.E., FDOT, Project Manager, 1(888)638-0250, extension 612 or via e-mail: [william.barber2@dot.state.fl.us](mailto:william.barber2@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: William Barber, P.E., FDOT, Project Manager, 1(888)638-0250, extension 612 or via e-mail: [william.barber2@dot.state.fl.us](mailto:william.barber2@dot.state.fl.us).

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#### ABC GROUP, LLC

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

DATE AND TIME: January 10, 2012, 5:30 p.m. – 6:30 p.m. (CST)

PLACE: Okaloosa County Court House Annex, 1250 Eglin Parkway, Shalimar, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public information meeting concerning the upcoming resurfacing of State Road (S.R.) 85 from Richbourg Avenue to US 98 (S.R. 30) in Okaloosa County. The purpose of the meeting is to afford interested persons an opportunity to express their views on the upcoming construction initiative. The meeting will be conducted in an open house format (no formal presentation is scheduled). FDOT representatives will be available to discuss the project, answer questions and receive comments.

A copy of the agenda may be obtained by contacting: Billy Robinson, FDOT, Construction Project Manager at (850)836-5713.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Billy Robinson at the number listed above or by

e-mail: [Billy.Robinson@dot.state.fl.us](mailto:Billy.Robinson@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Wednesday, January 11, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Dave and Mary Alpert JCC, Rotunda, Building 3, 11155 S.W. 112 Avenue, Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (S.R.) 985/S.W. 107 Avenue from north of S.R. 990/Killian Parkway to south of S.R. 94/Kendall Drive to discuss the project's design and scope of work. The project identification number is 425913-1-52-01. The public will have the opportunity to view the project plans and graphic displays from 6:00 p.m. to 8:00 p.m. A power point presentation will start at 6:30 p.m. and FDOT representatives will be available to discuss the project and answer questions. Your participation is encouraged and will give us the opportunity to listen to your comments and address any concern that you may have.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: [brian.rick@dot.state.fl.us](mailto:brian.rick@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist Amparo Vargas at (305)470-5349, email: [Amparo.Vargas@dot.state.fl.us](mailto:Amparo.Vargas@dot.state.fl.us).

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The Florida **Department of Transportation (FDOT)**, District Six announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 12, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Sunkist Grove Community Center, 12500 N.W. 13 Avenue, North Miami, FL 33167

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public hearing for a roadway project on State Road (S.R.) 924/N.W. 119 Street at N.W. 7 Avenue, N.W. 10 Avenue, N.W. 22 Avenue and N.W. 27 Avenue to discuss the project's

design and scope of work. The project identification numbers are 425273-1, 425273-2, 425273-3 and 425273-4. The public will have the opportunity to view the project plans and graphic displays from 6:00 p.m. to 8:00 p.m. and FDOT representatives will be available to discuss the project and answer questions. Your participation is encouraged and will give us the opportunity to listen to your comments and address any concern that you may have.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Desmond J. Fowles and James A. Savarese, unit owners, In Re: Lansbrook Village Condominium Association, Inc., Docket No. 2011048847, on December 12, 2011. The following is a summary of the agency’s declination of the petition:

The Division declined to issue a statement because the circumstances in question do not reflect Petitioner’s particular set of circumstances, and Section 120.565, F.S., does not permit a statement concerning hypothetical facts; or because there are facts in dispute.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**Section VIII**  
**Notices of Petitions and Dispositions**  
**Regarding the Validity of Rules**

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

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF EDUCATION**

NOTICE TO PROFESSIONAL CONSULTANTS  
 Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Architecture/Engineer, will be required for the project listed below:

Project No. BT-698

Project and Location: Located on Florida Atlantic University's Boca Raton Campus on the north side of North University Dr. just west of the FAU Stadium; the project consists of the design of a 1,000 car parking garage with expansion capabilities for an additional 1,000 cars. The ground floor shall be designed with a high enough floor to floor height so as to accommodate future retail space within the ground floor footprint of the garage.

The total construction budget is approximately \$10,500,000, and is to be designed to a LEED silver certification level. The selected firm will provide site master planning, schematic design, design development, construction documents and construction administration for the referenced project. This project will be delivered via a construction manager at risk. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed "Florida Atlantic University Professional Qualifications Supplement" (FAUPQS Revised August 2008). Applications on any other form may not be considered.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; volume of work; and distance from project.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 6 bound sets of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for the State of Florida University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sole Point of Contact: The FAU Professional Qualifications Supplement, the Project Fact Sheet, and the approved Facilities Program are available online at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting: University's Sole Point of Contact for this project, Henry Kraft, Project Manager, Bldg. 69, Room 107 on the Boca Raton campus, (561)297-2869 or [ekcraft2@fau.edu](mailto:ekcraft2@fau.edu). From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein. Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the postings at: Campus Operations Building, CO #69 directory and/or the Purchasing Department, in the Administration Building. No further notice will be given.

Six (6) bound sets of the required proposal data shall be submitted to the: Office of Facilities Planning, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69, Room 107, Boca Raton, Florida 33431 by 5:00 p.m. (Local Time), Wednesday, February 22, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET  
 Parking Garage III, BT-698  
 Florida Atlantic University  
 Boca Raton Campus

## PROJECT DESCRIPTION

The project consists of the design of a 1,000 car parking garage with the expansion capabilities for an additional 1,000 cars and is to be designed to a LEED silver certification level. The ground floor shall be designed with a high enough floor to floor height so as to accommodate future retail space within the ground floor footprint of the garage. Parking Garage III will be located on the north side of North University Dr., just west of the FAU Stadium.

This facility will be constructed using the Construction Manager at Risk delivery process.

The Construction budget is approximately \$10,500,000.00.

## SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, design ability, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the design team with project of similar size and program.
2. Experience of firm and individual members of the design team in planning, designing, estimating, and construction administration of projects similar in size and budget. Site examples of projects within the past five-year, including the ability to meet aggressive time and budget constraints.
3. Experience in campus planning, educational facilities and working with committees.

## SELECTION COMMITTEE:

Tom Donaudy, University Architect and Vice President for Facilities

Azita Dashtaki, Associate Vice President, Facilities

Bob Richman, Director, Facilities Planning

Jim Baker, Director, Engineering & Utilities

Paulo Brida, Associate Director, Facilities Planning

Keith Totten, Deputy Chief of Police

## SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due: February 22, 2012

Shortlist Meeting: TBD

Final Interviews: TBD

Contract Negotiation: TBD

## GENERAL INFORMATION

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is

permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing: Henry Kraft, Bldg. 69, Room 107 on the Boca Raton Campus, (561)297-2869 or [ekcraft2@fau.edu](mailto:ekcraft2@fau.edu).

3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
5. Professional liability insurance is required for this project in the amount of \$1,000,000.00.
6. A copy of the building program is available on our website at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>.

## NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Construction Management services will be required for the project listed below:

Project No.: BT #698

Located on Florida Atlantic University's Boca Raton campus on the north side of North University Dr. just west of the FAU Stadium, the project consists of site development and construction of a 1,000 car parking garage with the expansion capabilities for an additional 1,000 cars. The ground floor shall be built with a high enough floor to floor height so as to accommodate future retail space within the ground floor footprint of the garage. The project shall be handicap accessible and built to a LEED silver certification level. Total construction budget is approximately \$10,500,000.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, and staff and consultants. Finalist may request a copy of the standard Florida Atlantic University Agreement Between Owner and Construction Management.

The approved FAU Facilities Program is available online at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting the: University's Sole Point of Contact for this project, Henry Kraft, Bldg. 69, Room 107 on the Boca Raton campus, (561)297-2869 or [ekcraft2@fau.edu](mailto:ekcraft2@fau.edu). From the date of issuance of this Notice until a final selection of a Construction Manager is made or a notice of cancellation is posted, the Construction Manager must not make available or discuss its proposal, or any part thereof, with any member of the Selection

Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein. Any individual associated with a Construction Manager who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating Construction Manager's will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the Construction Manager participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

The Selection Committee may reject all proposals and stop the selection process at anytime. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMPQS Revised January 2004). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Six (6) bound sets of the required proposal data shall be submitted and addressed to the: Office of Facilities Planning, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69, Room 107, Boca Raton, Florida 33431 by 5:00 p.m., February 22, 2012. Facsimile (FAX) submittals are not acceptable and will NOT be considered.

**PROJECT FACT SHEET**

Parking Garage III

BT# 698

Florida Atlantic University

**PROJECT DESCRIPTION**

The project consists of the design of a 1,000 car parking garage with the expansion capabilities for an additional 1,000 cars and is to be designed to a LEED silver certification level. Parking Garage III will be located on the north side of North University Dr., just west of the FAU Stadium.

This facility will be constructed using the construction management delivery process.

The Construction budget is approximately \$10,500,000.

**SELECTION CRITERIA**

Firms will be evaluated in the following areas: Experience and ability, past experience; bonding capacity; record-keeping; administrative ability; critical path scheduling expertise; cost estimating; cost control ability; quality contract capability'; qualification of the firm's personnel, staff and consultants; and the ability to phase a project such that key existing computer functions are kept operational throughout the project.

Experience and ability scores will be based on the following criteria:

1. Experience in projects of similar size and scope.
2. Experience in working with Universities.

**SELECTION COMMITTEE:**

Tom Donaudy, University Architect and Vice President for Facilities

Azita Dashtaki, Associate Vice President, Facilities

Bob Richman, Director, Facilities Planning

Jim Baker, Director, Engineering & Utilities

Paulo Brida, Associate Director, Facilities Planning

Keith Totten, Deputy Chief of Police

**SELECTION SCHEDULE:**

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due: February 22, 2012

Shortlist Meeting: TBD

Final Interviews: TBD

Contract Negotiation: TBD

**GENERAL INFORMATION**

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing: Henry Kraft, Bldg. 69, Room 107 on the Boca Raton campus, (561)297-2869 or [ekcraft2@fau.edu](mailto:ekcraft2@fau.edu).
3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
5. A copy of the building program is available on our website at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>.

**INVITATION TO BID**

The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084 will receive sealed bids in the Purchasing Department of the School, until 3:00 p.m., February 7, 2012, for the purpose of selecting a Contractor for supplying all labor, material and ancillary services required for the scope listed below.

Bid Title: Chemical Water Treatment

Due Date/Time: February 7, 2012, no later than 3:00 p.m.

Scope of Project: The purpose and intent of this invitation to bid are to select Water Treatment Contractor to provide and deliver all necessary chemicals, materials, equipment, labor and services to establish and implement a water treatment program for industrial cooling water systems and chilled water systems campus wide and to secure firm, net pricing for the contract period.

Pre Bid Conference: A mandatory pre-bid conference will be held at the Hogel Building Conference Room, January 24, 2012, 10:30 a.m. Attendance at this pre-bid conference is MANDATORY in order for all potential bidders to receive the Scope of Work required and answers to questions. If you are not the prime bidder but are attending on behalf of someone else, please make note of this when signing the attendance roster where indicated. It is imperative that all information be disseminated in a public forum with all potential bidders present to minimize confusion or misunderstandings.

Additions or changes to the original bid documents resulting from this conference of a material nature will be documented in the form of written addenda and distributed to all attendees.

**REGIONAL PLANNING COUNCILS****REQUEST FOR PROPOSALS (RFP No. MPO-2011-02)**

The Lee County Metropolitan Planning Organization (MPO) is accepting proposals from qualified certified public accounting firms to perform an audit in support of the separation of the MPO from the Southwest Florida Regional Planning Council (RPC) and for support services related to establishing the MPO's separated financial accounting system. This audit shall be done in accordance with the requirements of the Single Audit Act Amendments of 1996, 31 U.S.C. §§ 7501 et. seq., OMB Circular A-133 [49 CFR 18.26], "Audits of State, Local Government, and Non-Profit Organizations," Section 215.97, F.S. "Florida Single Audit Act" and Rules 10.550 and 10.650. Information concerning this RFP, including the proposed contract and scope of services is attached or can be found viewed at: [www.mpo-swfl.org](http://www.mpo-swfl.org).

**EQUAL OPPORTUNITY AND DISADVANTAGED BUSINESS ENTERPRISE PROGRAM STATEMENT:**

The MPO does not discriminate on any basis, as required by 49 USC 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended 42 USC 2000d to 2000d-4, and Title 49 CFR, Part 21. The MPO ensures, in accordance with 49 CFR Part 26 that certified FDOT Disadvantaged Business Enterprise Program (DBE) participants have an equal opportunity to receive and participate in FDOT assisted contracts.

TO RESPOND: Firms, qualified to conduct business in the State of Florida, are required to submit a Technical proposal to the MPO office by 3:00 p.m. (EST), January 4, 2012. Proposals must be marked "RESPONSE FOR MPO AUDIT SERVICES". Proposals received after the deadline will not be considered. Questions concerning the RFP must be submitted to:

Meghan Marion at: [mmarion@swfrpc.org](mailto:mmarion@swfrpc.org).

MPO Mailing Address:

Attention: Meghan Marion

Lee County Metropolitan Planning Organization

1926 Victoria Avenue

Fort Myers, FL 33901

Telephone: (239)338-2550, Ext. 219

**DEPARTMENT OF ENVIRONMENTAL PROTECTION****NOTICE OF INVITATION TO BID**

BID NO. BDC 22-11/12

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below. Contractor must be a prequalified and certified Florida Department of Transportation (FDOT) Minor, Intermediate or Major Bridge and Flexible Paving Contractor and that certification must be valid from time of the bid opening through the entire project.

**PROJECT NAME:** Tallahassee-St. Marks Historic Railroad State Trail – St. Marks South Trail Extension & Boardwalk

**SCOPE OF WORK:** The Contractor shall provide the necessary labor, materials, equipment, and supervision required to construct the improvements per the plans and specifications including but not limited to constructing a wooden boardwalk bicycle/pedestrian trail from the current St. Marks Historic Trail terminus at the south side of Riverside Drive in the City of St. Marks, Wakulla County to the existing St. Marks City boardwalk adjacent to the westerly end of the St. Marks River Trailhead in accordance with the plans and specifications. This new trail extension will tie into existing multi-use bike paths at both ends to provide a continuous and uninterrupted trail.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

**PROJECT BUDGET:** \$380,000.00

**PROJECT LOCATION:** On the Tallahassee-St. Marks Historic State Trail in Wakulla Co., Florida (Miles Shiver, Trail Manager, Phone: (850)519-6594))

**PROJECT MANAGER:** James Glenn, James.L.Glenn@dep.state.fl.us, Bureau of Design & Construction, 3540 Thomasville Rd., Tallahassee, Florida, 32309, Telephone Number: (850)488-5372, Fax: (850)488-3665.

**INSTRUCTIONS:** Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on Friday, December 23, 2011, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: James Glenn, Construction Projects Manager, Telephone: (850)488-5372, Fax: (850)488-3665.

**NOTICE TO ALL VENDORS:** All bid solicitations are subject to change. It is the responsibility of the vendor to verify with the Department of Management Services, Vendor Bid System website for any future addendums, questions, revisions, etc., prior to the bid opening. Failure to do so will be the sole responsibility of the vendor. Addenda will be posted only on the Vendor Bid System website. Addenda will not be sent

directly to plan holders, except in limited circumstances and at the discretion of the Department. When the Department determines that circumstances warrant sending addenda directly to plan holders, a notice will be posted on the website notifying vendors that addenda have been sent. Addenda must be acknowledged and included in each vendor's bid package. Failure to include acknowledged addenda in the bid package is grounds for disqualification of the vendor's bid.

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**FDEP PREQUALIFICATION:** When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633 Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1- June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 3:30 p.m. (ET), Tuesday, January 24, 2012, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m. (ET), Tuesday, February 7, 2012, unless extended by the Department for good cause.



**NOTICE OF RIGHTS:** Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

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#### **DEPARTMENT OF ECONOMIC OPPORTUNITY**

Re-roof of the Hollywood Building, located at 7550 Davie Road Extension, Hollywood, Florida 33024

Proposals are requested from qualified licensed contractors by the State of Florida, Department of Economic Opportunity, for the project referenced below:

**BID NUMBER:** 12-ITB-002-SS

**A/E PROJECT NUMBER:** FP 11-000-00

**PROJECT NAME & LOCATION:** Re-roof of the Hollywood Building, located at 7550 Davie Road Extension, Hollywood, Florida 33024.

**MANDATORY PREQUALIFICATION REQUIREMENTS:** Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals. Prequalification requirements are outlined in the Invitation to Bid under Section B.37, "Qualifications Requirements."

After the bid opening, the low bidder may be required to provide additional financial and bidding qualifications in accordance with Florida Administrative Rule 60D-5.004, F.A.C. These requirements are outlined in the Section B, Special Instructions for the Preparation and Submission of Responses under B.37.1 "Bidder's Qualifications Requirements and Procedures" Section (2)(a), 1 (a) and (b).

**BID BOND:** Bidder shall include a certified check, cashier's check, treasurer's check, bank draft or Bid Bond in the amount of not less than five percent (5%) of the Bid. (Failure to comply with this requirement will result in disqualification.)

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** 100% of total contract amount will be required with award of contract.

**MANDATORY PRE-RESPONSE SITE VISIT:** A mandatory pre-response site visit will be held on January 13, 2012, 10:00 a.m. (EST), at the Hollywood Building, 7550 Davie Road Extension, Hollywood, Florida 33024.

The Drawings and Specifications (limit two (2) sets per General Contractor or Prime Bidder) may be obtained by contacting: Building Manager, Derrick Smith, (954)677-5628 or Cell (954)290-3871. It is recommended that the building manager be contacted at least twenty-four (24) hours prior to the Mandatory Pre-Response Site Visit to request a copy of the drawings and specifications.

**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:**

**BID OPENING DATE AND TIME:** February 2, 2012, 3:00 p.m. (EST)

**LOCATION:** Department of Economic Opportunity, Purchasing Office, MSC B-047, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-4218.

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid opening, shall contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

**CONTRACT AWARD:** The bid tabulation and Notice of Intent to Award will be posted on the date specified in Section B.6, Calendar of Events and at the location where the bids are opened. The Department of Economic Opportunity reserves the right to reject any and all bids in the best interest of the State of Florida. For details please visit the Vendor Bid System (VBS) website at: [http://myflorida.com/apps/vbs/vbs\\_main\\_menu](http://myflorida.com/apps/vbs/vbs_main_menu), click on "Search Advertisements" and select "Department of Economic Opportunity."

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#### **BAYCREST CORPORATION**

##### **REQUEST FOR PROPOSAL**

Baycrest+Mettron, J.V.

Invitation to Bid

Florida A&M University (FAMU) Gore Educational Complex  
**PROJECT:** Florida A&M University Gore Educational Complex Renovation & Remodeling: Glass-Glazing-Storefronts; and Sunscreens.

**QUALIFICATION:** All bidders must be pre-qualified at the time of bid opening in accordance with the Instructions to Bidders in the Project Manual. Pre-qualification forms are available upon request from the Construction Manager by calling (850)765-0103 or by email: BayMetBids@aol.com. A Bid Bond or Cashier's Check for 5% of the bid amount must be included in sealed bid proposals; and 100% Payment and Performance Bonds will also be required upon award of contract. Minority and Small Business Enterprises are encouraged to participate.

Sealed bids will be received on:

DATE AND TIME: January 12, 2012, 2:00 p.m. (EST)  
PLACE: Baycrest+Mettron Joint Venture FAMU Field Office, Gamble Street at Orr Drive, west side of Gore Educational Complex  
Provided bids are received prior to 2:00 p.m. (EST), January 12, 2012, sealed bids can be mailed to the Construction Manager at:

Baycrest+Mettron, JV  
P.O. Box 1879  
Tallahassee, FL 32302

PLANS AND SPECIFICATIONS: Construction Documents in print and/or digital CDs will be available from Seminole Blueprint at both locations:

2915-1 E. Park Avenue, Tallahassee 32301, (850)671-2714  
5281 Unit B1 Tower Road, Tallahassee 32303, (850)270-9865

They may also be viewed through Seminole Blueprint's Online Plan Room: [www.seminoleblueprintinc.com/onlineplanroom](http://www.seminoleblueprintinc.com/onlineplanroom) "FAMU Gore Renovations" and will also be available through on-line Dodge Rooms and similar plan room services.

PRE-BID MEETING: The Bidder is invited to attend Pre-Bid Meetings scheduled for:

DATE AND TIME: Tuesday, December 20, 2011, 10:00 a.m. (EST)  
Wednesday, January 4, 2012, 10:00 a.m. (EST)

PLACE: Baycrest+Mettron Joint Venture FAMU Field Office Gamble Street at Orr Drive, west side of Gore Educational Complex

PARKING: Contact FAMU Parking Department or Construction Manager for more information.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Project Manual, available through Seminole Blueprint's Online Plan Room or from the Construction Manager.

Please direct all questions in writing to the Construction Manager:

Baycrest+Mettron Joint Venture  
FAMU Field Office, Tallahassee, FL 32307  
e-mail: BayMetBids@aol.com

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

Project Nos. 8600 12, 5630 13, 5565 13, and 5870 13  
Sealed qualifications for the project titled Airside F Additions and Renovations will be received from Design-Build firms by the Authority at Tampa International Airport Offices located at 4100 George J. Bean Parkway, Suite 3311, Main Terminal, 3rd Floor, Blue Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website: [www.tampaairport.com](http://www.tampaairport.com), Quick Links – Airport Business, Notice of Solicitations, on December 15, 2011.

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

DEO Final Order No.: DEO-11-0040

DEPARTMENT OF ECONOMIC OPPORTUNITY

In Re: CITY OF KEY COLONY BEACH LAND

DEVELOPMENT REGULATIONS

ADOPTED BY ORDINANCE NO. 424-2011

**FINAL ORDER**

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Key Colony Beach ("City") is a local government within the Florida Keys Area.
2. On November 28, 2011, the Department received for review City of Key Colony Beach Ordinance No. 424-2011 ("Ord. 424-2011") that was adopted by the City of Key Colony Beach Board of City Commissioners on November 22, 2011. The purpose of Ord. 424-2011 is to repeal existing Land Development Regulations Article VIII, Floodplain Management and establish new Land Development Regulations, Flood Plain Management; including a Habitat Conservation Plan and Endangered Species Assessment to guide future development in coordination with the U.S. Fish and Wildlife Service when development is proposed within habitat identified within Species Focus Area Maps and by real estate property numbers. Once a determination within the Species Focus Area Maps is made, the Floodplain Administrator will apply coordination techniques identified by the U.S. Fish and Wildlife Services.
3. Ord. 424-2011 is consistent with the City's 2010 Comprehensive Plan and furthers Objective 1.2 Natural Resources of the Future Land Use Element.



IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 31-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 14th day of December, 2011.

\_\_\_\_\_/s/\_\_\_\_\_  
Miriam Snipes, Agency Clerk

By U.S. Mail:  
Honorable Ronald A. Sutton, Mayor  
City of Key Colony Beach  
10054-55 Overseas Highway  
Marathon, Florida 33050

Vickie L. Bollinger, City Clerk  
City of Key Colony Beach  
10045-55 Overseas Highway  
Marathon, Florida 33050

Mike Puto  
City Manager  
City of Key Colony Beach  
10054-55 Overseas Highway  
Marathon, Florida 33050

Thomas D. Wright, Esq.  
City Attorney  
P. O. Box 500309  
Marathon, Florida 33050-0309

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Gorilla Motor Works, LLC, intends to allow the establishment of GP Bikes, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (line-make ZHNG) at 489 Babcock Street, Melbourne (Brevard County), Florida 32935, on or after January 23, 2012.

The name and address of the dealer operator(s) and principal investor(s) of GP Bikes, Inc., are dealer operator(s): Gerard A. Sharkey, 489 Babcock Street, Melbourne, Florida 32935; principal investor(s): Gerard A. Sharkey, 2500 Lewis Street, Melbourne, Florida 32901 and Paige E. Faunce, 2500 Lewis Street, Melbourne, Florida 32901.

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

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**NOTICE ON BATCHED APPLICATION DECISIONS**

On December 9, 2011, the Agency for Health Care Administration made the following decisions on Certificate of Need applications for the Hospital Beds and Facilities batching cycle with an application due date of September 7, 2011.

- County: Duval District: 4-1  
CON # 10125 Decision: Approved  
Applicant/Facility/Project: Shands Jacksonville Medical Center, Inc.  
Project Description: Establish a 100-bed acute care hospital
- County: St. Johns District: 4  
CON # 10126 Decision: Approved  
Applicant/Facility/Project: Avanti Wellness Treatment Center, LLC  
Project Description: Establish a 10-bed adult inpatient psychiatric hospital
- County: Seminole District: 7  
CON # 10127 Decision: Denied  
Applicant/Facility/Project: HealthSouth Rehabilitation Hospital of Seminole County, LLC  
Project Description: Establish a comprehensive medical rehabilitation hospital of up to 60 beds
- County: Seminole District: 7  
CON # 10128 Decision: Approved  
Applicant/Facility/Project: Central Florida Regional Hospital  
Project Description: Establish a 13-bed comprehensive medical rehabilitation unit
- County: St. Lucie District: 9  
CON # 10129 Decision: Approved  
Facility/Project: Tradition Medical Center  
Applicant: Martin Memorial Medical Center, Inc.  
Project Description: Establish a six bed Level II NICU
- County: Palm Beach District: 9-4  
CON # 10130 Decision: Approved  
Applicant/Facility/Project: Florida Regional Medical Center, Inc.  
Project Description: Establish an 80-bed acute care hospital
- County: Broward District: 10  
CON # 10131 Decision: Approved  
Applicant/Facility/Project: The Shores Behavioral Hospital, LLC  
Project Description: Establish a 60-bed adult inpatient psychiatric hospital
- County: Broward District: 10  
CON # 10132 Decision: Denied

Applicant/Facility/Project: The Shores Behavioral Hospital, LLC

Project Description: Establish a 12-bed adult substance abuse hospital

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**Lake Wales Medical Center Emergency Service Exemption**  
The Agency for Health Care Administration has received an application for an emergency service exemption from Lake Wales Medical Center located at 410 S 11th St., Lake Wales, FL 33853 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology and Ophthalmology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status. Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4359 or by e-mail: Jessica.Munn@ahca.myflorida.com.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTICE  
LAKE WALES, FLORIDA**

The Department of Environmental Protection has determined that the City of Lake Wales' proposed project to replace an existing gravity sewer system will not have a significant adverse impact on the environment. The total estimated construction cost is \$2,450,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

Office of Intergovernmental Programs  
The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for

providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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## DEPARTMENT OF HEALTH

### Notice of Emergency Action

On December 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dwayne C. Frisch, H.A.S., License #AS 4111. 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 (2010). 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.

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### Notice of Emergency Action – Pain Clinic

On December 8, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Hope Pain Management Group, LLC., Registration #PMC 544. 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. 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.

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### Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mark T. Ramsey, M.D., License #ME 76559. 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 (2010). 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.

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### Notice of Emergency Action

On December 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Timothy Scott Sigman, M.D., License #ME 82284. 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 (2010).

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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.

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### Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Alexandra Burkowsky, A.R.N.P., License #RN 9202664. 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 (2010). 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.

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### Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jennafer Lang Hallquist, R.N., License #RN 9266199. 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 (2010). 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.

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### Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Judy Ann Heern, R.N., License #RN 9266679. 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 (2010). 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.

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### Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Justin M. Oliver, R.N., License #RN 9224577. 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 (2010). 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.

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Notice of Emergency Action

On December 13, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Susan S. Paules, R.N., License #RN 2079762. 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 (2010). 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.

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Notice of Emergency Action

On December 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cynthia A. Pugh, C.N.A., License #CNA 225726. 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 (2010). 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.

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Notice of Emergency Action

On December 13, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Alex Manuel Ramos, R.N., License #RN 9185351. 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 (2010). 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.

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Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jon Scott Sturtsman, R.N., License #RN 9165747. 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 (2010). 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.

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Notice of Emergency Action

On December 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michael David Tascione, R.N., License #RN 9285480. 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 (2010). 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.

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Notice of Emergency Action

On December 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michelle Lee Torres, L.P.N., License #PN 1118901. 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 (2010). 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.

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Notice of Emergency Action

On December 12, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cheryl Yvonne Witt, R.N., License #RN 9248945. 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 (2010). 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.

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Notice of Emergency Action

On December 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ty Reso Anderson, D.O., License #DO 7064. 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 (2010). 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.

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**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH NATIONAL GROUP INSURANCE COMPANY  
IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA  
CASE NO.: 2011-CA-001476

In Re: The Receivership of NATIONAL GROUP INSURANCE COMPANY, a Florida corporation authorized to transact an insurance business in Florida.

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH NATIONAL GROUP INSURANCE COMPANY**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 10th day of October, 2011, the Department of Financial Services of the State of Florida was appointed as Receiver of NATIONAL GROUP INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of NATIONAL GROUP INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59:59 p.m., October 10, 2012, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for NATIONAL GROUP INSURANCE COMPANY, 2020 Capital Circle, S.E., Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: [www.MyFloridaCFO.com/Receiver](http://www.MyFloridaCFO.com/Receiver).

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**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH HOMEWISE PREFERRED INSURANCE COMPANY:**

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA  
CASE NO.: 2011-CA-002404**

In Re: The Receivership of HOMEWISE PREFERRED INSURANCE COMPANY, a Florida Corporation.

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH HOMEWISE PREFERRED INSURANCE COMPANY:**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 4th day of November, 2011, the Department of Financial Services of the State of Florida was appointed as Receiver of HOMEWISE PREFERRED INSURANCE COMPANY and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of HOMEWISE PREFERRED INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59:59 p.m., November 4, 2012, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for HOMEWISE PREFERRED INSURANCE COMPANY, 2020 Capital Circle, S.E., Alexander Building, Suite 310, Tallahassee, FL 32301. Additional information may be found at: [www.MyFloridaCFO.com/Receiver](http://www.MyFloridaCFO.com/Receiver).

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#### **FINANCIAL SERVICES COMMISSION**

##### **NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

**APPLICATION WITHDRAWN**

Application to Acquire Control

Financial Institution to be Acquired: FirstCity

Bank of Commerce, North Palm Beach, Florida

Proposed Purchasers: Harry S. Patten, Josephine

M. Hart, Gerald Greenspoon, Ellen Greenspoon,

Michael E. Marder and Crisa W. Marder

Received: April 19, 2011

Withdrawn: December 13, 2011

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN December 5, 2011  
 and December 9, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-7.0710	12/9/11	12/29/11	37/41	
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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

40D-1.607	12/9/11	12/29/11	37/41	
40D-1.659	12/9/11	12/29/11	37/41	
40D-4.091	12/9/11	12/29/11	37/41	
40D-4.351	12/9/11	12/29/11	37/41	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

61C-8.004	12/9/11	12/29/11	37/41	
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**Division of Pari-Mutuel Wagering**

61D-6.008	12/9/11	12/29/11	36/36	37/45
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**Electrical Contractors' Licensing Board**

61G6-2.010	12/6/11	12/26/11	37/43	
61G6-5.0035	12/6/11	12/26/11	37/43	
61G6-5.009	12/6/11	12/26/11	37/43	
61G6-9.008	12/6/11	12/26/11	37/43	
61G6-9.013	12/6/11	12/26/11	37/43	
61G6-10.001	12/6/11	12/26/11	37/43	
61G6-12.004	12/6/11	12/26/11	37/43	

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-2.0135	12/8/11	12/28/11	37/40	
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**Board of Medicine**

64B8-1.007	12/7/11	12/27/11	37/42	
64B8-4.029	12/7/11	12/27/11	37/42	
64B8-8.001	12/7/11	12/27/11	37/42	

**Board of Orthotists and Prosthetists**

64B14-5.002	12/7/11	12/27/11	37/42	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Board of Podiatric Medicine**

64B18-14.002	12/5/11	12/25/11	37/36	37/41
64B18-24.001	12/5/11	12/25/11	37/36	

**Division of Disease Control**

64D-3.046	12/9/11	12/29/11	37/37	
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-1.603	12/5/11	12/25/11	37/40	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

69B-156.119	12/9/11	12/29/11	37/38	
69B-156.120	12/9/11	12/29/11	37/38	
69B-156.121	12/9/11	12/29/11	37/38	
69B-177.001	12/9/11	12/29/11	37/38	
69B-177.002	12/9/11	12/29/11	37/38	

**Division of Funeral, Cemetery and Consumer Service**

69K-6.003	12/7/11	12/27/11	37/40	
69K-6.0052	12/7/11	12/27/11	37/40	

**Division of Workers' Compensation**

69L-5.205	12/9/11	12/29/11	37/37	
69L-5.217	12/9/11	12/29/11	37/37	

LIST OF RULES AWAITING LEGISLATIVE APPROVAL  
 PURSUANT TO (CHAPTER 2010-279, LAWS OF  
 FLORIDA)

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

5F-11.002	7/7/11	*****	37/14	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

69L-7.020	10/24/11	*****	37/24	37/36
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