

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CITRUS

RULE NO.: 20-9.002
RULE TITLE: Processed Form

PURPOSE AND EFFECT: Amendment updating the Conversion Unit chart for determining the equivalent number of boxes for orange juice and grapefruit juice concentrate and single strength.

SUBJECT AREA TO BE ADDRESSED: Updating the Conversion Unit chart for determining the equivalent number of boxes.

RULEMAKING AUTHORITY: 601.10(1), 601.15(1), (10)(a), 601.155(3), (7) FS.

LAW IMPLEMENTED: 601.15(5), (6), 601.155 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: Alice Wiggins, License & Regulation Specialist, P. O. Box 9010, Bartow, FL 33831, (863)537-3956 or awiggins@citrus.tate.fl.us

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

PUBLIC SERVICE COMMISSION

RULE NO.: 25-4.0201
RULE TITLE: Audit Access to Records

PURPOSE AND EFFECT: Rule 25-4.0201, F.A.C., would be amended to no longer require Commission access to a telecommunications company's affiliate company records. Also the word utility is changed to company.

Docket No. 120050-TP

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.183(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: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224. The preliminary text of the Proposed Rule Development was published on October 28, 2011, in Vol. 37, No. 43 of the FAW under Rule 25-4.020

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

| | |
|-------------------|--|
| RULE NOS.: | RULE TITLES: |
| 59A-11.002 | Definitions |
| 59A-11.003 | Licensure Procedures |
| 59A-11.004 | Investigations and License, Life Safety and Validation Inspections |
| 59A-11.010 | Informed Consent |
| 59A-11.023 | Physical Environment, Water Supply and Fire Safety |

PURPOSE AND EFFECT: The Agency proposes to revise rules related to birth center standards and licensure.

SUBJECT AREA TO BE ADDRESSED: These revisions will modify existing rules to add and delete definitions; delete references to an outdated form which has been updated and incorporated in rule; delete requirements that are duplicative; and add references to align with our uniform licensing statute and rule.

The Agency has determined these revisions will not adversely impact 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. Agency review of the proposed revisions determined deleting outdated references and duplicative requirements will reduce confusion and enhance compliance activity for regulated entities. 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.

Based on that Agency review, the Agency has determined the proposed rule is not expected to require legislative ratification.

RULEMAKING AUTHORITY: 383.309, 408.819 FS.
LAW IMPLEMENTED: 20.42(2)(a), 383.304, 383.305, 383.308, 383.309, 383.324, 383.31, 633 FS.

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

DATE AND TIME: April 25, 2012, 9:00 a.m. – 11:00 a.m.
PLACE: Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kim Stewart, E-mail: Kimberly.Stewart@ahca.myflorida.com, Phone: (850)412-4362

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-25.004 RULE TITLE: Endorsements

PURPOSE AND EFFECT: The Board proposes this rule amendment to add the Board’s website where forms may be obtained, delete unnecessary language and update courses.

SUBJECT AREA TO BE ADDRESSED: Endorsements.

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 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 Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-32.001 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to modify the rule so that courses that are eligible for distance learning do not require the physical presence of the instructor.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.010 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the anesthesia assistant disciplinary guidelines in response to comments submitted by the staff of the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesia assistants.

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.3475 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: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.010 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the anesthesia assistant disciplinary guidelines in response to comments submitted by the staff of the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesia assistants.

RULEMAKING AUTHORITY: 456.079, 459.005, 459.015(5), 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.023 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-12.003
 RULE TITLE: Applications for Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the application rule by removing the HIV/AIDS and domestic violence course which are longer required at the time of initial application.

SUBJECT AREA TO BE ADDRESSED: Clarification of the application requirements.

RULEMAKING AUTHORITY: 456.031(4), 456.033(7), 459.005, 459.0055(1)(i) FS.

LAW IMPLEMENTED: 456.031(2), 456.033(6), 459.0055, 459.007 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: 64B15-12.007, 64B15-12.008
 RULE TITLES: Inactive Status License, Delinquent License

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to remove references to Rule 64B15-12.006, which is unnecessary and is being repealed.

SUBJECT AREA TO BE ADDRESSED: Removal of references to a rule which is being repealed.

RULEMAKING AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.0051
 RULE TITLE: Training Requirements for Physicians Practicing in Pain Management Clinics

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify one of the training requirement options with regard to physicians who practice in pain management clinics.

SUBJECT AREA TO BE ADDRESSED: Clarification of one of the training requirement options for physicians who practice in pain management clinics.

RULEMAKING AUTHORITY: 459.0137(4) FS.

LAW IMPLEMENTED: 459.0137 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.002 RULE TITLE: Violations and Penalties

PURPOSE AND EFFECT: The Board proposes the development of rule amendments address an additional violation and the appropriate penalty for said violation.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for statutory violations.

RULEMAKING AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: 64B15-19.007, 64B15-19.008 RULE TITLES: Citations, Mediation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments address additional violations which are appropriate for mediation and violations which are appropriate for the issuance of citations.

SUBJECT AREA TO BE ADDRESSED: Violations which are appropriate for mediation or the issuance of a citation.

RULEMAKING AUTHORITY: 456.073, 456.077, 456.078 FS.

LAW IMPLEMENTED: 456.073, 456.077, 456.078 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

FLORIDA HOUSING FINANCE CORPORATION

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 67-21.002 | Definitions |
| 67-21.003 | Application and Selection Process for Developments |
| 67-21.0035 | Applicant Administrative Appeal Procedures |
| 67-21.004 | Federal Set-Aside Requirements |
| 67-21.0045 | Determination of Method of Bond Sale |
| 67-21.006 | Development Requirements |
| 67-21.007 | Fees |
| 67-21.008 | Terms and Conditions of MMRB Loans |
| 67-21.009 | Interest Rate on Mortgage Loans |
| 67-21.010 | Issuance of Revenue Bonds |
| 67-21.013 | Non-Credit Enhanced Multifamily Mortgage Revenue Bonds |
| 67-21.014 | Credit Underwriting Procedures |
| 67-21.015 | Use of Bonds with Other Affordable Housing Finance Programs |
| 67-21.017 | Transfer of Ownership |
| 67-21.018 | Refundings and Troubled Development Review |
| 67-21.019 | Issuance of Bonds for Section 501(c)(3) Entities |

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

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 the 2013 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

RULEMAKING AUTHORITY: 420.507, 420.508 FS. 67-48.015 Match Contribution Requirement for HOME Allocation
 LAW IMPLEMENTED: 420.509 FS. 67-48.017 Eligible HOME Activities
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW: 67-48.018 Eligible HOME Applicants
 AT THE DATE, TIME AND PLACE SHOWN BELOW: 67-48.019 Eligible and Ineligible HOME Development Costs
 DATE AND TIME: April 26, 2012, 2:30 p.m. – 4:30 p.m. 67-48.020 Terms and Conditions of Loans for HOME Rental Developments
 PLACE: Jacksonville Hyatt Regency, 225 E. Coastline Drive, Jacksonville, FL 32202, (904)588-1234. The workshop will not be accessible via telephone. 67-48.025 Sale, Transfer or Refinancing of a HOME Development
 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: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197. 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). 67-48.022 HOME Disbursements Procedures and Loan Servicing
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 67-48.023 Housing Credits General Program Procedures and Requirements
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. 67-48.027 Tax-Exempt Bond-Financed Developments
 67-48.028 Carryover Allocation Provisions
 67-48.029 Extended Use Agreement
 67-48.030 Sale or Transfer of a Housing Credit Development
 67-48.031 Termination of Extended Use Agreement and Disposition of Housing Credit Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2013 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2012 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.
 LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: April 26, 2012, 2:30 p.m. – 4:30 p.m.
 PLACE: Jacksonville Hyatt Regency, 225 E. Coastline Drive, Jacksonville, FL 32202, (904)588-1234. The workshop will not be accessible via telephone.

FLORIDA HOUSING FINANCE CORPORATION

| RULE NOS.: | RULE TITLES: |
|------------|------------------------------------|
| 67-48.001 | Purpose and Intent |
| 67-48.002 | Definitions |
| 67-48.004 | Application and Selection |
| | Procedures for Developments |
| 67-48.005 | Applicant Administrative Appeal |
| | Procedures |
| 67-48.007 | Fees |
| 67-48.0072 | Credit Underwriting and Loan |
| | Procedures |
| 67-48.0075 | Miscellaneous Criteria |
| 67-48.009 | SAIL General Program Procedures |
| | and Restrictions |
| 67-48.0095 | Additional SAIL Application |
| | Ranking and Selection Procedures |
| 67-48.010 | Terms and Conditions of SAIL Loans |
| 67-48.0105 | Sale, Transfer or Refinancing of a |
| | SAIL Development |
| 67-48.013 | SAIL Construction Disbursements |
| | and Permanent Loan Servicing |
| 67-48.014 | HOME General Program Procedures |
| | and Restrictions |

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: Jean Salmonsens at (850)488-4197. 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: Kevin Tatreau, Director of Multifamily Development Programs

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

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|------------|--|
| RULE NOS.: | RULE TITLES: |
| 69A-37.084 | Definitions |
| 69A-37.085 | Eligibility Requirements for Supplemental Compensation |
| 69A-37.086 | Request for Eligibility Determination |
| 69A-37.089 | Employing Agency Request for Reimbursement |
| 69A-37.090 | Supplemental Compensation Forms |

PURPOSE AND EFFECT: The proposed amendments address implementation issues that arose after the rules were last amended on March 11, 2011, to require regionally accredited bachelor’s degrees for supplemental compensation eligibility. The proposed amendments clarify which firefighters are eligible for supplemental compensation and eliminate the transfer exception in subsection 69A-37.084(1), F.A.C. The proposed amendments define the terms “coursework applicable for fire department duties,” “nationally accredited” and “regionally accredited”; provide that an employing agency will not be reimbursed for payment made to an ineligible firefighter; and incorporate several forms by reference.

SUBJECT AREA TO BE ADDRESSED: Firefighters Supplemental Compensation Program.

RULEMAKING AUTHORITY: 633.45(2)(a) FS.

LAW IMPLEMENTED: 633.382 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: April 25, 2012, 2:00 p.m.

PLACE: Florida State Fire College Auditorium, 11655 N.W. Gainesville Rd., Ocala, FL

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: Bill Wentlandt at (352)369-2829 or

Bill.Wentlandt@ 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Wentlandt at (352)369-2829 or Bill.Wentlandt@ MyFloridaCFO.com. The text of the proposed rule is also available on the Department’s website @ <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/>

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

| | |
|-------------|---|
| RULE NO.: | RULE TITLE: |
| 69O-138.001 | NAIC Financial Condition Examiners Handbook Adopted |

PURPOSE AND EFFECT: This rule is being amended to adopt the 2012 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2011 version.

SUBJECT AREA TO BE ADDRESSED: Section 624.316, Florida Statutes, requires the Office to examine insurer’s financial condition using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

RULEMAKING AUTHORITY: 624.308(1), 624.316(1)(c) FS.

LAW IMPLEMENTED: 624.316(1)(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: April 24, 2012, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@floop.com

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: RULE TITLE:
IT-1.039 Cultural Facilities Program

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent program calendar, including the application deadline; criteria related to eligibility, application submission, application review and scoring, and reporting requirements; and criteria related to compliance with and the recordation of restrictive covenants.

SUMMARY: The proposed rule details application submission, eligibility criteria, application procedures, matching funds, evaluation criteria, reporting requirements, and grant administration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the following, the Agency has determined that the proposed rule will not require legislative ratification pursuant to Section 120.541(3), F.S., or other applicable statutes: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) based on past experiences with cultural-related activities 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: 265.701(5) FS.

LAW IMPLEMENTED: 215.97, 265.701, 286.011, 286.012, 286.25 FS.

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

DATE AND TIME: Tuesday, May 1, 2012, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.039 Cultural Facilities Program.

(1) This rule provides the requirements for the Cultural Facilities Program administered by the Division of Cultural Affairs (Division). All grant applicants must meet the requirements set forth in the ~~2013-2014~~ ~~2011-2012~~ guidelines, which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference. The program guidelines contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State and Legislative appropriation.

(2) The Cultural Facilities Program Application (Form CA2E147), effective ~~6/2012~~ ~~7/10~~, must be submitted on-line at www.Florida-arts.org, is available from the Division, and is hereby incorporated by reference.

(3) The following forms must be used in the administration of the Cultural Facilities Program and are hereby incorporated by reference and available at www.Florida-arts.org:

(a) Cultural Facilities Report Form (Form CA2E048), effective ~~6/2012~~ ~~7/10~~;

(b) State Funds Expenditure Log (Form CA2E119), effective ~~6/2012~~ ~~7/10~~;

(c) Grant Amendment Request (Form CA2E047), effective ~~6/2012~~ ~~7/10~~;

(d) Grant Award Agreement (Form CA2E038), effective ~~6/2012~~ ~~7/10~~;

(e) Request for Warrant (Form CA2E001), effective ~~6/2012~~ ~~7/10~~.

Rulemaking Authority 265.701(5) FS. Law Implemented 265.701 FS. History—New 7-13-10, Amended.

Editorial Note: Formerly IT-1.001(3), F.A.C.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donald R. Blancett

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 38, No. 8, February 24, 2012

DEPARTMENT OF REVENUE

Property Tax Oversight Program

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| RULE NOS.: | RULE TITLES: |
| 12D-1.009 | Mapping Requirements |
| 12D-1.010 | Reconciliation of Interim Tax Rolls – Form of Notification |

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-1.009, F.A.C., (Mapping Requirements) is to clarify reporting requirements for parcel numbers linked to the property maps. The uniform requirement addressed in this amendment is that the property appraiser shall maintain the full parcel number. The purpose of amending Rule 12D-1.010, F.A.C., (Reconciliation of Interim Tax Rolls – Form of Notification) is to conform with changes to Section 195.022, Florida Statutes, made by Chapter 2009-67, Laws of Florida, which remove requirements that the Department is to provide paper forms to the counties.

SUMMARY: The proposed amendment to Rule 12D-1.009, F.A.C., removes outdated language and clarifies reporting the parcel numbers on the tax rolls. The proposed amendment to Rule 12D-1.010, F.A.C., removes language instructing the Department to provide paper forms to the county offices.

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: 193.085(2), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.1145, 193.122, 195.022, 195.062, 197.162, 197.172, 197.322, 197.333, 197.343, 197.344, 197.432, 197.443, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.
PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department’s site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-1.009 Mapping Requirements.

(1) Each county property appraiser shall have and maintain the following:

- (a) Aerial photography suitable for the needs of his office.
- (b) Property ownership maps which will reflect the following:

- 1. through 2. No change.
- 3. Parcel number corresponding to that as listed on the current county tax roll (~~normally the last four digits of the property identification number~~).

(2) Suggested procedures for establishing and maintaining an adequate cadastral mapping program to meet these requirements are contained in the mapping guidelines of the Department of Revenue's Manual of Instructions.

Rulemaking Specific Authority 193.085(2), 195.027(1), 213.06(1) FS. Law Implemented 195.022, 195.062 FS. History–New 10-12-76, Formerly 12D-1.09, Amended_____.

12D-1.010 Reconciliation of Interim Tax Rolls – Form of Notification.

(1) through (14) No change.

(15) Forms, as required by this rule, shall be reproduced ~~ordered~~ by the property appraiser or tax collector ~~from the Department~~. ~~However Provided, however, that~~ for good cause shown as provided in subsection 12D-16.001(5), F.A.C., the Department shall ~~may~~ approve a change in the format or content of any form required by this rule. ~~The Department shall furnish the forms required by this rule within a reasonable period of time.~~

(16) through (19) No change.

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.1145, 193.122, 197.162, 197.172, 197.322, 197.333, 197.343, 197.344, 197.432, 197.443 FS. History–New 11-23-83, Amended 12-26-85, Formerly 12D-1.10, Amended 12-3-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-2.001
RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D 2.001, F.A.C. (Definitions), is to add a definition of “centrally assessed property” to fully implement the exemption in Section 196.183, Florida Statutes, for such property consistent with procedures for assessments of such property to be certified to the property appraiser by the Department of Revenue as required by Section 193.085, F.S.

SUMMARY: The proposed amendment to Rule 12D-2.001, F.A.C., adds a definition of Centrally Assessed Property as requested by Joint Administrative Procedures Committee.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 193.085(4), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.085, 195.073, 196.183, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department’s site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-2.001 Definitions.

(1) through (10) No change.

(11) Centrally Assessed Property – All railroad operating property subject to assessment according to Section 193.085(4)(a), F.S., and rolling stock of private car and freight line and equipment companies subject to assessment by the department under Section 193.085(4)(b), F.S.

Rulemaking Specific Authority 193.085(4), 195.027(1), 213.06(1) FS. Law Implemented 193.085, 195.073, 196.183 FS. History–New 11-9-76, Formerly 12D-2.01, Amended 12-31-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

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| RULE NOS.: | RULE TITLES: |
| 12D-5.004 | Other Factors Applicable to Classification of Agricultural Lands |
| 12D-5.014 | Conservation Easement, Environmentally Endangered or Outdoor Recreational or Park Property Assessed Under Section 193.501, F.S. |

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D 5.004, F.A.C. (Other Factors that May Become Applicable to Classification of Agricultural Land), is to implement an additional factor, added by Chapter 2008-197, Laws of Florida, for the property appraiser to use to determine the use of land for agricultural purposes. This change complies with the amendment to Section 193.461, Florida Statutes. The purpose of the proposed Rule 12D-5.014, F.A.C. (Conservation Easement, Environmentally Endangered or Outdoor Recreational or Park Property Assessed Under Section 193.501, F.S.), is to implement provisions of Chapter 2009-157, L.O.F., amending Section 193.501, F.S. This rule implements an application to be filed with the property appraiser for a conservation easement assessment and a short form to annually reapply.

SUMMARY: The proposed amendment to Rule 12D-5.004, F.A.C., is to include a factor for classification of agricultural lands and to revise the title of the rule. The proposed creation of Rule 12D-5.014, F.A.C., is to implement an application to be filed with the property appraiser for a conservation easement assessment and a short form to annually reapply.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of

this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.461, 193.501, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department’s site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-5.004 Other Factors ~~that May Become~~ Applicable to Classification of Agricultural Lands.

(1) through (2) No change.

(3) A minimum acreage cannot be required for agricultural assessment in determining whether the use of the land for agricultural purposes is bona fide.

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.461, 213.05 FS. History–New 10-12-76, Amended 11-10-77, Formerly 12D-5.04, Amended _____.

12D-5.014 Conservation Easement, Environmentally Endangered or Outdoor Recreational or Park Property Assessed Under Section 193.501, F.S.

(1) To apply for the assessment of lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted, a property owner must submit an original application to the property appraiser by March 1, as outlined in Section 193.501, F.S.

(2) The Department prescribes Form DR-482C, Land Used for Conservation, Assessment Application, and incorporated by reference in Rule 12D-16.002, F.A.C., for property owners to apply for the assessment in Section 193.501, F.S.

(3) The Department prescribes Form DR-482CR, Land Used for Conservation, Assessment Reapplication, incorporated by reference in Rule 12D-16.002, F.A.C., for property owners to reapply for the assessment after the first year a property is assessed under Section 193.501, F.S., when the property owner and use have not changed. The property owner must complete and return the reapplication to the property appraiser by March 1.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 193.501, 213.05 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

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| RULE NOS.: | RULE TITLES: |
| 12D-7.0055 | Exemption for Deployed Servicemembers |
| 12D-7.006 | Exemption for Totally and Permanently Disabled Persons |
| 12D-7.013 | Homestead Exemptions – Abandonment |
| 12D-7.0142 | Additional Homestead Exemption |
| 12D-7.0143 | Additional Homestead Exemption Up To \$50,000 for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year |

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| 12D-7.019 | Tangible Personal Property Exemption |
| 12D-7.020 | Exemption for Real Property Dedicated in Perpetuity for Conservation |

PURPOSE AND EFFECT: The purpose of proposed Rule 12D-7.0055, F.A.C. (Exemption for Deployed Servicemembers), is to implement the provisions of Chapter 2011-93, Laws of Florida, replacing Emergency Rule 12DER11-12. This proposed Rule implements an additional homestead exemption for active duty servicemembers deployed outside the continental United States, Alaska, or Hawaii in support of a designated operation. The purpose of the amended Rule 12D-7.006, F.A.C. (Exemption for Totally and Permanently Disabled Persons), is to implement the provisions of Chapter 2007-121, L.O.F., which allows for a second form from an optometrist to be used for blind persons to show evidence of entitlement to the exemption. The purpose of amending Rule 12D-7.013, F.A.C. (Homestead Exemptions – Abandonment), is to implement the provisions of Chapter 2010-176, L.O.F., containing an additional condition that constitutes an abandonment of homestead property for homestead exemption purposes. The purpose of proposed Rule 12D-7.0142, F.A.C. (Additional Homestead Exemption), is to implement the provisions of Chapter 2008-173, L.O.F., replacing Emergency Rule 12DER11-08. This proposed rule will provide for the additional homestead exemption. The purpose of amending Rule 12D-7.0143, F.A.C. (Additional Homestead Exemption Up To \$50,000 for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year), is to implement the provisions of Chapter 2007-4, L.O.F., to reflect the exemption amount and form number for an earnings statement. The purpose of proposed Rule 12D-7.019, F.A.C. (Tangible Personal Property Exemption), is to implement the provisions of Chapter 2008-173, L.O.F., replacing Emergency Rule 12DER11-07. This proposed rule will implement the tangible personal property exemption and the procedure to apply for and receive the exemption. The purpose of proposed Rule 12D-7.020, F.A.C. (Exemption for Real Property Dedicated in Perpetuity for Conservation), is to implement the provisions of Chapter 2009-157, L.O.F. This proposed Rule implements an additional exemption for real property dedicated in perpetuity for conservation.

SUMMARY: The proposed creation of Rule 12D-7.0055, F.A.C., implements an additional homestead exemption for active duty servicemembers deployed outside the continental US, Alaska, or Hawaii in support of a designated operation. The proposed amendment to Rule 12D-7.006, F.A.C., implements legislation that allows an optometrist to be one of the practitioners to certify blindness to qualify a person for an exemption. The proposed amendment to Rule 12D-7.013, F.A.C., implements a statutory condition that constitutes an abandonment of homestead property for homestead exemption purposes. The proposed creation of Rule 12D-7.0142, F.A.C.,

provides an additional \$25,000 exemption for qualified homesteads. The proposed amendment to Rule 12D-7.0143, F.A.C., updates the homestead exemption amount to \$50,000 for persons 65 and older whose annual income does not exceed \$20,000. The proposed Rule 12D-7.019, F.A.C., is created to explain the tangible personal property exemption and the procedure to apply for and receive the exemption. The proposed Rule 12D-7.020, F.A.C., is created to identify the exemption for real property dedicated in perpetuity for conservation and incorporate the form DR-418C, Real Property Dedicated in Perpetuity for Conservation-Exemption Application.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 196.075(5), 213.06(1) FS.

LAW IMPLEMENTED: 192.047, 193.063, 193.072, 193.074, 193.114, 196.001, 196.011, 196.012, 196.031, 196.071, 196.075, 196.082, 196.101, 196.173, 196.183, 196.196, 196.24, 196.26, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting

will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-7.0055 Exemption for Deployed Servicemembers.

(1) This rule applies to the exemption provided in Section 196.173, F.S., for servicemembers who receive a homestead exemption and who were deployed during the previous tax year. For the purposes of this rule the following definitions must apply:

(a) "Servicemember" means a member or former member of:

1. Any branch of the United States military or military reserves.

2. The United States Coast Guard or its reserves. or

3. The Florida National Guard.

(b) "Deployed" means:

1. On active duty.

2. Outside of the continental United States, Alaska or Hawaii, and

3. In support of a designated operation.

(c) "Designated Operation" means an operation designated by the Florida Legislature. The Department must annually provide all property appraisers with a list of operations which have been designated.

(2)(a) Application for this exemption must be made by March 1 of the year following the qualifying deployment. If the servicemember fails to make a timely application for this exemption, the property appraiser may grant the exemption on a late application if they believe circumstances warrant that it be granted. The servicemember may also petition the value adjustment board to accept the late application no later than 25 days after the mailing of the notice provided under Section 194.011(1), F.S.

(b) Application for this exemption must be made on Form DR-501M, Deployed Military Exemption Application (incorporated by reference in Rule 12D-16.002, F.A.C.).

(c) In addition to the application, the servicemember must submit to the property appraiser deployment orders or other proof of the qualifying deployment which includes the dates of that deployment and other information necessary to verify eligibility for this exemption. If the servicemember fails to include this documentation with the application, the property appraiser may request the needed documentation from the servicemember before denying the exemption.

(d) Application for this exemption may be made by:

1. The servicemember,
2. The servicemember's spouse, if the homestead is held by the entireties or jointly with right of survivorship,
3. A person holding a power of attorney or other authorization under Chapter 709, F.S., or
4. The personal representative of the servicemember's estate.

(3) After receiving an application for this exemption, the property appraiser must consider the application within 30 days of its receipt or within 30 days of the notice of qualifying deployment, whichever is later. If the application is denied in whole or in part, the property appraiser must send a notice of disapproval to the taxpayer no later than July 1, citing the reason for the disapproval. The notice of disapproval must also advise the taxpayer of the right to appeal the decision to the value adjustment board.

(4) This exemption must apply only to the portion of the property which is the homestead of the deployed servicemember or servicemembers.

(5) The percentage exempt under this exemption must be calculated as the number of days the servicemember was deployed during the previous calendar year divided by the number of days in that year multiplied by 100.

(6) If the homestead property is owned by joint tenants with a right of survivorship or tenants by the entireties, the property may be granted multiple exemptions for deployed servicemembers. The following provisions must apply in the event that multiple servicemembers are applying for the exemption on the same homestead property:

(a) Each servicemember must make a separate application to the property appraiser listing the dates of their deployment.

(b) The property appraiser must separately calculate the exemption percentage for each servicemember.

(c) The property appraiser must then add the percentages exempt which were determined for each of the servicemembers who are joint tenants with rights of survivorship or tenants by the entirety before applying that percentage to the taxable value. In no event must the percentage exempt exceed 100%.

(7) When calculating exemptions and taxes due, the property appraiser must first apply the exemptions listed in Section 196.031(7), F.S., in the order specified, to produce school and county taxable values. The percentage exempt calculated under this exemption must then be applied to both taxable values producing final taxable values. The taxes due

must then be calculated and the percentage discount for disabled veterans under Section 196.082, F.S., should then be applied.

(8) If the property is owned by either tenants in common or joint tenants without right of survivorship, the percentage discount allowed under this rule must only apply to the taxable value of the qualifying servicemembers' interest in the property.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 196.001, 196.031, 196.082, 196.173, 213.05 FS. History—New _____.

12D-7.006 Exemption for Totally and Permanently Disabled Persons.

(1) through (3) No change.

(4) Subject to the income limitations pursuant to Section 196.101, ~~F.S. Florida Statutes, and Form DR-501S, (incorporated by reference in Rule 12D-16.002, F.A.C.)~~ the homestead property of a paraplegic, hemiplegic, or any other totally and permanently disabled person who must use a wheelchair for mobility or who is legally blind is exempt from ad valorem taxation.

(5) To provide evidence of entitlement to the exemption, a paraplegic, hemiplegic, or other totally and permanently disabled person who must use a wheelchair, or a person who is legally blind must provide the following ~~furnish~~ to the property appraiser, ~~the following~~:

(a) 1. A certificate of disability, Form DR-416 (incorporated by reference in Rule 12D-16.002, F.A.C.), from two doctors of this state licensed under Chapter 458 or Chapter 459, ~~F.S. Florida Statutes~~; or

2. ~~(b)~~ A certificate of disability from the United States Department of Veterans Affairs or its predecessor; ~~or and~~

3. For blind persons, a certificate of disability, Form DR-416, from one doctor of this state licensed under Chapter 458 or 459, F.S., and a certificate of disability, Form DR-416B (incorporated by reference in Rule 12D-16.002, F.A.C.), from one optometrist licensed in this state under Chapter 463, F.S.; ~~and~~

(b) ~~(e)~~ A Statement of Gross Income, Form DR-501A (incorporated by reference in Rule 12D-16.002, F.A.C.).

(6) through (8) No change.

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.011, 196.012, 196.101, 213.05 FS. History—New 10-12-76, Formerly 12D-7.06, Amended 12-27-94, _____.

12D-7.013 Homestead Exemptions – Abandonment.

(1) through (5) No change.

(6) Homestead property that is uninhabitable due to damage or destruction by misfortune or calamity shall not be considered abandoned in accordance with the provisions of Section 196.031(6)(7), F.S., where:

(a) The property owner notifies the property appraiser of his or her intent to repair or rebuild the property,

(b) The property owner notifies the property appraisers of his or her intent to occupy the property after the property is repaired or rebuilt,

(c) The property owner does not claim homestead exemption elsewhere, and

(d) The property owner commences the repair or rebuilding of the property within three (3) years after January 1 following the damage or destruction to the property.

(7) After the three (3) year period, the expiration, lapse, nonrenewal, or revocation of a building permit issued to the property owner for such repairs or rebuilding also constitutes abandonment of the property as homestead.

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.001, 196.031, 196.041, 196.061, 196.071, 213.05 FS. History–New 10-12-76, Formerly 12D-7.13, Amended 10-2-07,

12D-7.0142 Additional Homestead Exemption.

(1) A taxpayer who receives the \$25,000 homestead exemption may claim the additional homestead exemption of up to \$25,000 on the assessed value greater than \$50,000.

(2) To apply for the additional homestead exemption, no new application form is needed. Form DR-501, (incorporated by reference in Rule 12D-16.002, F.A.C.), will be considered the application for exemption.

(3) The additional homestead exemption applies only to non-school levies.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 193.114, 196.031, 196.075, 196.082, 196.196, 196.24 FS. History–New _____.

12D-7.0143 Additional Homestead Exemption Up To ~~\$50,000~~ ~~\$25,000~~ for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year.

(1) The following procedures shall apply in counties and municipalities that have granted an additional homestead exemption up to ~~\$50,000~~ ~~\$25,000~~ for persons 65 and older on January 1, whose household adjusted gross income for the prior year does not exceed \$20,000, adjusted beginning January 1, 2001, by the percentage change in the average cost-of-living index.

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

(c) any wage earning statements for each member of the household, which shall include Forms W-2, RRD-1042S, SSA-1042S, 1099, ~~1099A~~ ~~1999A~~, RRD 1099, and SSA-1099, if any.

(3) through (5) No change.

Rulemaking Specific Authority 195.027(1), 196.075(5), 213.06(1) FS. Law Implemented 193.074, 196.075, 213.05 FS. History–New 12-30-99, Amended 12-30-02, _____.

12D-7.019 Tangible Personal Property Exemption.

(1) The filing of a complete Form DR-405, or Form DR-470A (incorporated by reference in Rule 12D-16.002, F.A.C.) shall be considered the application for exemption.

(2) Taxpayers who fail to file complete returns by April 1 or within any applicable extension period, shall not receive the \$25,000 exemption. However, at the option of the property appraiser, owners of property previously assessed without a return being filed may qualify for the exemption without filing an initial return. Nothing in this rule shall preclude a property appraiser from requiring that Form DR-405 be filed. Returns not timely filed shall be subject to the penalties enumerated in Section 193.072, F.S. Claims of more exemptions than allowed under subsection 196.183(1), F.S., are subject to the taxes exempted as a result of wrongfully claiming the additional exemptions plus penalties on these amounts as enumerated in Section 196.183(5), F.S.

(3) Section 196.183(1), F.S., states that a single return must be filed, and therefore a single exemption granted, for all freestanding equipment not located at the place where the owner of tangible personal property transacts business.

(4) “Site where the owner of tangible personal property transacts business”

(a) Section 196.183(2), F.S. defines “site where the owner of tangible personal property transacts business”. A “site where the owner of tangible personal property transacts business” includes facilities where the business ships or receives goods, employees of the business are located, goods or equipment of the business are stored, or goods or services of the business are produced, manufactured, or developed, or similar facilities located in offices, stores, warehouses, plants, or other locations of the business. Sites where only the freestanding property of the owner is located shall not be considered sites where the owner of tangible personal property transacts business.

(b) Example: A business leasing copying machines or other freestanding equipment, the location where the leased equipment is located does not constitute a site where the owner transacts business. If it is not a site where one or more of the activities stated in paragraph (a) occur, for purposes of the tangible personal property exemption, it is not considered a site where the owner transacts business.

(5) Property Appraiser Actions – Maintaining Assessment Roll Entry. For all freestanding equipment not located at a site where the owner of tangible personal property transacts business, and for which a single return is required, and for property assessed under Section 193.085, F.S., the property appraiser is responsible for allocating the exemption to those taxing jurisdictions in which freestanding equipment or property assessed under Section 193.085, F.S. is located. Allocation should be based on the proportionate share of the just value of such property in each jurisdiction. However, the

amount of the exemption allocated to each taxing authority may not change following the extension of the tax roll under Section 193.122, F.S.

(6) By February 1 of each year, the property appraiser shall notify by mail all taxpayers whose requirement for filing an annual tangible personal property tax return was waived in the previous year. The notification shall state that a return must be filed if the value of the taxpayer's tangible personal property exceeds the exemption and shall include notification of the penalties for failure to file such a return. Form DR-405W, (incorporated by reference in Rule 12D-16.002, F.A.C.), may be used by property appraisers at their option.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 192.047, 193.063, 193.072, 193.114, 193.122, 196.183, 213.05 FS. History—New _____.

12D-7.020 Exemption for Real Property Dedicated in Perpetuity for Conservation.

(1) To apply for the exemption in Section 196.26, F.S., a property owner must submit an original application to the property appraiser by March 1, as outlined in Section 196.011, F.S.

(2) The Department prescribes Form DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application, incorporated by reference in Rule 12D-16.002, F.A.C. Property owners must use this form to apply for the exemption in Section 196.26, F.S.

(3) The Department prescribes Form DR-418CR, Real Property Dedicated in Perpetuity for Conservation, Exemption Renewal, incorporated by reference in Rule 12D-16.002, F.A.C. After the first year a property receives the exemption in Section 196.26, F.S., the property appraiser must mail a renewal application to the property owner by February 1. The property owner must complete and return the renewal application to the property appraiser by March 1.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 196.011, 196.26, 213.05 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

| RULE NOS.: | RULE TITLES: |
|-------------|--|
| 12D-8.0061 | Assessments; Homestead Property Assessments at Just Value |
| 12D-8.0065 | Transfer of Homestead Assessment Difference; “Portability”; Sworn Statement Required; Denials; Late Applications |
| 12D-8.00659 | Notice of Change of Ownership or Control of Non-Homestead Property. |
| 12D-8.022 | Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue |

PURPOSE AND EFFECT: The purpose of the amendment to subsection 12D-8.0061(2), F.A.C., is to implement the provisions of Chapter 2010-109, Laws of Florida, to implement the additional criteria that apply to a change of ownership in Section 193.155, Florida Statutes. The purpose of proposed Rule 12D-8.0065, F.A.C., is to implement the provisions of Chapter 2008-173, L.O.F., replacing Emergency Rules 12DER11-03 and 12DER11-06. This proposed rule implements the procedures for the transfer of homestead assessment limitation difference (portability), provides necessary forms to apply for portability and provides instructions the property appraisers. The purpose of proposed Rule 12D-8.0659, F.A.C., is to implement the provisions of Chapters 2008-173 and 2010-109, L.O.F., that created ss. 193.1554, 193.1555, and 193.1556, F.S. The proposed rule implements instructions to property owners for the procedures and criteria to inform the property appraiser about any change of ownership or control for non-homestead real property. The purpose of proposed Rule 12D-8.022, F.A.C., is to implement the provisions of Chapter 2008-173, L.O.F., replacing Emergency Rule 12DER11-09. This proposed rule implements Section 218.12, F.S., with procedures for fiscally constrained counties to apply for the funds to offset reductions in ad valorem tax revenue.

SUMMARY: The amendment of Rule 12D-8.0061, F.A.C., implements the additional criteria that apply to a change of ownership in Section 193.155, Florida Statutes. The proposed Rule 12D-8.0065, F.A.C., implements the procedures for the transfer of homestead assessment limitation difference (portability), provides necessary forms to apply for portability and provides instructions to the property appraisers. Creation of Rule 12D-8.00659, F.A.C., implements instructions to property owners for the procedures and criteria to inform the property appraiser about any change of ownership or control for non-homestead real property. Creation of Rule 12D-8.022, F.A.C., creates a report to be completed by fiscally constrained counties to apply for the funds distributed by the legislature.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.047, 193.011, 193.023, 193.114, 193.1142, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.703, 194.011, 200.065, 213.05, 218.12, 218.125, 218.67 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850) 617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-8.0061 Assessments; Homestead Property Assessments at Just Value.

(1) No change.

(2) Real property shall be assessed at just value as of January 1 of the year following any change of ownership. If the change of ownership occurs on January 1, subsection (1) shall apply. For purposes of this section, a change of ownership includes any transfer of homestead property receiving the exemption, but does not include any of the following:

(a) Any transfer in which the person who receives homestead exemption is the same person who was entitled to receive homestead exemption on that property before the transfer, and

1. No change.

2. The transfer is between legal and equitable title or equitable and equitable title and no other person applies for a homestead exemption on the property; or

3. No change.

(b) through (c) No change.

(d) The transfer occurs by operation of law to the surviving spouse or minor child or children under Section section 732.401 732.4015, F.S. Florida Statutes.

(3) A leasehold interest that qualifies for the homestead exemption under Sections 196.031 or 196.041, F.S., shall be treated as an equitable interest in the property for purposes of subsection (2).

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.011, 193.023, 193.155, 213.05 FS. History—New 12-27-94, Amended 10-2-07,_____.

12D-8.0065 Transfer of Homestead Assessment Difference: "Portability"; Sworn Statement Required; Denials; Late Applications.

(1) For purposes of this rule, the following definitions apply.

(a) "The previous property appraiser" means the property appraiser in the county where the taxpayer's previous homestead property was located.

(b) "The new property appraiser" means the property appraiser in county where the taxpayer's new homestead is located.

(c) "The previous homestead" means the homestead which the assessment difference is being transferred from.

(d) "The new homestead" means the homestead which the assessment difference is being transferred to.

(e) “Assessment difference” means the difference between assessed value and just value attributable to Section 193.155, F.S.

(2) Section 193.155(8), F.S., provides the procedures for the transfer of the homestead assessment difference, within stated limits, when a homestead is abandoned. This rule describes those procedures, which are an alternative to assessment at just value. The amount of the assessment difference is transferred as a reduction to the just value of the interest owned by taxpayers that qualify and receive homestead exemption on a new homestead.

(a) This rule sets limits and requirements consistent with Section 193.155(8), F.S. A taxpayer may apply for the transfer of an assessment difference from a previous homestead property to a new homestead property if:

1. The taxpayer received a homestead exemption on the previous property on January 1 of one of the last two years before establishing the new homestead; and

2. The previous property was abandoned as a homestead after that January 1; and

3. The previous property was, or will be, reassessed at just value or assessed under Section 193.155(8), F.S., as of January 1 of the year after the year in which the abandonment occurred subject to Sections 193.155(8) and 193.155(3), F.S; and

4. The taxpayer establishes a new homestead on the property by January 1 of the year they are applying for the transfer.

(b) Under Section 193.155(8), F.S., the transfer is only available from a prior homestead for which a taxpayer previously received a homestead exemption. For these rules:

1. If a husband and wife owned and resided on a previous homestead, each is considered to have received the homestead exemption, even if only one of them applied.

2. For joint tenants with rights of survivorship and for tenants in common, those who applied for, received the exemption, and resided on a previous homestead are considered to have received the exemption.

(3) To apply for portability, the taxpayer must file Form DR-501T, Transfer of Homestead Assessment Difference, (incorporated by reference in Rule 12D-16.002, F.A.C.), including a sworn statement, by March 1. Form DR-501T is submitted as an attachment to Form DR-501, Original Application for Ad Valorem Tax Exemption, (incorporated by reference in Rule 12D-16.002, F.A.C.).

(4) Within the limitations for multiple owners in subsection (5), the total which may be transferred is limited as follows:

(a) Upsizing – When the just value of the new homestead equals or is greater than the just value of the previous homestead, the maximum amount that can be transferred is \$500,000.

(b) Downsizing - When the just value of the new homestead is less than the just value of the previous homestead, the maximum amount that can be transferred is \$500,000. Within that limit, the amount must be the same proportion of the new homestead’s just value as the proportion of the assessment difference was of the previous homestead’s just value.

(5)(a) Transferring without splitting or joining – When two or more persons jointly abandon a single homestead and jointly establish a new homestead, the provisions for splitting and joining below do not apply if no additional taxpayers are part of either homestead. The maximum amount that can be transferred is \$500,000.

(b) Splitting – When two or more people who previously shared a homestead abandon that homestead and establish separate homesteads, the maximum total amount that can be transferred is \$500,000. Within that limit, each taxpayer who received a homestead exemption and is eligible to transfer an amount is limited to a share of the previous homestead’s difference between assessed value and just value.

1. For tenants in common, this share is the difference between just value and assessed value for the tenant’s proportionate interest in the property. This is the just value of the taxpayer’s interest minus the assessed value of the taxpayer’s interest.

2. For joint tenancy with right of survivorship and for a husband and wife, the share is the assessed value of the homestead portion of the property, divided by the number of owners that received the exemption, unless another interest share is on the title. In that case, the portion of the amount that may be transferred is the difference between just value and assessed value for the stated share.

3. The shares of the assessment difference cannot be sold, transferred, or pledged to any taxpayer. For example, if a husband and wife divorce and both abandon the homestead, they each take their share of the assessment difference with them. The property appraiser cannot accept a stipulation otherwise. The shares of the taxpayers that received the homestead exemption cannot total more than 100 percent.

(c) Joining – When two or more people, some of whom previously owned separate homesteads and received a homestead exemption, join together to qualify for a new homestead, the maximum amount that can be transferred is \$500,000. Within that limit, the amount that can be transferred is limited to the highest difference between assessed value and just value from any of the taxpayers’ former homesteads.

(6) Abandonment.

(a) To transfer an assessment difference, a homestead owner must abandon the homestead before January 1 of the year the new application is made. To do this, the taxpayer must notify the property appraiser in writing by the time he or she applies for the new homestead exemption. To transfer the assessment difference, the previous homestead must be

reassessed at just value as of January 1, subject to Sections 193.155(8) and 193.1553, F.S., which provide for assessment at other than just value.

(b) In the case of joint tenants with right of survivorship, if only one owner moved and the other stayed in the original homestead, the homestead would not be abandoned. The one who moved could not transfer any assessment difference.

(c) To receive an assessment reduction under Section 193.155(8), F.S., a taxpayer may abandon his or her homestead even though it remains his or her primary residence by providing written notification to the property appraiser of the county where the homestead is located. This notification must be delivered before or at the same time as the timely filing of a new application for homestead exemption on the property. This abandonment will result in reassessment at just value as provided in subparagraph (2)(a)3. of this rule.

(7) Only the difference between assessed value and just value attributable to Section 193.155, F.S., can be transferred.

(a) If a property has both the homestead exemption and an agricultural classification, a taxpayer cannot transfer the difference that results from an agricultural classification.

(b) If a homeowner has a homestead and is receiving a reduction in assessment for living quarters for parents or grandparents under Section 193.703, F.S., the reduction is not included in the transfer. When calculating the amount to be transferred, the amount of that reduction must be added back into the assessed value before calculating the difference.

(8) Procedures for property appraiser:

(a) If the previous homestead was in a different county than the new homestead, the new property appraiser must transmit a copy of the completed Form DR-501T with a completed Form DR-501 to the previous property appraiser. If the previous homesteads of taxpayers applying for transfer were in more than one county, each taxpayer from a different county must fill out a separate Form DR-501T.

1. The previous property appraiser must complete Form DR-501RVSH, Certificate for Transfer of Homestead Assessment Difference (incorporated by reference in Rule 12D-16.002, F.A.C.). By April 1 or within two weeks after receiving Form DR-501T, whichever is later, the previous property appraiser must send this form to the new property appraiser. As part of the information returned on Form DR-501RVSH, the previous property appraiser must certify that the amount transferred is part of a previous homestead that has been or will be reassessed at just value as of January 1 of the year after the year in which the abandonment occurred as described in subparagraph (2)(a)3. of this rule.

2. Based on the information provided on Form DR-501RVSH from the previous property appraiser, the new property appraiser calculates the amount that may be transferred and applies this amount to the January 1 assessment of the new homestead for the year applied for.

(b) If the transfer is from the same county as the new homestead, the property appraiser retains Form DR-501T. Form DR-501RVSH is not required. For a taxpayer that applied on time for the transfer of assessment difference, the property appraiser updates the ownership share information using the share methodology in this rule.

(c) The new property appraiser must record the following in the assessment roll submitted to the Department according to Section 193.1142, F.S., for the year the transfer is made to the homestead parcel:

1. Flag for current year assessment difference transfer;
2. Number of owners among whom the previous assessment difference was split. Enter 1 if previous difference was not split;
3. Assessment difference value transferred;
4. County number of previous homestead;
5. Parcel ID of previous homestead;
6. Year from which assessment difference value was transferred;

(d) Property appraisers that have information sharing agreements with the Department are authorized to share confidential tax information with each other under Section 195.084, F.S., including social security numbers and linked information on Forms DR-501, DR-501T, and DR-501RVSH.

(9) The transfer of an assessment difference is not final until all values on the assessment roll on which the transfer is based are final. If the values are final after the procedures in these rules are exercised, the property appraiser(s) must make appropriate corrections and send a corrected assessment notice. Any values that are in administrative or judicial review must be noticed to the tribunal or court for accelerated hearing and resolution so that the intent of Section 193.155(8), F.S., may be fulfilled. This rule does not authorize the consideration or adjustment of the just, assessed, or taxable value of the previous homestead property.

(10) Additional provisions.

(a) If the information from the previous property appraiser is provided after the procedures in this section are exercised, the new property appraiser must make appropriate corrections and send a corrected assessment notice.

(b) The new property appraiser must promptly notify a taxpayer if the information received or available is insufficient to identify the previous homestead and the transferable amount. This notice must be sent by July 1.

(c) If the previous property appraiser supplies enough information to the new property appraiser, the information is considered timely if provided in time to include it on the notice of proposed property taxes sent under Sections 194.011 and 200.065(1), F.S.

(d) If the new property appraiser has not received enough information to identify the previous homestead and the transferable amount in time to include it on the notice of

proposed property taxes, the taxpayer may file a petition with the value adjustment board in the county of the new homestead.

(11) Denials.

(a) If the taxpayer is not qualified for transfer of any assessment difference, the new property appraiser shall send Form DR-490PORT, Notice of Denial of Transfer of Homestead Assessment Difference, (incorporated by reference in Rule 12D-16.002, F.A.C.) to the taxpayer by July 1 and include the reasons for the denial.

(b) Any property appraiser who sent a notice of denial by July 1 because he or she did not receive sufficient information to identify the previous homestead and the amount which is transferable, may grant the transfer after receiving information from the previous property appraiser showing the taxpayer was qualified. If a petition was filed based on a timely application for the transfer of an assessment difference, the value adjustment board shall refund the taxpayer the \$15.

(c) Petitions of denials may be filed with the value adjustment board as provided in Rule 12D-9.028, F.A.C.

(12) Late applications.

(a) Any taxpayer qualified to have property assessed under Section 193.155(8), F.S., who fails to file for a new homestead on time in the first year following eligibility may file in a subsequent year. The assessment reduction shall be applied to assessed value in the year the transfer is first approved. A refund may not be given for previous years.

(b) Any taxpayer who is qualified to have his or her property assessed under Section 193.155(8), F.S., who fails to file an application by March 1, may file an application for assessment under that subsection and, under Section 194.011(3), F.S., may file a petition with the value adjustment board requesting the assessment be granted. The petition may be filed at any time during the taxable year by the 25th day following the mailing of the notice by the property appraiser as provided in Section 194.011(1), F.S. In spite of Section 194.013, F.S., the taxpayer must pay a nonrefundable fee of \$15 when filing the petition. After reviewing the petition, the property appraiser or the value adjustment board may grant the assessment under Section 193.155(8), F.S., if the property appraiser or value adjustment board find the taxpayer is qualified and demonstrates particular extenuating circumstances to warrant granting the assessment.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 192.047, 193.114, 193.1142, 193.155, 193.461, 193.703, 194.011 FS. History—New _____.

12D-8.00659 Notice of Change of Ownership or Control of Non-Homestead Property.

(1) Any person or entity that owns non-homestead property that is entitled to receive the 10 percent assessment increase limitation under Section 193.1554 or 193.1555, F.S., must notify the property appraiser of the county where the

property is located of any change of ownership or control as defined in Sections 193.1554(5) and 193.1555(5), F.S. This notification is not required if a deed or other instrument of title has been recorded in the county where the parcel is located.

(2) As provided in Sections 193.1554(5) and 193.1555(5), F.S., a change of ownership or control means any sale, foreclosure, transfer of legal title or beneficial title in equity to any person, or the cumulative transfer of control or of more than fifty (50) percent of the ownership of the legal entity that owned the property when it was most recently assessed at just value.

(3) For purposes of a transfer of control, "controlling ownership rights" means voting capital stock or other ownership interest that legally carries voting rights or the right to participate in management and control of the legal entity's activities. The term also includes an ownership interest in property owned by a limited liability company or limited partnership that is treated as owned by its sole member or sole general partner.

(4)(a) A cumulative transfer of control of the legal entity that owns the property happens when any of the following occur:

1. The ownership of the controlling ownership rights changes and either:

a. A shareholder or other owner that did not own more than fifty (50) percent of the controlling ownership rights becomes an owner of more than fifty (50) percent of the controlling ownership rights; or

b. A shareholder or other owner that owned more than fifty (50) percent of the controlling ownership rights becomes an owner of less than fifty (50) percent of the controlling ownership rights.

2.a. There is a change of all general partners; or

b. Among all general partners the ownership of the controlling ownership rights changes as described in subparagraph 1. above.

(b) If the articles of incorporation and bylaws or other governing organizational documents of a legal entity require a two-thirds majority or other supermajority vote of the voting shareholders or other owners to approve a decision, the supermajority shall be used instead of the fifty (50) percent for purposes of paragraph (a) above.

(5) There is no change of ownership if:

(a) The transfer of title is to correct an error;

(b) The transfer is between legal and equitable title; or

(c) For "non-homestead residential property" as defined in Section 193.1554(1), F.S., the transfer is between husband and wife, including a transfer to a surviving spouse or a transfer due to a dissolution of marriage. This paragraph does not apply to non-residential property that is subject to Section 193.1555, F.S.

(6) For a publicly traded company, there is no change of ownership or control if the cumulative transfer of more than 50 percent of the ownership of the entity that owns the property occurs through the buying and selling of shares of the company on a public exchange. This exception does not apply to a transfer made through a merger with or an acquisition by another company, including an acquisition by acquiring outstanding shares of the company.

(7)(a) For changes of ownership or control, as referenced in subsection (2) of this rule, the owner must complete and send Form DR-430, Change of Ownership or Control, Non-Homestead Property, to the property appraiser unless a deed or other instrument of title has been recorded in the county where the parcel is located. This form is adopted by the Department of Revenue and incorporated by reference in Rule 12D-16.002, F.A.C. If one owner completes and sends a Form DR-430 to the property appraiser, another owner is not required to send an additional Form DR-430.

(b) Form DR-430M, Change of Ownership or Control, Multiple Parcels, (incorporated by reference in Rule 12D-16.002, F.A.C.) may be used as an attachment to Form DR-430. A property owner may use DR-430M to list all property owned or controlled in the state for which a change of ownership or control has occurred. A copy of the form should be sent to each county property appraiser where a parcel is located. This form is adopted by the Department of Revenue and incorporated by reference in Rule 12D-16.002, F.A.C.

(c) On January 1, property assessed under Sections 193.1554 and 193.1555, F.S., must be assessed at just value if the property has had a change of ownership or control since the January 1 when the property was most recently assessed at just value.

(d) The property appraiser is required to record a tax lien on any property owned by a person or entity that was granted, but not entitled to, the property assessment limitation under Section 193.1554 or 193.1555, F.S.

(e) The property appraiser shall use the information provided on the Form DR-430 to assess property as provided in Sections 193.1554, 193.1555, and 193.1556, F.S. For listing ownership on the assessment rolls, the property appraiser must not use Form DR-430 as a substitute for a deed or other instrument of title in the public records.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 193.1554, 193.1555, 193.1556 FS. History—New

12D-8.022 Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue.

(1) This rule applies to counties that meet the fiscally constrained definition in Section 218.67(1), F.S. Under Sections 218.12 and 218.125, F.S., these counties are required to apply for a distribution of funds appropriated by the Legislature for each of the following purposes:

(a) Offsetting reductions in property tax revenues occurring as a direct result of the implementation of revisions to Article VII, Florida Constitution approved in the special election held on January 29, 2008. These reductions include the additional \$25,000 homestead exemption, the \$25,000 tangible personal property exemption, homestead assessment difference transferability, and the 10 percent assessment increase limitation on nonhomestead property.

(b) Offsetting reductions in property tax revenues occurring as a direct result of the implementation of revisions to ss. 3(f) and 4(b) of Art. VII, Florida Constitution, approved in the general election held in November 2008. These reductions include the exemption for real property dedicated in perpetuity for conservation purposes and classified use assessments for land used for conservation purposes.

(2) An application must be filed with the Department of Revenue on Form DR-420FC, incorporated by reference in Rule 12D-16.002, F.A.C.

(3) Each fiscally constrained county must provide the completed form to the Department of Revenue by November 15 each year. The form must be prepared by the county property appraiser. The following is a summary of the information required on the form:

(a) An estimate of the reduction in taxable value for all county government taxing jurisdictions directly attributable to revisions to Article VII, Florida Constitution approved in the special election held on January 29, 2008. This estimate must be based on values comparable to those certified on Form DR-420, incorporated by reference in Rule 12D-16.002, F.A.C.;

(b) An estimate of the reduction in taxable value for all county government taxing jurisdictions directly attributable to revisions to ss. 3(f) and 4(b) of Art. VII, Florida Constitution, approved in the general election held in November 2008. This estimate must be based on values comparable to those certified on Form DR-420;

(c) Millage rates for all county government taxing jurisdictions as included on the tax roll extended according to Section 193.122, F.S., for all these jurisdictions for both the current and prior year;

(d) Rolled-back rates, if available, for each jurisdiction determined as provided in Section 200.065, F.S., and included on Form DR-420 by each taxing jurisdiction;

(e) Maximum millage rates, if available, for each jurisdiction that could have been levied by a majority vote as included on Form DR-420MM, Maximum Millage Levy Calculation – Final Disclosure, by each taxing jurisdiction. Form DR-420MM is incorporated by reference in Rule 12D-16.002, F.A.C.

(4) The calculation of each distribution of appropriated funds must include both operating and debt service levies, including millages levied for two years or less under Section 9(b), Article VII, Florida Constitution.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 200.065, 218.12, 218.125, 218.67 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly

DEPARTMENT OF REVENUE

Property Tax Oversight Program

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 12D-9.015 | Petition; Form and Filing Fee |
| 12D-9.036 | Procedures for Petitions on Denials of Tax Deferrals |

PURPOSE AND EFFECT: The purpose of the amendment to Rule 12D-9.015, F.A.C., is to implement the provisions of Chapter 2011-151, Laws of Florida, relating to deferrals of taxes and assessments for homestead property, affordable housing property and working waterfront property. The purpose of this rule is to outline the process for tax collectors to notify taxpayers of their determination of eligibility for deferrals and provide an appeal procedure to the value adjustment board in cases where the deferral is denied. The purpose of the amendment to Rule 12D-9.036, F.A.C., is to implement the provisions of Chapter 2011-151, Laws of Florida, relating to hearing procedures of denials of deferrals of taxes and assessments for homestead property, affordable housing property and working waterfront property. The effect of this rule is to provide a consistent process for hearings.

SUMMARY: The amendment to Rule 12D-9.015, F.A.C., updates the deferral process for tax collectors to notify taxpayers of eligibility for deferrals and provides an appeal procedure to the value adjustment board in cases where the deferral is denied. Amendment to Rule 12D-9.036, F.A.C., implements a consistent process for denials of tax deferrals of taxes and assessments for homestead property, affordable housing property and working waterfront property.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.155, 194.011, 194.013, 194.032, 194.034, 194.036, 194.171, 195.022, 195.084, 196.151, 197.2425, 197.301, 200.069, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department’s site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

- 12D-9.015 Petition; Form and Filing Fee.
- (1) through (6) No change.

(7) Filing Fees. By resolution of the value adjustment board, a petition shall be accompanied by a filing fee to be paid to the board clerk in an amount determined by the board not to exceed \$15 for each separate parcel of property, real or personal covered by the petition and subject to appeal. The resolution may include arrangements for petitioners to pay filing fees by credit card.

(a) No change.

(b) No filing fee shall be required with respect to an appeal from the disapproval of a timely filed application for homestead exemption or from the denial of a ~~homestead~~ tax deferral.

(c) through (9)(c) No change.

(10) Timely Filing of Petitions. Petitions related to valuation issues may be filed, and must be accepted by the board clerk, at any time during the taxable year on or before the 25th day following the mailing of the notice of proposed property taxes. Other petitions may be filed as follows:

(a) through (d) No change.

(e) With respect to issues involving the denial of a ~~homestead~~ tax deferral, on or before the 30th day following the mailing of the notification in writing of the denial of the deferral application ~~or on or before the 20th day following receipt of the notification, whichever date is later;~~

(f) through (14) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS. Law Implemented 193.155, 194.011, 194.013, 194.032, 194.034, 194.036, 194.171, 195.022, 195.084, 196.151, 197.2425, ~~197.253~~, 197.301, ~~197.3041~~, ~~197.3047~~, ~~197.3073~~, ~~197.3079~~, 200.069, 213.05 FS. History—New 3-30-10, Amended.

12D-9.036 Procedures for Petitions on Denials of Tax Deferrals.

(1) The references in these rules to the tax collector are for the handling of petitions of denials of tax deferrals under Section 197.2425, ~~Sections 197.253, 197.3041, and 197.3073~~, F.S., and petitions of penalties imposed under Section ~~Sections~~ 197.301, ~~197.3047~~, and ~~197.3079~~, F.S.

(2) To the extent possible where the context will permit, such petitions shall be handled procedurally under this rule chapter in the same manner as denials of exemptions.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS. Law Implemented 194.032, 194.036, 197.2425, ~~197.253~~, 197.301, ~~197.3041~~, ~~197.3047~~, ~~197.3073~~, ~~197.3079~~, 213.05 FS. History—New 3-30-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: RULE TITLES:
 12D-16.001 Administration of Forms
 12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-16.001, F.A.C., is to conform with changes to Section 195.022, F.S., made by Chapter 2009-67, Laws of Florida, to remove requirements that the Department is to provide paper forms to the counties. The purpose of the proposed amendment to Rule 12D-16.002, F.A.C., is to implement provisions from Chapters 2007-4, 2007-36, 2007-121, 2008-173, 2009-157, 2010-109, 2011-93, 2011-107, and 2011-151, Laws of Florida, and to implement other technical changes to ad valorem property tax forms used by property appraisers, tax collectors, value adjustment boards, and the general public.

SUMMARY: The proposed amendment to Rule 12D-16.001, F.A.C., implements legislation instructing the Department to discontinue providing paper forms to the counties. The proposed amendment to Rule 12D-16.002, F.A.C., incorporates amended and new forms into 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: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2424, 197.3632, 197.3635, 197.414, 197.432, 197.474, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-16.001 Administration of Forms.

(1) The Department shall prescribe all forms and instructions relating to their use, which shall be uniform throughout the state, to be used by county property appraisers, county tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. ~~The Department shall furnish forms for counties with a population of 100,000 or less.~~

~~(2) Counties with a population of more than 100,000 shall reproduce forms for distribution at the county officer's expense.~~

~~(3)(2) The Department shall prescribe one form for each purpose. Each form shall be uniform throughout the state as to size, content, layout dimensions and construction.~~

~~(3) For counties with populations of 100,000 or less, requisitions for forms shall be made to the Department not less than 90 days prior to desired date of delivery. Requisitions for the following forms shall be submitted to the Department on or before August 1 of each year so that the property appraiser can and shall make them available in his or her office on the first working day of the next ensuing calendar year:~~

- ~~(a) Tangible Personal Property and Inventory Return;~~
- ~~(b) Application for Agricultural Classification of Lands;~~
- ~~(c) Applications for Assessment of Pollution Control Devices;~~
- ~~(d) Applications for Exemptions (original and renewal); and~~
- ~~(e) Applications for classification as High Water Recharge Lands or as Historic Properties Used for Commercial or Certain Nonprofit Purposes.~~

(4) through (5) No change.

(6) Individual officers may use supplemental forms, produced at their own expense, which they deem expedient for the purpose of administering and collecting ad valorem taxes within their own jurisdictions. Such supplemental forms may be used in conjunction with and not be substituted for, nor used in lieu of, the forms prescribed ~~and furnished~~ by the Department.

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.052, 195.002, 195.022 FS. History—New 10-12-76, Amended 4-11-80, Formerly 12D-16.01, Amended 1-11-94, 12-27-94, 12-30-04, _____.

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms used ~~utilized~~ by the Department of Revenue. A copy of these forms may be obtained from the Department's website at <http://dor.myflorida.com/dor/>, or by writing to: Director, Property Tax Oversight Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and ~~hereby~~ incorporates by reference in this rule, the following forms and instructions:

| | Form Number | Form Title | Effective Date |
|-------------|---------------------|--|------------------|
| (2) | DR-401 | Private Car and Freight Line Equipment Companies Annual Report and Return to the State of Florida Department of Revenue Property Tax Administration (r. 12/11 12/06) | 10/07 |
| (3)(a) | | No change. | |
| (b) | DR-403 | Tax Roll Certification (r. 6/11 1/04) | 12/04 |
| (e) | DR 403AC | Revised Recapitulation of the Ad Valorem Assessment Rolls (County Values) (r. 1/04) | 12/04 |
| (4)(a) | DR 403AM | Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values) (r. 1/04) | 12/04 |
| (b) | DR-403BM | Recapitulation of Taxes as Extended on the Tax Rolls; (Municipalities) (r. 6/11 5/89) | 5/89 |
| (5)(a) | DR-403CC | Recapitulation of Taxes as Extended on the Tax Rolls; County Commission, School Board, and Taxing Districts (Counties) (r. 6/11 5/89) | 5/89 |
| (b) | DR-403EB | The (tax year) Ad Valorem Assessment Rolls Exemption Breakdown of County, Florida (r. 6/11 1/04) | 12/04 |
| (6)(a) | DR-403PC | The Value and Number of Parcels on the Real Property Countywide Assessment Roll by Category (r. 06/11 5/85) | 5/85 |
| (b) | <u>DR-403V</u> | <u>The (tax year) Revised Recapitulation of the Ad Valorem Assessment Roll Value Data (n. 6/11)</u> | |
| (7)(a) | DR-404PA | Property Appraiser Budget Amendment/Transfer Amendment (r. 3/08) | 1/86 |
| (b) | DR-404TC | Tax Collector Budget Amendment/Transfer (r. 3/08 2/97) | 12/97 |
| (c) | DR-405 | Tangible Personal Property Tax Return (r. 12/11 11/01) | 12/01 |
| (d) | <u>DR-405W</u> | <u>Notice to Taxpayer Whose Tangible Personal Property Return was Waived in the Previous Year (n. 12/08)</u> | |
| (8)(a) | through (b) | No change. | |
| (9)(a) | DR-409 | Certificate of Correction of Tax Roll (r. xx/12 12/05) | 1/06 |
| (b) | DR-409A | Certificate of Correction of Non-Ad Valorem Assessment Roll (r. 12/96 12/03) | 1/04 |
| (c) | DR-410 | Application for Certified Florida Collector or Certified Florida Collector Assistant (r. 3/08 12/96) | 12/97 |
| (10)(a) | DR-412 | Notice of Intent (r. 12/92) | 12/92 |
| (11)(b) | DR-413 | Affidavit of Proof of Publication (n. 2/91) | 2/91 |
| (11) | DR 415 | Application for Department of Revenue Approved Bidder's List (r. 7/97) | 12/97 |
| (12)(a) | DR-416 | Physician's Certification of Total and Permanent Disability (r. xx/12 12/94) | 12/94 |
| (b) | <u>DR-416B</u> | <u>Optometrist's Certification of Total and Permanent Disability (r. xx/12)</u> | |
| (13)(a) | | No change. | |
| (b) | <u>DR-418C</u> | <u>Real Property Dedicated in Perpetuity for Conservation Exemption Application (n. xx/12)</u> | |
| (c) | <u>DR-418CR</u> | <u>Real Property Dedicated in Perpetuity for Conservation Exemption Renewal (n. 11/10)</u> | |
| (d)(b) | DR-418E | Enterprise Zone Ad Valorem Property Tax Exemption – Child Care Facility Application For Exemption Certification (n. 12/99) | 1/00 |
| (14)(a)(e) | DR-420 | Certification of Taxable Value (r. xx/12 1/95) | 12/94 |
| (b) | <u>DR-420DEBT</u> | <u>Certification of Voted Debt Millage (r. 6/10)</u> | |
| (c) | <u>DR-420FC</u> | <u>Distribution to Fiscally Constrained Counties Application (r. 8/10)</u> | |
| (d) | <u>DR-420MM</u> | <u>Maximum Millage Levy Calculation, Final Disclosure (r. xx/12)</u> | |
| (e) | <u>DR-420MM-P</u> | <u>Maximum Millage Levy Calculation, Preliminary Disclosure (r. xx/12)</u> | |
| (f)(d) | DR-420S | Certification of School Taxable Value (r. 5/11 1/03) | 1/03 |
| (g) | <u>DR-420TIF</u> | <u>Tax Increment Adjustment Worksheet (r. 6/10)</u> | |
| (15)(14)(a) | DR-421 | Certification for Taxing Authorities That Do Not Levy Ad Valorem Taxes (r. xx/12) | 7/93 |
| (b) | DR-422 | Certification of Final Taxable Value (r. 5/11 1/03) | 1/03 |
| (c) | <u>DR-422DEBT</u> | <u>Certification of Final Voted Debt Millage (r. 5/11)</u> | |
| (d) | <u>DR-428B</u> | <u>Maximum Millage Calculation, General Information for Fiscal Year 2009-10 and Thereafter (r. 5/11)</u> | |
| (e) | <u>DR-430</u> | <u>Change of Ownership or Control Non-Homestead Property (n. xx/12)</u> | |
| (f) | <u>DR-430M</u> | <u>Change of Ownership or Control, Multiple Parcels (n. xx/12)</u> | |
| (g) | <u>DR-431</u> | <u>Voluntary Disclosure of Property (r. xx/12)</u> | |

| | | | |
|-------------------------|---------------------|---|--------------|
| (16) (15) | DR-452 | Form for Return of Real Property in Attempt to Establish Adverse Possession Without Color of Title (r. <u>2/12</u> 8/93) | <u>12/04</u> |
| (17) (16)(a) | DR-453 | Notice of Tax Lien for Homestead Exemption and/or Limitation Exclusion (r. 12/05) | 1/06 |
| (b) through (c) | | No change. | |
| (18) (17) | DR-456 | Notice of New, Rebuilt, or Expanded Property | 9/84 |
| (19) (18) | DR-462 | Application for Refund of Ad Valorem Taxes (r. <u>12/11</u> 12/02) | <u>1/03</u> |
| (19) | Reserved | | |
| (20) (19) | DR-470 | <u>Railroad Tax Return</u> (r. <u>5/93</u>) | <u>5/93</u> |
| (20) | DR-470A | Annual Report of Railroad Company <u>Annual Report and Return to the State of Florida</u> (r. <u>12/11</u> 1/95) | <u>12/95</u> |
| (21)(a) | | No change. | |
| (b) | DR-474 | Notice of Proposed Property Taxes (r. <u>xx/12</u> 12/04) | <u>12/04</u> |
| (c) | DR-474M | Amended Notice of Proposed Property Taxes (r. <u>xx/12</u> 8/95) | <u>12/95</u> |
| (d) | DR-474N | Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. <u>xx/12</u> 12/04) | <u>12/04</u> |
| (22) through (23)(a) | | No change. | |
| (23) (b) | DR-482C | Land Used for Conservation. Assessment Application (r. <u>xx/12</u>) | |
| (c) | DR-482CR | <u>Land Used for Conservation. Assessment Reapplication</u> (r. <u>xx/12</u>) | |
| (d) (b) | DR-482HW | Application and Return for High-Water Recharge Classification of Lands (n. 12/99) | 1/00 |
| (e) (c) | DR-482HP | Application and Return for Classification/Exemption of Property as Historic Property Used for Commercial or Certain Nonprofit Purposes (r. 12/04) | 12/04 |
| (f) (d) | DR-483 | Request for Extension of the Time for Completion of Assessment Roll(s) | 8/89 |
| (24) | DR-484 | Budget Form for <u>Property</u> Appraisers (r. <u>xx/12</u> n. 2/90) | <u>2/90</u> |
| (25) | | 485 Series: | |
| (a) | DR-485M | Notice of Decision of The Value Adjustment Board (r. <u>xx/12</u> n. 12/09) | <u>3/10</u> |
| (b) | | No change. | |
| (c) | DR-485V | Decision of The Value Adjustment Board – Value Petition (r. <u>xx/12</u> n. 12/09) | <u>3/10</u> |
| (d) | DR-485WCN | Value Adjustment Board – Clerk’s Notice (r. <u>xx/12</u>) (n. 12/09) | <u>3/10</u> |
| (e) | | No change. | |
| (f) | DR-485XC | Decision of The Value Adjustment Board – Exemption, Classification, or Assessment Difference Transfer Petition (r. <u>xx/12</u> n. 12/09) | <u>3/10</u> |
| (26) | | 486 Series: | |
| (a) | | No change. | |
| (b) | DR-486DP | Petition to The Value Adjustment Board – Tax Deferral or Penalties – Request for Hearing (r. <u>xx/12</u> 12/09) | <u>3/10</u> |
| (c) through (d) | | No change. | |
| (e) | DR-487 | Certification of Compliance (r. <u>5/11</u> 12/99) | <u>12/96</u> |
| (f) | <u>DR-487V</u> | <u>Vote Record for Final Adoption of Millage Levy</u> (r. <u>6/10</u>) | |
| (27)(a) through (b) | | No change. | |
| (28) | DR-489 | Tax Roll Certification (r. <u>6/11</u> 3/84) | <u>3/84</u> |
| (29)(a) | DR-489AC | Preliminary Recapitulation of Ad Valorem Assessment Rolls – County (r. <u>1/04</u>) | <u>12/04</u> |
| (b) | DR-489AM | Preliminary Recapitulation of Ad Valorem Assessment Rolls – Municipality (r. <u>1/04</u>) | <u>12/04</u> |
| (c) | DR-489EB | <u>The (tax year) Ad Valorem Assessment Rolls Exemption Breakdown of County, Florida</u> (r. <u>6/11</u> 1/04) | <u>12/04</u> |
| (d) (c) | DR-489PC | The Value and Number of Parcels on the Real Property <u>Countywide</u> Assessment Roll by Category (r. <u>6/11</u> 5/85) | <u>5/85</u> |
| (c) | <u>DR-489V</u> | <u>The (tax year) Preliminary Recapitulation of the Ad Valorem Assessment Roll. Value Data</u> (n. <u>6/11</u>) | |
| (30)(a) | DR-490 | Notice of Disapproval of Application for Property Tax Exemption or Classification by the County Property Appraiser (r. <u>xx/12</u> 12/09) | <u>3/10</u> |
| (b) | | No change. | |
| (31)(a) | DR-492 | Return of Pollution Control Devices for Ad Valorem Tax Purposes (r. <u>xx/12</u> 8/83) | <u>8/83</u> |
| (b) | DR-493 | Adjustments Made to Recorded Selling Prices or Fair Market Value in Arriving at Assessed Value <u>Summary of Adjustments to Tax Roll</u> (r. <u>xx/12</u> 6/92) | <u>6/92</u> |
| (32) | | No change. | |
| (33) | DR-498AR | Automatic Renewal <u>or Removal Receipt</u> for Total or Partial Tax Exemption (r. 1/93) | 1/93 |
| (34)(a) through (b) | | No change. | |

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| (c) | DR-499AR | Automatic Renewal or Removal for Agricultural or High-Water Recharge Classification of Lands (r. 12/06) | 10/07 |
| (d) through (36) | (35) DR-500 | No change. Renewal Application for Homestead and Related Tax Exemptions (r. xx/12 4/93) | 1/93 |
| (37) | DR-500AR | Automatic Renewal or Removal for Homestead and Related Tax Exemption (r. 1/93) | 1/93 |
| (38) | | No change. | |
| (39)(a) | DR-501 | Original Application for Homestead and Related Ad Valorem Tax Exemptions (r. xx/12 12/06) | 10/07 |
| (b) | DR-501A | Statement of Gross Income (r. xx/12 6/94) | 12/95 |
| (c) | DR-501CC | Ad Valorem Tax Exemption Application Proprietary Continuing Care Facility (r. xx/12 n-9/98) | 12/98 |
| (d) | DR-501DV | Application for Homestead Tax Discount, Veterans Age 65 and Older with a Combat-Related Disability (n. xx/12) | |
| (e) | DR-501M DR-501SC | Deployed Military Exemption Application (r. 11/11) Sworn Statement of Adjusted Gross Income of Household and Return (12/04) | (6/11) 12/04 |
| (f)(e) | DR-501PGP | Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents (r. xx/12 n-12/03) | 1/04 |
| (g) | <u>DR-501RVSH</u> | <u>Certificate for Transfer of Homestead Assessment Difference (r. 12/08)</u> | |
| (h) | <u>DR-501SC</u> | <u>Adjusted Gross Household Income Sworn Statement and Return (r. xx/12)</u> | |
| (i) | <u>DR-501T</u> | <u>Transfer of Homestead Assessment Difference, Attachment to Original Application for Homestead Tax Exemption (r. 12/08)</u> | |
| (40)(a) | DR-501S | Eligibility Criteria to Qualify for Property Tax Exemption (r. 12/05) | 1/06 |
| (b) | DR-502 | Tax Collector's Recapitulation of the Tax Roll (r. 6/85) | 6/85 |
| (b)(e) | DR-503 | Tax Collector's Recapitulation of the Non-Ad Valorem Assessment Levy (r. 12/05) | 1/06 |
| (c) | <u>DR-503NA</u> | <u>Tax Collector's Report on Non-Ad Valorem Assessments Collected on the Notice of Taxes (r. 6/09)</u> | |
| (41)(a) | | No change. | |
| (b) | DR-504S | Affidavit for Ad Valorem Tax Exemption (r. 12/93) | 12/94 |
| (e) | DR-504CS | Ad Valorem Tax Exemption Application Charter School Facilities (n. 12/00) | 1/01 |
| (c)(d) | DR-504HA | Ad Valorem Tax Exemption Application and Return – Homes for the Aged (n. 11/01) | 12/01 |
| (d) | <u>DR-504S</u> | <u>Individual Affidavit for Ad Valorem Tax Exemption-Homes for the Aged (r. xx/12)</u> | |
| (42) through (46)(a) | (45)(b) DR-510 | No change. Form for Cancellation or Correction of Tax Sale Certificate (r. 12/11 7/93) | 11/87 |
| (46)(b) | Through (48)(b) | No change. | |
| (48)(c) | DR-516 | Application for Certified Florida Appraiser or Certified Florida Evaluator (r. 3/08 12/96) | 12/97 |
| (d) | <u>DR-516E</u> | <u>Application for Certified Florida Evaluator (r. 3/08)</u> | |
| (e)(d) | DR-517 | Tax Collector's Warrant for Collecting Personal Property Taxes (r. 8/95) | 12/95 |
| (49) through (b) | (51)(a) DR-528 | No change. Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments (example only) (r. xx/12) | 2/91 |
| (c) through (b) | (52)(a) DR-534 | No change. Notice and Application for Alternative Payment of 20XX 2005 Property Taxes (r. 12/11 12/04) | 12/04 |
| (53) through (55) | (54) DR-546 | No change. | |
| (56)(a) | DR-546 DR-570 | Agricultural Income and Information Form (r. xx/12 1/94) Application for Homestead Tax Deferral (r. 10/11) | 12/94 |
| (b) | <u>DR-570AH</u> | <u>Application for Affordable Housing Property Tax Deferral (n. 10/11)</u> | |
| (c) | <u>DR-570WF</u> | <u>Application for Recreational and Commercial Working Waterfronts Property Tax Deferral (r. 10/11)</u> | |
| (57)(a) | DR-571A | Disapproval of Application for Tax Deferral-Homestead, Affordable Rental Housing, or Working Waterfront (r. xx/12 n-12/09) | 3/10 |
| (b) | DR-584 | Budget Form for Tax Collectors Budget Schedule (r. xx/12 2/94) | 12/94 |
| (c) | DR-585 | Minimum Standards Contract (n. 8/77) | 8/77 |
| (58) | | No change. | |

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|--------------|---------|--|-------|
| (59) | DR-591 | Application for Certified Cadastralist of Florida (r. 3/08) (n. 12/96) | 12/96 |
| (60) through | (61)(b) | No change. | |

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, ~~197.253~~, ~~197.304~~, ~~197.3041~~, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS. History—New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07, 3-30-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly

DEPARTMENT OF REVENUE

Property Tax Oversight Program

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| RULE NOS.: | RULE TITLES: |
| 12D-17.004 | Taxing Authority’s Certification of Compliance; Notification by Department |
| 12D-17.005 | Taxing Authorities in Violation of Section 200.065, Florida Statutes |
| 12D-17.006 | Notification of Noncompliance; Withholding and Escrow of State Revenue Sharing Funds |

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-17.004, F.A.C., is to implement the provisions of Chapter 2008-173, Laws of Florida, replacing corresponding portions of Emergency Rule 12DER11-11. This proposed amendment will incorporate new Truth in Millage (TRIM) forms for the property appraisers to apply to the TRIM process. The purpose of the proposed amendment to Rule 12D-17.005, F.A.C., is to implement the provisions of Chapter 2008-173, L.O.F., to describe circumstances where taxes exceed the maximum total county or municipal ad valorem taxes according to Section 200.065(5), Florida Statutes, replacing corresponding portions of Emergency Rule

12DER11-11. The purpose of the proposed amendment to Rule 12D-17.006, F.A.C. is to implement provisions of Chapter 2008-173, L.O.F., to describe the process of notification of noncompliance when a taxing authority is in violation of s. 200.065(5), F.S., and to incorporate the procedure to be used by the taxing authority when taxes exceed the maximum total county or municipal ad valorem taxes, replacing corresponding portions of Emergency Rule 12DER11-11.

SUMMARY: The proposed amendment to Rule 12D-17.004, F.A.C., implements the Truth in Millage (TRIM) forms and instructions on using the forms. The proposed amendment to Rule 12D-17.005, F.A.C., adds the consequence of forfeiting the half-cent sales tax revenues if the taxing authority is in violation of Subsection 200.065(5), F.S. The proposed amendment to Rule 12D-17.006, F.A.C., incorporates assistance to taxing authorities that violate Subsection 200.065(5), F.S. and implements remedies to cure the noncompliance.

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 the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 213.06(1), 218.26(1) FS.

LAW IMPLEMENTED: 195.002, 200.001, 200.065, 200.068, 213.05, 218.21, 218.23, 218.63 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department's site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

12D-17.004 Taxing Authority's Certification of Compliance; Notification by Department.

(1) If an ordinance or resolution establishing a property tax millage levy is adopted, the taxing authority must file the ~~then~~ within 30 days following its adoption the taxing authority shall file with the Department, Form DR-487, Certification of Compliance with the Department within 30 days following the adoption of the levy with Chapter 200, Florida Statutes.

(2)(a) For taxing authorities other than school districts, the ~~such~~ certification of compliance shall be made by filing the following items with the Department ~~the following items~~:

1. A copy of the Certification of Taxable Value, Form DR-420.

2. A copy of the ordinance or resolution adopting the millage rate.

3. A copy of the ordinance or resolution adopting the budget.

4. The entire page from the newspaper containing the final budget hearing advertisement, which is the notice of proposed tax increase advertisement required by Sections 200.065(2)(d) and (3)(a), Florida Statutes, or the notice of budget hearing advertisement required by Sections 200.065(2)(d) and (3)(b), Florida Statutes, whichever is appropriate, and which is required to be adjacent to the budget summary advertisement. For multicounty taxing authorities, the entire page from the newspaper containing the notice of proposed tax increase advertisement or notice of tax increase advertisement required by Sections 200.065(2)(d), (3)(a), (3)(g), and ~~(2)(8)~~, Florida

Statutes, or the notice of budget hearing advertisement required by Sections 200.065(2)(d), (3)(b), (3)(e), and (8), Florida Statutes, and which is required to be adjacent to the budget summary advertisement.

5. The entire page from the newspaper containing the budget summary advertisement required by Sections 200.065(3)(l) and 129.03(3)(b), Florida Statutes, adjacent to the advertisement required by subparagraph 4. of this rule subsection above.

6. Proof(s) of publication from the newspaper of the notice of tax increase or notice of proposed tax increase advertisement or notice of budget hearing advertisement, and the adjacent budget summary advertisement. In the event notice is not published but is mailed according pursuant to Section 200.065(3)(f), Florida Statutes, a taxing authority must ~~may~~ submit a certification of mailing from the post office with a copy of the notices.

7. For counties only, a copy of the Notice of Tax Impact of the Value Adjustment Board advertisement described in Section 194.037, Florida Statutes and Rule 12D-9.038, F.A.C. (the entire page from the newspaper).

8. For counties only, proof of publication of the notice of tax impact of the value adjustment board advertisement. If the value adjustment board completes its hearings after the deadline for certification under Section 200.068, Florida Statutes, the county shall submit this item to the Department within 30 days from the completion of the hearings.

9. A copy of the Certification of Final Taxable Value, Form DR-422, if the property appraiser has issued one as of this date. If the taxing authority has not received this certification, then the taxing authority shall file the remainder of the certification package with the Department within the deadline and shall file the certification Form DR-422 as soon as it is received.

10. Form DR-420TIF, Tax Increment Adjustment Worksheet.

11. Form DR-420DEBT, Certification of Voted Debt Millage, if used.

12. Form DR-420MM, Maximum Millage Levy Calculation – Final Disclosure, including the maximum millage rates calculated pursuant to Section 200.065(5), Florida Statutes, together with values and calculations on which the maximum millage rates are based.

13. Form DR-487V, Vote Record for Final Adoption of Millage Levy.

14. Form DR-422DEBT, Certification of Final Voted Debt Millage, if used.

These forms are incorporated by reference in Rule 12D-16.002, F.A.C.

~~15.40~~ Certification of Compliance, Form DR-487.

(b) For school districts, the ~~such~~ certification of compliance shall be made by filing the following items with the Department ~~the following items~~:

1. A copy of the Certification of Taxable Value, Form DR-420S.

2. A copy of Department of Education Form ESE-524.

3. A copy of Page 1 of the District Summary Page, Department of Education Form ESE-139.

4. The tentative budget hearing advertisement, which is the notice of proposed tax increase advertisement required by Sections 200.065(2)(f) and (3)(c) or (3)(d), Florida Statutes, or the notice of budget hearing advertisement required by Sections 200.065(2)(f) and (3)(e), Florida Statutes, whichever is appropriate, and which is required to be adjacent to the budget summary advertisement (the entire page from the newspaper).

5. Proof of publication from the newspaper of the tentative budget hearing advertisement.

6. The budget summary advertisement required by Sections 200.065(3)(1) and 129.03(3)(b), Florida Statutes, adjacent to the advertisement required by subparagraph 4. of this rule subsection above (the entire page from the newspaper).

7. Proof(s) of publication from the newspaper of the notice of proposed tax increase advertisement or notice of budget hearing advertisement, and the budget summary advertisement. In the event notice is not published but is mailed according pursuant to Section 200.065(3)(f), Florida Statutes, a school district must may submit a certification of mailing from the post office with a copy of the notices.

8. The Notice of Tax for School Capital Outlay advertisement, required by Section 200.069(10)(a) 200.065(9)(a), Florida Statutes, (the entire page from the newspaper).

9. Proof of publication from the newspaper of the Notice of Tax for School Capital Outlay advertisement.

10. Copy of the Certification of Final Taxable Value, Form DR-422, if the property appraiser has issued one as of this date. If the school district has not received this certification, then the remainder of the certification package shall be filed with the Department within the deadline and the certification shall be filed as soon as it is received.

11. A copy of Certification of Voted Debt Millage, Form DR-420DEBT, if used.

12. A copy of Department of Education Form ESE-524A, Critical Needs Millage Resolution, if used.

13. An Amended Notice of Tax for School Capital Outlay advertisement, required by Section 200.065(10)(b), Florida Statutes, (the entire page from the newspaper).

14. Proof of publication from the newspaper of the Amended Notice of Tax for School Capital Outlay advertisement.

15. Copy of the Certification of Final Voted Debt Millage, Form DR-422DEBT, if used. These forms are incorporated by reference in Rule 12D-16.002, F.A.C.

16. Certification of Compliance, Form DR-487.

(3) through (4) No change.

Rulemaking Specific Authority 195.027(1), 213.06(1), 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 213.05, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 12-25-96, 12-31-98, _____.

12D-17.005 Taxing Authorities in Violation of Section 200.065, Florida Statutes.

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

(3) If any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county is in violation of Subsection 200.065(5), Florida Statutes, because total county or municipal ad valorem taxes exceeded the maximum total county or municipal ad valorem taxes, respectively, that county or municipality, and any municipal service taxing unit and/or dependent district, must remedy the violation. If not remedied, the county or municipality will be subject to forfeiture of the half-cent sales tax revenues as described in Section 200.065(13), Florida Statutes and this Rule Chapter.

Rulemaking Specific Authority 195.027(1), 213.06(1), 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 213.05, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 4-18-94, 12-25-96, 12-31-98, _____.

12D-17.006 Notification of Noncompliance; Withholding and Escrow of State Revenue Sharing Funds.

(1) through (4) No change.

(5) If any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county is in violation of Section 200.065(5), Florida Statutes, because total county or municipal ad valorem taxes exceeded the maximum total county or municipal ad valorem taxes, respectively, that county or municipality, and any municipal service taxing unit and/or dependent district, shall be subject to notification.

(6)(a) One or more taxing authorities whose taxes are included in the maximum total taxes levied must reduce their millage sufficiently so that the maximum total taxes levied is not exceeded if any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county is in violation of Subsection 200.065(5), Florida Statutes, because total county or municipal ad valorem taxes exceeded the maximum total county or municipal ad valorem taxes. This is an alternative to the county or municipality forfeiting the half-cent sales tax revenues, as provided in Section 200.065(5), Florida Statutes.

(b) The county or municipality shall forfeit the distribution of local government half-cent sales tax revenues during the 12 months following a determination of noncompliance, as described in Sections 218.63(2) and (3), 200.065(13), Florida Statutes, if a taxing authority does not reduce its millage so that the maximum total taxes levied is not exceeded, or if any

county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county has not remedied the noncompliance or recertified compliance with Chapter 200 as provided in Section 200.065(13)(e), Florida Statutes.

Rulemaking Specific Authority 195.027(1), 213.06(1), 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 213.05, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 12-25-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-18.012
 RULE TITLE: Tax Collector Non-Ad Valorem Assessment Roll Reports

PURPOSE AND EFFECT: The purpose of the proposed Rule 12D-18.012, F.A.C., is to implement the provisions of Chapter 2008-173, Laws of Florida, replacing Emergency Rule 12DER11-04. The purpose of this rule is to outline the process for tax collectors to compile and provide the non-ad valorem reports to the Department under Section 197.3632(5)(b), F.S. The effect of this rule is to provide a consistent process to file these reports.

SUMMARY: The proposed creation of Rule 12D-18.012, F.A.C., is to implement instructions and Form DR-503NA to be reported by tax collectors on non-ad valorem assessments collected on the property tax bills.

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 the Statement of Economic

Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS.

LAW IMPLEMENTED: 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS.

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

DATE AND TIME: May 1, 2012, 10:00 a.m.

PLACE: Conference Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee Florida. The public can also participate in this hearing through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx and conference calling technology from their home or office. The requirements to participate are access to the Internet and a telephone. Specific information about how to participate in this electronic meeting will be included in the Agenda for this hearing posted on the Department’s site at: <http://dor.myflorida.com/dor/property/legislation>.

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: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janice Forrester, Tax Law Specialist, telephone (850)617-8886 or email ForrestJ@dor.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-18.012 Tax Collector Non-Ad Valorem Assessment Roll Reports.

(1) Each county tax collector must provide a report to the Department of Revenue which includes information about each non-ad valorem assessment collected using the notice of taxes and referenced in Section 197.3632(5)(b), F.S. The following information must be included in the report:

(a) The name of the local government levying the non-ad valorem assessment and a code indicating whether the local government is a county, municipality or independent special district.

(b) The name of the non-ad valorem levy as included on the tax notice.

(c) A short description of the function of the non-ad valorem levy and a code indicating the nature of the function.

(d) The basis of the levy, the unit of measurement against which the rate is applied to determine the non-ad valorem assessment, and a code indicating type of basis.

(e) The rate for each unit or basis of the non-ad valorem levy.

(f) The number of parcels the non-ad valorem assessment is levied on.

(g) The total dollar amount of the non-ad valorem assessment levied.

(h) An indication of whether or not the local government levying the non-ad valorem assessment also levies an ad valorem tax.

(2) The tax collector must file the report with the Department of Revenue by December 15 each year. The report must be filed on Form DR-503NA (incorporated by reference in Rule 12D-16.002, F.A.C.) The tax collector must mail the report to the Florida Department of Revenue, Property Tax Oversight: Non-Ad Valorem Assessments, Post Office Box 3000, Tallahassee, Florida 32315-3000.

Rulemaking Authority 195.027(1), 197.3632(11), 213.06(1) FS. Law Implemented 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8886

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of the State of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 1, 2011 (Vol. 37, No. 26, pp. 1785-1792) Florida Administrative Weekly

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.007
 RULE TITLE: Certificates of Competency and License Registrations, Initial, Renewal, General Liability Insurance Coverage

PURPOSE AND EFFECT: The purpose and effect of the rule development is to address comments submitted by the Office of Fiscal Accountability and Regulatory Reform.

SUMMARY: This proposed rule amendment removes language relating to license validity and that duplicates statute. OTHER RULES INCORPORATING THIS RULE: N/A

EFFECT ON THOSE OTHER RULES: N/A
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted 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: 399.01, 399.02, 399.10 FS.
 LAW IMPLEMENTED: 399.01(12), 399.01(13), 399.01(14), 399.01(16), 399.17 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Michelle.Comingore@dbpr.state.fl.us, Telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.007 Certificates of Competency and License Registrations, Initial, Renewal; General Liability Insurance Coverage.

~~(1)(a) Each initial certificate of competency and each initial registration for a certified elevator technician, certified elevator inspector, or elevator company license shall be valid for the remainder of the calendar year.~~

~~(b) Except as otherwise specified in this rule, renewal certificates of competency and annual licenses shall be valid January 1 through December 31.~~ All certificates and licenses, as specified in this section, expire on December 31 at 11:59 p.m. of each year unless renewed by the division.

(b)(e) A renewal application for a certificate of competency, including fee payment, or an annual license registration postmarked on or after January 1 will be deemed delinquent. A certificate of competency or annual license registration resulting from a delinquent submission shall be valid from the date renewed or issued by the division through December 31 each year.

(c)(d) Expired certificates and licenses are not valid and the certificate holder or licensee is not authorized to perform any work under an expired certificate or license until the division approves and completes a renewal.

(2) No change.

(3) Certified Elevator Technician. ~~Each natural person desiring to perform the duties of a certified elevator technician must annually register with and be licensed by the division before constructing, installing, maintaining, or repairing an elevator.~~

(a) through (b) No change.

(4) Certified Elevator Inspectors. ~~Each person desiring to perform the duties of a certified elevator inspector must annually register with and be licensed by the division before constructing, installing, inspecting, maintaining, or repairing an elevator.~~

(a) through (d) No change.

(5) Registered Elevator Companies. ~~Each elevator company employing a person or persons to construct, install, inspect, maintain, or repair any vertical conveyance regulated by the bureau, must annually register with and be licensed by the division.~~

(a) through (c) No change.

(6) through (7) No change.

Rulemaking Authority 399.01, 399.02, 399.10, FS. Law Implemented 399.01(12), 399.01(13), 399.01(14), 399.01(16), 399.17 FS. History—New 10-8-81, Amended 11-27-83, 2-19-84, Formerly 7C-5.07, Amended 4-11-91, Formerly 7C-5.007, Amended 2-2-94, 8-21-06, 1-3-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.009

RULE TITLE: Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (AIDS)

PURPOSE AND EFFECT: The Board Proposes the rule amendment to make continuing education instruction more easily accessible to licensees by making courses available in video format.

SUMMARY: The proposed rule amendment will make continuing education instruction more easily accessible to licensees by making courses available in video format.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2228, 476.064(4) FS.

LAW IMPLEMENTED: 455.2228 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.009 Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (AIDS)

(1) through (2) No change.

(3) Courses may be presented as live presentation courses, ~~or~~ home study courses, or video courses. All home study courses shall include a written post course examination which must be graded by the provider. Post-course examinations may be open-book examinations. Persons taking the course must achieve a 75% passing score on all post-course examinations in order to receive a certificate of completion.

Rulemaking Specific Authority 455.2228, 476.064(4) FS. Law Implemented 455.2228 FS. History–New 12-31-89, Amended 10-17-90, 3-22-92, Formerly 21C-16.009, Amended 11-30-93, 9-15-94, 12-22-94, 5-3-95, 6-29-95, 12-12-95, 5-1-96, 12-9-97, 4-17-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers’ Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers’ Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

| | |
|--------------|---|
| RULE NO.: | RULE TITLE: |
| 61G3-16.0091 | Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education |

PURPOSE AND EFFECT: The Board Proposes the rule amendment to make continuing education instruction more easily accessible to licensees by making courses available in video format.

SUMMARY: The proposed rule amendment will make continuing education instruction more easily accessible to licensees by making courses available in video format.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2228, 476.064(4) FS.

LAW IMPLEMENTED: 455.2228 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: Robyn Barineau, Executive Director, Barbers’ Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.0091 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education

(1) through (2) No change.

(3) Courses may be presented as live presentation courses, ~~or~~ home study courses, or video courses. All home study courses shall include a written post course examination which must be graded by the provider. Post-course examinations may be open-book examinations. Persons taking the course must achieve a 75% passing score on all post-course examinations in order to receive continuing education credit.

(4) through (7) No change

Rulemaking Specific Authority 455.2228, 476.064(4) FS. Law Implemented 455.2228 FS. History–New 5-10-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers’ Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers’ Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-29.001
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the definition of “facial.”

SUMMARY: The rule amendment further clarifies the definition of “facial.”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 477.016 FS.

LAW IMPLEMENTED: 477.013, 477.0135, 477.0201 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G5-29.001 Definitions.
- (1) through (2) No change.
- (3) “Facials” means;

(a) ~~The the~~ massaging or treating of the face, ~~neck, skin~~ or scalp with or without the use of mechanical devices using oils, creams, lotions or other cosmetic products, which are used to cleanse and condition the skin, to prevent or correct problems or conditions of the face, ~~and neck, and scalp~~ and to color and beautify the face, ~~and neck, and scalp~~ or enhance their features; and, ~~skin care services for the body.~~

(b) Skin care services for the body as defined in Section 477.013(13), F.S.

Facials shall be performed only by individuals licensed pursuant to Sections 477.019 and 477.0201, F.S., and performed in schools licensed pursuant to Chapter 1005, F.S., or salons licensed pursuant to Section 477.025, F.S.

(4) through (6) No change.

Rulemaking Specific Authority 477.016 FS. Law Implemented 477.013, 477.0135, 477.0201 FS. History—New 11-7-85, Amended 1-5-86, 6-18-86, 10-26-87, 1-10-90, 8-20-90, 5-11-92, Formerly 21F-29.001, Amended 9-15-98, 4-2-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth the disciplinary guidelines for a violation of Section 458.331(1)(ss), F.S.

SUMMARY: The proposed rule amendment sets forth the disciplinary guidelines for a violation of Section 458.331(1)(ss), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

| RECOMMENDED RANGE OF PENALTY | | | |
|---|--|---|---------------|
| VIOLATION (a) through (qqq) No change. | FIRST OFFENSE | SECOND OFFENSE | THIRD OFFENSE |
| <u>(rrr) Dispensing a controlled substance listed in Schedule II or Schedule III in violation of s. 465.0276, F.S. (458.331(1)(ss), F.S.)</u> | <u>(rrr) From probation to revocation and an administrative fine of \$5,000.00 to \$10,000.00.</u> | <u>(rrr) From suspension to be followed by a term of probation to revocation and an administrative fine of \$7,500.00 to \$10,000.00.</u> | |
| | | | |

(3) through (7) No change.

Rulemaking Authority 456.079, 458.309, 458.331(5) FS. Law Implemented 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09, 7-27-10, 6-21-11, 12-27-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO. RULE TITLE:

64B8-9.009 Standard of Care for Office Surgery

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth the conditions under which physicians do not need to stock dantrolene in office surgery settings.

SUMMARY: The proposed rule amendment sets forth the conditions under which physicians do not need to stock dantrolene in office surgery settings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v), 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:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

(1) through (5) No change.

(6) Level III Office Surgery.

(a) No change.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. through 2. No change.

3. Equipment and Supplies Required.

a. Equipment, medication, including at least 36 ampules of dantrolene on site, and monitored post-anesthesia recovery must be available in the office. The facility does not have to keep 36 ampules of dantrolene on site if all the following conditions are met:

I. The patient is at least 21 years of age and has a negative family history of malignant hyperthermia (MH);

II. The patient has previously been under general anesthesia without having an MH reaction;

III. The facility does not have an inhalation anesthetic machine on premises; and

IV. Succnylcholine, halothane, enflurane, isoflurane, desflurane, sevoflurane, ether, methoxyflurane, and cyclopropane, all MH triggering agents, are not used.

b. through f. No change.

4. No change.

Rulemaking Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(v), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07, 9-3-07, 3-25-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0092
 RULE TITLE: Approval of Physician Office Accrediting Organizations

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the Institute of Medical Quality as a board-approved accrediting organization as their accreditation has expired and they have not sought re-accreditation.

SUMMARY: The Board approved the Institute of Medical Quality as a board-approved accrediting organization in 2010 for a period ending July 14, 2011. The period of accreditation has lapsed and it is appropriate to remove this entity from the Board's rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.309(3) FS.

LAW IMPLEMENTED: 458.309(3) 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:

64B8-9.0092 Approval of Physician Office Accrediting Organizations.

(1) through (6) No change.

~~(7) Board approved accrediting organizations include the Institute of Medical Quality (IMQ), approved February 6, 2010. IMQ is approved, effective July 15, 2010 through July 14, 2011.~~

(8) through (10) renumbered (7) through (9) No change.

Rulemaking Authority 458.309(3) FS. Law Implemented 458.309(3) FS. History--New 3-9-00, Amended 3-25-02, 12-28-04, 1-30-07, 7-11-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0131
 RULE TITLE: Training Requirements for Physicians Practicing in Pain Management Clinics

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the rule by removing the time frame for completion of the 40 hour course.

SUMMARY: The proposed rule amendment removes the time frame for the completion of the 40 hour course.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.3265(4)(d) FS.

LAW IMPLEMENTED: 458.3265(4)(d) 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:

64B8-9.0131 Training Requirements for Physicians Practicing in Pain Management Clinics.

Effective July 1, 2012, physicians who have not met the qualifications set forth in subsections (1) through (6), below, shall have successfully completed a pain medicine fellowship that is accredited by the Accreditation Council for Graduate Medical Education (ACGME) or a pain medicine residency that is accredited by ACGME. Prior to July 1, 2012, physicians prescribing or dispensing controlled substance medications in pain-management clinics registered pursuant to Section 458.3265, F.S., must meet one of the following qualifications:

(1) through (5) No change.

(6) Three (3) years of documented full-time practice, which is defined as an average of 20 hours per week each year, in pain-management and ~~within six months of the effective date of this rule,~~ attendance and successful completion of 40

hours of in-person, live-participatory AMA Category I CME courses in pain management that address all the following subject areas:

- (a) through (l) No change.
- (7) No change.

Rulemaking Authority 458.3265(4)(d) FS. Law Implemented 458.3265(4)(d) FS. History--New 5-17-11, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2012

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-9.007 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The Board proposes the repeal of this rule as it is outdated and unnecessary.

SUMMARY: This rule is outdated and unnecessary and is therefore being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 120.53, 459.005 FS.

LAW IMPLEMENTED: 459.022 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:

64B15-9.007 Forms and Instructions.

Specific Authority 120.53, 459.005 FS. Law Implemented 459.022 FS. History--New 10-23-79, Formerly 21R-9.07, 21R-9.007, Amended 11-9-93, Formerly 61F9-9.007, 59W-9.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2012

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.011 RULE TITLE: Qualifications of Physicians Who Evaluate and Treat Sex Offenders

PURPOSE AND EFFECT: The Board proposes the repeal of this rule as it is unnecessary.

SUMMARY: This rule is unnecessary and is therefore being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.005, 947.005(9), 948.001(6) FS.

LAW IMPLEMENTED: 947.005(9), 948.001(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: 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:

64B15-14.011 Qualifications of Physicians Who Evaluate and Treat Sex Offenders.

Specific Authority 459.005, 947.005(9), 948.001(6) FS. Law Implemented 947.005(9), 948.001(6) FS. History—New 6-21-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2012

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-7.001
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language to Disciplinary Guidelines accordingly.

SUMMARY: Update language accordingly to Disciplinary Guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.036, 456.072, 456.079, 486.025 FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 486.125 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: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-7.001 Disciplinary Guidelines.

(1) No change.

(a) through (ff) No change.

(gg) Section 456.072(1)(II), F.S., Being convicted of, or entering a plea of guilty or nolo contendere to a crime related to health care fraud. If the crime is a felony under Chapters 409 and 817, F.S., 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396 the minimum penalty shall be a ~~minimum~~ fine of \$10,000 ~~\$1,000~~ and revocation. Otherwise the penalty range is from a minimum of a reprimand, six months probation and a fine of \$10,000 ~~\$5,000~~ to a maximum of revocation and a fine of \$10,000. For a second offense, a fine of \$10,000 and revocation.

(2) No change.

(a) through (k) No change.

Rulemaking Authority 456.036, 456.072, 456.079, 486.025 FS. Law Implemented 456.072, 456.073, 456.079, 486.125 FS. History—New 2-10-87, Formerly 21M-9.023, Amended 8-2-90, 10-14-91, 12-6-92, 3-24-93, Formerly 21MM-7.002, 61F11-7.002, 59Y-7.002, Amended 1-8-98, 8-3-00, 1-2-03, 4-9-06, 2-5-07, 4-5-07, 6-27-07, 6-30-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2011

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-7.002
RULE TITLE: Probable Cause Determination

PURPOSE AND EFFECT: Board proposes the rule to amend the revised language for members on probable cause panel.

SUMMARY: Rule is being amended to clarify composition of the probable cause panel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.073(4) FS.

LAW IMPLEMENTED: 456.073(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 IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32314-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-7.002 Probable Cause Determination.

(1) No change.

(2) The Probable Cause Panel shall be composed of at least two members. One member of said panel may be a former Board member. One member of the panel shall be a current or former consumer member if one is available, is willing to serve, and is authorized to do so by the Board Chair ~~consumer member or a former consumer member~~. At least one member of the panel shall be a current Board member.

(3) No change.

~~Rulemaking Specific~~ Authority 456.073(4) FS. Law Implemented 456.073(4) FS. History—New 2-7-91, Amended 11-9-92, Formerly 21LL-7.002, 61F14-7.002, 59BB-7.002, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Speech – Language Pathology and Audiology
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech – Language Pathology and Audiology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2012

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.204
RULE TITLE: Rights and Responsibilities

PURPOSE AND EFFECT: The proposed rule amends the Rights and Responsibilities, CF-ES 2064, and incorporates it by reference. Included in this proposed rule amendment are wording changes to improve the overall content of the rule and technical changes of a non-substantive nature.

SUMMARY: The proposed rule amends language and revises the Rights and Responsibilities, CF-ES 2064.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.212, 409.919, 410.033, 414.45 FS.

LAW IMPLEMENTED: 409.212, 409.903, 409.904, 410.033, 414.095, 414.28, 414.295, 414.31 FS.

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

DATE AND TIME: May 2, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Cindy Keil. 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: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us, (850)717-4113

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.204 Rights and Responsibilities.

(1) ~~An individual~~ ~~Any person~~ has the right to apply for assistance, ~~to have his/her~~ eligibility determined, and if found eligible, to receive benefits. The applicant for or recipient of public assistance must assume the responsibility of furnishing information, all necessary facts and documentation and verification needed to establish eligibility, ~~advise the Department of any changes in his/her circumstances which might affect eligibility and/or the amount of the public~~

~~assistance benefit, and to provide the department with any channel of information concerning his/her affairs that may be determined necessary.~~ If the information, ~~or documentation or verification~~ is difficult for the individual person to obtain, the Department must provide assistance in obtaining it ~~the information or documentation~~ when requested or when it appears necessary.

(2) The individual has the right of confidentiality in accordance with subsection (3) ~~below of this rule~~, to receive prompt action, equitable treatment, notification of any case action taken and to receive a fair hearing due to an appeal of case action. The Department provides the individual with form CF-ES 2064, Your Rights and Responsibilities, CF-ES 2064, 03/2012, incorporated by reference, to explain June 2007, (incorporated by reference) explains these and other rights and responsibilities. ~~This form is given to each payee individual receiving or applying for assistance.~~

(3) All individuals have the right to a confidential relationship with the Department pursuant to the following federal regulations, federal statutes and Florida Statutes: for the Food Assistance Program, 7 U.S.C. § 2020(e)(8) Title 7 USC s. 2020(e)(8) (incorporated by reference), 7 C.F.R. § 272.1(c) 7 CFR s. 272.1(c) (incorporated by reference), Section 414.295, F.S., Section 414.31, F.S.; for the Medicaid Program, 42 U.S.C. § 1396a(a)(7) Title 42 USC s. 1396a(a)(7) (incorporated by reference), 42 C.F.R. §§ 431.300-431.306 42 CFR ss. 431.300-431.306 (incorporated by reference), Section 409.902, F.S., Section 414.295, F.S.; and, for the Ceash Assistance Program, 42 U.S.C. § 602(a)(1)(A)(iv) Title 42 USC s. 602(a)(1)(A)(iv) (incorporated by reference), 45 C.F.R. § 205.50 45 CFR s. 205.50 (incorporated by reference), and Sections 414.106 and 414.295, F.S. Information obtained by the Department is considered confidential state agency material and is not subject to the Freedom of Information Act.

(4) Fair hearings are conducted in accordance with the Department's hearing procedures in Chapter 65-2, Part VI, F.A.C., and the Uniform Rules of Procedure set forth in Chapter 28-106, Parts I and II, F.A.C., with the exception of Rules 28-106.104, 28-106.105, 28-106.106, 28-106.107, 28-106.109, 28-106.111, and 28-106.201, F.A.C. The Office of Appeal Hearings Hearing Request, CF-ES 1007, 10/2005, incorporated by reference, can be ~~is~~ used to request fair hearings. An individual can also ~~Additionally, clients may request a fair hearing~~ hearings either orally or in writing without using the form.

(5) Copies of materials forms incorporated by reference are available in this rule may be obtained from the Economic Self-Sufficiency Headquarters Program Office, 1317 Winewood Boulevard, Building 3, Room 427, Tallahassee, Florida 32399-0700, or on the Department's website at http://www.dcf.state.fl.us/dcf/forms/Search/DCFFormSearch.aspx.

Rulemaking Specific Authority 409.212, 409.919, 410.033, 414.45 FS. Law Implemented 409.212, 409.903, 409.904, 410.033, 414.095, 414.28, 414.295, 414.31 FS. History—New 4-9-92, Amended 11-22-93, Formerly 10C-1.204, Amended 12-29-98, 5-9-02, 3-9-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeri Flora
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2012

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.707
 RULE TITLE: Family-Related Medicaid Income and Resource Criteria

PURPOSE AND EFFECT: The proposed rule amends the requirement to verify a loss or reduction of income which occurred within the 60 days preceding an application date to the requirement to verify a loss or reduction of income which occurred within the month of application. Included in this proposed rule amendment are some wording changes improving the overall content of the rule and technical changes of a non-substantive nature.

SUMMARY: The proposed rule amends when loss or reduction of income must be verified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.903, 409.919 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: May 4, 2012, 1:30 p.m.
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Cindy Keil. 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: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us, (850)717-4113

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.707 Family-Related Medicaid Income and Resource Criteria.

(1) Family-related Medicaid income is based on the definitions of income, resources (assets), verification and documentation requirements as follows.

- (a) through (d) No change.
- (e) Verification and Documentation.

1. Except for Transitional Medicaid, and when reporting changes in income at times other than the twelve month complete Medicaid review, income must be verified or documented by the employer as a condition of eligibility for family-related Medicaid. Note that separate verification and documentation requirements for KidCare are stated in subsection ~~65A-1.705(8)~~ ~~65A-1.705(5)~~, F.A.C. Income will be verified through a telephone call to the employer or source of income or by documents such as wage stubs or correspondence signed by the employer or employer’s authorized representative. Income from self employment must be verified. The applicant or recipient must make all business records available to the eligibility specialist upon request.

2. A loss or reduction of income which occurred within the ~~month of 60 days preceding an application date~~ and the cause of the reduction or loss must be verified. Availability of replacement income will be discussed with the applicant or recipient. The applicant or recipient must provide the date of expected return to work when on leave, vacation, or furlough.

- 3. No change.

~~(f) Money Management. Money management is the comparison of the income received and major expenses paid by the applicant or recipient. When currently paid expenses~~

~~exceed acknowledged income, possible sources of other income must be determined and verification or documentation of that income must be obtained.~~

~~1. An applicant or recipient shall be required to explain money management during the month of application or redetermination. Eligibility shall not be determined if an individual fails to do so. However, a case shall not be denied or canceled solely because of a person's failure to explain how bills are paid. In the instance of failure to explain how bills are paid, the eligibility specialist shall request the applicant or recipient to furnish additional information. Failure by the applicant or recipient to provide the additional information during the time requested will result in the denial of the case because eligibility cannot be determined, except when the family is eligible for transitional Medicaid.~~

~~2. An applicant or recipient shall also be required to explain money management for the month prior to or after the month of application or redetermination when the paid expenses for that month exceed the income for that month. However, a case shall not be denied or canceled solely because of a person's failure to explain how bills are paid in the month prior to or after the month of application. In the instance of failure to explain how bills are paid for months prior to or after the month of application, the eligibility specialist shall request the applicant or recipient to furnish additional information. Failure by the applicant or recipient to provide the additional information during the time requested will result in the denial of the case because eligibility cannot be determined, except when the family is eligible for transitional Medicaid.~~

(2) No change.

Rulemaking Authority 409.919 FS. Law Implemented 409.903, 409.919 FS. History--New 10-8-97, Amended 2-15-01, 11-23-04, 2-20-07, 5-6-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeri Flora

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2012

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-2.023
RULE TITLE: Application and Determination of Eligibility

PURPOSE AND EFFECT: The proposed rule removes the obsolete Request for Assistance, CF-ES 2066, adds the ACCESS Florida Application, CF-ES 2337 and amends the Notice of Case Action, CF-ES 2235. Included in this proposed

rule amendment are some wording changes and technical changes of a non-substantive nature improving the overall content of the rule.

SUMMARY: The proposed rule removes, adds and amends forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.212(7) FS.

LAW IMPLEMENTED: 409.212 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: May 4, 2012, 2:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Cindy Keil. 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: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us, (850)717-4113

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-2.023 Application and Determination of Eligibility.

(1) An Any individual applying wishing to receive an Optional State Supplementation (OSS) payment must submit an ACCESS Florida Application, CF-ES 2337, 11/2011,

~~incorporated by reference in Rule 65A-1.205, F.A.C. a completed, dated, and signed form CF-ES 2066, Request for Assistance, Apr. 01 (incorporated by reference). This form is used as the application for OSS assistance. Once the completed, dated and signed application is received, and date stamped as received by the Department, the application process begins.~~

(2) Applications are processed and the eligibility decision is made in accordance with the standards in Rule 65A-1.205, F.A.C., with the exception that the ACCESS Florida Application Request for Assistance (incorporated by reference in this rule) is the application form for the OSS program. ~~The individual is notified notice of the eligibility decision is provided by a Notice of Case Action, form CF-ES 2235, 02/2012, incorporated by reference Aug. 01 (incorporated by reference).~~

(3) Copies of materials ~~the forms~~ incorporated by reference are available in the rule ~~may be obtained~~ from the Economic Self-Sufficiency Headquarters Program Office, 1317 Winewood Boulevard, ~~Building 3, Room 427,~~ Tallahassee, Florida 32399-0700, or on the Department's website at <http://www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx>.

Rulemaking Specific Authority 409.212(7) FS. Law Implemented 409.212 FS. History—New 1-1-77, Formerly 10C-2.23, Amended 2-9-88, Formerly 10C-2.023, Amended 12-16-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeri Flora
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-1.010
RULE TITLE: General Regulations Relating to Licenses, Permits and Other Authorizations

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to move the text of Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C in order to clarify that the subject matter addressed in the rule applies to Chapter 68, F.A.C. The text was edited for clarity, but the purpose and effect of the rules are the same.

SUMMARY: Other than a few edits for clarity, the text of Rule 68A-5.004, F.A.C. will be moved in its entirety to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const., 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 379.408 FS.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, Fl 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.010 General Regulations Relating to Licenses, Permits and Other Authorizations.

(1) Applications for any license, permit or other authorization issued by the Commission shall be denied based upon any of the following grounds:

(a) Submission by the applicant of materially false information in the application or other supporting documentation relating to the license, permit, or other authorization.

(b) Failure of the applicant to meet eligibility requirements or criteria for issuance of the license, permit or other authorization.

(2) Applications for any license, permit or other authorization issued by the Commission may be denied based upon any of the following grounds:

(a) Applicant has received an adjudication other than acquittal or dismissal of any provision of Chapter 379, F.S., or rules of the Commission, or similar laws or rules in another jurisdiction that relate to the subject matter of the application sought.

(b) Submission by the applicant of materially false information in any previously submitted application or supporting documentation relating to the application.

(c) Failure by the applicant to comply with the provisions of subsection (3) in any previously issued license, permit or other authorization. In determining whether denial is appropriate based on the grounds listed in paragraphs (2)(a)-(c), the Commission shall consider the factors enumerated in subsection (5) hereof.

(3) Those persons issued any license, permit or other authorization by the Commission shall:

(a) Maintain complete and correct written records as required by Commission license, permit, other authorization or regulations.

(b) Submit complete and correct reports as required by Commission license, permit, other authorization or regulations.

(c) Open records and facilities of operation under the license, permit, or other authorization, to inspection by an authorized representative of the Commission.

(d) Fully comply with the conditions set forth for operations under a license, permit or other authorization.

(e) Fully comply with Chapter 379, F.S., and rules of the Commission.

(4) Failure to comply with any of the provisions of subsection (3) may result in the suspension, revocation or non-renewal of any license, permit or other authorization. In addition, the Commission may suspend, revoke, or deny renewal of any license, permit or other authorization issued by the Commission if the licensee or permittee defaults on his appearance bond, or receives a disposition other than dismissal or acquittal of a violation of Chapter 379, F.S., or the rules of the Commission, or if such violation is disposed of under Section 921.187, F.S., regardless of adjudication. A plea of nolo contendere shall be considered a violation for purposes of disciplinary action imposed under Chapter 379, F.S., and the rules of the Commission.

(5) Except for the denial of an application pursuant to subsection (1), the following factors shall be considered by the Commission in determining whether to deny, suspend, revoke or deny renewal of any license, permit or other authorization:

(a) The severity of the conduct;

(b) The danger to the public created or occasioned by the conduct;

(c) The existence of prior violations of Chapter 379, F.S., or the rules of the Commission;

(d) The length of time a licensee or permittee has been licensed or permitted;

(e) The effect of denial, suspension, revocation or non-renewal upon the applicant, licensee, or permittee's existing livelihood;

(f) Attempts by the applicant, licensee or permittee to correct or prevent violations, or the refusal or failure of the applicant, licensee or permittee to take reasonable measures to correct or prevent violations;

(g) Related violations by an applicant, licensee or permittee in another jurisdiction;

(h) The deterrent effect of denial, suspension, revocation or non-renewal;

(i) Any other mitigating or aggravating factors.

(6) The provisions of this rule shall not be construed so as to prohibit, limit, or otherwise affect any civil action or criminal prosecution, so as to limit the ability of the Commission to enter into binding stipulations with affected parties in accordance with Section 120.57(3), F.S., or so as to affect the authority of a court to require forfeiture of any license, permit or other authorization issued pursuant to Chapter 379, F.S., as provided by law.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS, Law Implemented Art. IV, Sec. 9, Fla. Const., 379.408 FS, History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bud Vielhauer, General Counsel, 620 S. Meridian Street,
Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: February 17, 2012

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Freshwater Fish and Wildlife

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| RULE NO.: | RULE TITLE: |
| 68A-5.004 | General Regulations Relating to Licenses, Permits and Other Authorizations |

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to repeal Rule 68A-5.004, F.A.C., and move the text of Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C in order to clarify that the subject matter addressed in the rule applies to Chapter 68, F.A.C. The text was edited for clarity, but the purpose and effect of the rules are the same.

SUMMARY: Rule 68A-5.004, F.A.C., contains general regulations relating to licenses, permits and other authorizations. Other than a few edits for clarity, the text of Rule 68A-5.004, F.A.C., will be moved in its entirety to a new proposed section – Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const., 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 379.408 FS.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-5.004 General Regulations Relating to Licenses, Permits and Other Authorizations.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.408 FS. History—New 8-1-79, Amended 6-21-82, 7-1-84, 7-1-85, Formerly 39-5.04, Amended 4-19-90, 6-20-90, 4-20-93, Formerly 39-5.004, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.006 **RULE TITLE:** Wildlife Rehabilitation Permit

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citation in Rule 68A-9.006, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C., in accordance with the proposed rule amendment transferring this language.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in 68A-9.006, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

- 68A-9.006 Wildlife Rehabilitation Permit.
- (1) through (2) No change.
- (3) Application requirements:
- (a) through (f) No change.

(g) In addition to the above requirements, applications shall be subject to general application requirements and standards of Rule ~~68-1.010 68A-5.004~~, F.A.C.

(4) through (6) No change.

(7) The permit may be subject to revocation, suspension, or non-renewal in accordance with Rule ~~68-1.010 68A-5.004~~, F.A.C.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-6-94, Formerly 39-9.006, Amended 8-27-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-16.001
RULE TITLE: Migratory Birds; Adoption of Federal Statutes and Regulations

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citation in Rule 68A-16.001, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C in accordance with the proposed rule change.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in Rule 68A-16.001, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.
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):

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-16.001 Migratory Birds; Adoption of Federal Statutes and Regulations.

(1) through (3) No change.

(4) Regulations of the U.S. Department of the Interior, Fish and Wildlife Service, specifically Title 50 CFR, Part 21, Subpart C, Section 21.30, relating to raptor propagation, except as modified below, are hereby adopted as rules of the Commission and are incorporated herein by reference.

(a) No change.

(b) Permittees shall provide copies of all annual reports required by regulations written in the Code of Federal Regulations, Title 50, Part 21, Subpart C, Section 21.30, to the Commission by January 31 of each year. The applicant's facility shall be available for inspection by Commission representatives during reasonable hours. Records required in federal regulations written in the Code of Federal Regulations, Title 50, Part 21, Subpart C, Section 21.30, shall be made available for inspection by Commission representatives upon request. Applicants and permittees shall be subject to the general regulations relating to licenses, permits and other authorizations as set forth in Rule ~~68-1.010 68A-5.004~~, F.A.C.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Formerly 39-13.02, Amended 7-1-94, 8-11-98, Formerly 39-13.002, 68A-13.002, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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| RULE NOS.: | RULE TITLES: |
| 68A-23.003 | Commercial Fishing Devices; Provision for Use in Certain Waters |
| 68A-23.012 | Special Regulations on Lake Okeechobee |
| 68A-23.015 | Regulations Governing the Taking and Possession of Freshwater Mussels |

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citations in Chapter 68A-23, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C in accordance with the proposed rule change.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in Chapter 68A-23, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-23.003 Commercial Fishing Devices; Provision for Use in Certain Waters.

(1) through (8) No change.

(9) Permits may be issued by the executive director to authorize the operation of haul seines in specified areas.

(a) Southwest Region haul seine permits:

1. through 4. No change.

5. Subject to Commission approval in accordance with subsection ~~68-1.010(2)~~ ~~68A-5.004(2)~~, F.A.C., a permittee may designate in writing two assistant captains to fish in lieu of the permittee. The permittee or designated assistant captains shall be aboard the haul seine boat whenever fishing. Assistant captains shall be changed only by written request and approval of the Commission. A designated assistant captain shall work for only one permittee. Permittees shall maintain responsibility for the lawful operation of equipment used under the permit and for the proper live return to the water of all game fish taken pursuant to haul seine operations. Haul seines shall be attended continuously. The haul seine permit shall be aboard the vessel operating or transporting haul seine equipment.

6. Haul seine permittees or designated assistant captains shall fish at least 10 days annually from July 1 through June 30 of the following year. Failure to fish 10 days annually may result in revocation or non-renewal of a Southwest Region Haul Seine Permit in accordance with Rule ~~68-1.010~~ ~~68A-5.004~~, F.A.C.

7. through 10. No change.

11. Denial, revocation, suspension, or non-renewal of haul seine permits or designations of assistant captains shall be administered in accordance with provisions of this rule section and Rule ~~68-1.010~~ ~~68A-5.004~~, F.A.C. Permittees shall provide evidence of valid licenses required pursuant to Sections 379.363 and 379.3635, F.S., prior to renewal of the Southwest Region Haul Seine Permit. A Southwest Region Haul Seine Harvest Report (GFC Form HSRR1, effective 7-1-97, incorporated herein by reference and obtainable at the Southwest Region Office) shall be completed by each permittee and furnished to the Southwest Region Office by June 1 of each year.

(b) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.363 FS. History—New 8-1-79, Amended 10-23-79, 5-19-80, 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-23.03, Amended 6-1-86, 4-13-88, 7-1-90, 1-1-92, 7-1-92, 10-22-92, 4-20-93, 7-1-95, 4-1-96, 7-1-97, 7-1-98, Formerly 39-23.003, Amended 7-1-08, 8-27-09.

68A-23.012 Special Regulations on Lake Okeechobee.

(1) through (2) No change.

(3) Permits for haul seines:

(a) through (d) No change.

(e) Such permit shall be subject to revocation as provided in Rule ~~68-1.010~~ ~~68A-5.004~~, F.A.C.

(f) No change.

(4) No change.

(5) Tagging:

(a) No change.

(b) Each permittee shall be responsible for the tagging of his own fish and only said permittee shall purchase tags. Tags will be provided by the Commission at a cost of five cents per tag. Permittees shall be responsible for the proper tagging of their fish and are strictly liable for any misappropriation thereof. Fish shall be tagged immediately upon arrival at the tagging site and prior to storage or, if a delay is necessary, shall be labeled so as to be readily traceable to the permittee. Permittees shall execute a contract of agreement with the Commission (GFC Form TA 1000, effective April 15, 1992 incorporated herein by reference, and available from the Commission) to tag fish at a designated location, and may be required to relinquish all tagging rights upon receipt of verified information and belief by the executive director that the permittee has violated any commercial fishing regulation governing Lake Okeechobee. In determining whether to require a permittee to relinquish his tagging rights, the executive director shall consider the standards and criteria set forth in Rule 68-1.010 ~~68A-5.004~~, F.A.C. Breach of contract shall result in immediate denial of the delivery of fish tags by the Commission to the tagging agent.

(c) through (e) No change.

(6) Reports:

(a) through (b) No change.

(c) Failure to submit such reports for the reporting period may constitute grounds for revocation of, or denial of renewal of such license, permit or tagging agreement. Such revocation of, or denial of renewal of such license, permit, or tagging agreement shall be in accordance with standards and criteria promulgated in Rule 68-1.010 ~~68A-5.004~~, F.A.C.

(7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3635, 379.377 FS. History—New 8-1-79, Amended 11-8-79, 5-19-80, 6-22-80, 6-15-81, 6-21-82, 12-14-82, 7-1-84, 7-1-85, 9-19-85, Formerly 39-23.12, Amended 6-1-86, 2-21-88, 4-4-91, 4-15-92, 7-1-97, 7-1-98, Formerly 39-23.012, Amended 8-27-09,_____.

68A-23.015 Regulations Governing the Taking and Possession of Alligator Gar, Eels and Freshwater Mussels.

(1) No change.

(2) Persons licensed in accordance with Section 379.363(1), F.S., may take eels as specified in Rule 68A-23.002, 68A-23.003 or 68A-23.004, F.A.C., only under permit from the Commission. Permits shall be subject to such terms, conditions and restrictions as prescribed therein and shall be issued, denied, renewed or revoked as provided in Rule 68-1.010 ~~68A-5.004~~, F.A.C. Eel harvest permits shall be

issued to applicants who have submitted a completed eel harvest permit application. Eel Harvest Permit Application Form EHPA-1 (7-06) is incorporated herein by reference and obtainable at the Commission’s Tallahassee and Regional Offices.

(3) through (6) No change.

~~Rulemaking Specific~~ Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-96, Formerly 39-23.015, Amended 3-9-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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| RULE NOS.: | RULE TITLES: |
| 68A-25.004 | Regulations Governing the Operation of Alligator Farms |
| 68A-25.032 | Regulations Governing the Establishment of Alligator Management Programs |
| 68A-25.042 | Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale |

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citation(s) in Rule 68A-25.004, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C., in accordance with the proposed rule change.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in Rule 68A-25.004, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-25.004 Regulations Governing the Operation of Alligator Farms.

Alligator farms may be established and operated and alligators, eggs, and hides may be possessed by alligator farmers and their agents subject to the following:

- (1) No change.
- (2) Licensing and permitting:
 - (a) through (h) No change.
 - (j) Upon revocation or non-renewal of an alligator farm permit as provided in Rule ~~68-1.010 68A-5.004~~, F.A.C., the permittee shall have six (6) months to dispose of legally acquired alligator stock. The alligator farm and stock may not be sold or otherwise disposed of to any alligator farm of which the permittee or a relative is an officer, director, or principal or holds any interest.

(3) through (8) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3751 FS. History–New 8-1-79, Amended 6-21-82, Formerly 39-25.04, Amended 8-24-87, 6-7-88, 2-14-89, 4-11-90, 4-4-91, 4-15-92, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 11-12-98, Formerly 39-25.004, Amended 4-30-00, 3-30-06, 3-19-08,_____.

68A-25.032 Regulations Governing the Establishment of Alligator Management Programs.

Alligator management programs designed for the taking of alligator eggs and hatchlings and the trapping of non-hatchling alligators may only be established on private lands and on public lands, other than sovereign submerged lands, for which a governmental entity can demonstrate an ownership interest or a leasehold interest and approval of the owner (referred to as “public lands” in this section) under the following conditions:

(1) Alligator Management Program – Application and review procedures.

(a) through (g) No change.

(h) Permits shall be issued to designee within 60 days following receipt of a complete application meeting the criteria established herein (applicants should submit applications at least 60 days prior to the opening of the harvest period to ensure timely issuance of harvest permits and tags prior to the opening of the harvest period). Permits may be denied, pursuant to Rule ~~68-1.010 68A-5.004~~, F.A.C., to designees who have previously failed to return unused tags and completed forms as specified herein.

(2) through (5) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3012 FS. History–New 5-5-88, Amended 2-14-89, 4-11-90, 4-4-91, 4-15-92, 10-22-92, 4-29-93, 4-10-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.032, Amended 5-28-00, 10-10-00, 5-13-02, 3-30-06, 3-19-08, 7-20-09,_____.

68A-25.042 Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale.

No person shall take non-hatchling alligators from the wild except as provided herein and under other applicable rules of the Commission.

- (1) through (2) No change.
- (3) Alligator trapping requirements:
 - (a) through (k) No change.

(l) All unused CITES tags shall be returned by the permittee to the Commission no later than 14 days after the expiration date of the harvest permit. It shall be a violation of this section for any person to possess any unused CITES tag(s) issued pursuant to this section 14 days after the expiration date of the harvest permit. Permits may be denied, pursuant to Rule ~~68-1.010 68A-5.004~~, F.A.C., to applicants who have previously failed to return unused tags and complete forms as specified herein.

(4) through (5) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3012, 379.3751 FS. History–New 5-5-88, Amended 2-14-89, 4-11-90, 4-14-92, 4-29-93, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.042, Amended 4-30-00, 5-13-02, 4-11-04, 3-30-06, 3-19-08, 3-12-09, 7-20-09, 7-20-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: March 23, 2012

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Marine Fisheries

RULE NOS.: RULE TITLES:
 68B-33.003 Marlin and Sailfish Possession
 Limits; Prohibition of Harvest for
 Spearfish; Prohibition of Sale;
 Exception; Gear Restrictions
 68B-33.004 Size Limits

PURPOSE AND EFFECT: The purpose of this rule amendment is to allow roundscale spearfish to be harvested under the state’s billfish possession limit by removing it from the prohibited list and creating a size limit. This rule amendment will also add roundscale spearfish to the possession limit exceptions for taxidermists, seafood businesses, and restaurants. Roundscale spearfish are remarkably similar in appearance to the white marlin, including size, shape, and color which led to a scientific debate over the fish being a separate species. In 2006, scientific research showed roundscale spearfish to be a separate species and was recognized by NOAA Fisheries Highly Migratory Species Division (HMS) as a “new” billfish species. Prior to this research, roundscale spearfish was essentially being regulated the same as white marlin in federal waters due to their similar appearance. In light of these findings, HMS passed a rule that began January 1, 2011 recognizing the roundscale spearfish as a separate species, but continued to manage them the same as white marlin. To have compatible rules between Florida waters and adjacent federal waters, FWC rules should be modified to allow the harvest of roundscale spearfish, regulating them the same as white marlin. Allowing them to be harvested under the same bag and size limits as the white marlin will remove the identification issue and help fisheries managers better estimate both white marlin and roundscale spearfish populations because roundscale spearfish will not be incorrectly counted as white marlin and will be counted as roundscale spearfish.

SUMMARY: Rule 68B-33.003, F.A.C. (Marlin and Sailfish Possession Limits; Prohibition of Harvest for Spearfish; Prohibition of Sale; Exception; Gear Restrictions) would be amended to remove the roundscale spearfish from the prohibited list and add it to the marlin and sailfish one fish recreational bag and possession limit of one blue marlin, white marlin, or sailfish, either individually or in combination at any time. The roundscale spearfish would also be added to the possession limit exceptions for taxidermists mounting the fish for the harvester and for wholesale and retail seafood businesses and restaurants for the limited purpose of smoking

the fish for the harvester. Rule 68B-33.004, F.A.C., (Size Limits) would be amended to create a size limit for roundscale spearfish of 66 inches lower jaw fork length (LJFL).

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

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

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

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

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

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

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

DATES AND TIME: During the Commission’s regular meeting May 2-3, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Plantation Golf Resort & Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-33.003 Marlin and Sailfish Possession Limits; Prohibition of Harvest for Spearfish; Prohibition of Sale; Exception; Gear Restrictions.

(1) Except as provided in subsection (4), no person shall possess more than one blue marlin, white marlin, roundscale spearfish or sailfish, either individually or in combination at any time. Possession of more than one such fish within the state shall constitute a violation of this rule.

(2) No person shall harvest in or from state waters, nor possess while in or on the waters of the state, or land, any longbill spearfish; or Mediterranean spearfish; ~~or any roundscale spearfish~~. The purchase, sale, or exchange of any such spearfish is prohibited.

(3) No change.

(4) The possession limit and prohibition of sale contained in this rule shall not apply to the following situations:

(a) Blue marlin, white marlin, roundscale spearfish, or sailfish, may be kept on the premises of a wholesale or retail seafood business or restaurant for the limited purpose of smoking such fish for the harvesters thereof, so long as each such fish or part is packaged or otherwise clearly labeled to indicate the name and address of the owner and no portion of the fish is exchanged for the service.

(b) Blue marlin, white marlin, roundscale spearfish, or sailfish, may be transported by and kept on the premises of a taxidermist for the limited purpose of mounting such fish for the harvesters thereof, so long as each such fish is clearly labeled to indicate the name and address of the owner and no portion of the fish is exchanged for the service.

(5) through (6) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-31-88, Amended 7-15-96 Formerly 46-33.003, Amended 8-26-99, 7-1-12.

68B-33.004 Size Limits.

(1) No change.

(2) No person shall harvest, possess in or on the waters of the state, or land, any white marlin or roundscale spearfish with a lower jaw fork length less than 66 inches.

(3) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-26-99, Amended 10-1-02, 4-2-03, 8-3-10, 7-1-12.

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

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68B-34.005
 RULE TITLE: Bonefish Tournaments, Exemptions

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citation(s) in Rule 68B-34.005, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C., in accordance with the proposed rule change.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in Rule 68B-34.005, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-34.005 Bonefish Tournaments, Exceptions.

(1) through (4) No change.

(5) Any permits issued under this section are subject to the provisions of Rule 68-1.010 ~~68A-5.004~~, F.A.C., such as denial of future tournament exemption permits.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-11, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 68E-1.004 | General Permit Application Procedures, Requirements and Expiration |
| 68E-1.005 | Suspensions and Revocation |

PURPOSE AND EFFECT: The purpose and effect of this rule amendment would be to change the citation(s) in Rule 68E-1.004, F.A.C. from Rule 68A-5.004, F.A.C. to Rule 68-1.010, F.A.C., in accordance with the proposed rule change.

SUMMARY: The citation(s) to Rule 68A-5.004, F.A.C. in Rule 68E-1.004, F.A.C. will be changed to Rule 68-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 379.244(2), 379.2431(1), 379.1025 FS.

LAW IMPLEMENTED: 379.244(2), 379.2431(1), 379.1025 FS.

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

DATES AND TIME: During the regular meeting of the Commission, May 2-3, 2012, 8:30 a.m.

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

68E-1.004 General Permit Application Procedures, Requirements and Expiration.

(1) through (15) No change.

(16) Commission Marine Turtle Conservation Guidelines related to nesting surveys, nest relocation, release, and other management or conservation activities shall be distributed as appropriate. The Marine Turtle Conservation Guidelines are hereby incorporated by reference (5/07) and are available at the address listed in subsection (1) above. On a periodic basis, the Commission may develop new guidelines or update existing ones to reflect prudent conservation and research practices related to the recovery of marine turtle populations.

(a) No change.

(b) The failure of the Principal Permit Holder or any individual listed on the permit to follow guidelines of the Commission shall be grounds for the Commission to revoke any current permit or to deny future applications for authorization subject to subsection 68-1.010(5) ~~68A-5.004(5)~~, F.A.C.

(c) through (d) No change.

(17) through (23) No change.

Rulemaking Specific Authority 379.244(2), 379.2431(1) FS. Law Implemented 379.244(2), 379.2431(1) FS. History—New 2-11-81, Amended 8-6-81, Formerly 16B-40.04, 16B-40.004, 16R-1.004, 62R-1.004, Amended 7-1-04, 12-9-07, _____.

68E-1.005 Suspensions and Revocation.

(1) No change.

(2) Permits issued under this chapter are subject to the provisions of Rule 68-1.010 ~~68A-5.004~~, F.A.C.

Rulemaking Specific Authority 379.244(2), 379.2431(1) FS. Law Implemented 379.244(2), 379.2431(1) FS. History—New 2-11-81, Formerly 16B-40.05, 16B-40.005, 16R-1.005, 62R-1.005, Amended 12-9-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 9, March 2, 2012 issue of the Florida Administrative Weekly.

The incorrect date was printed for the Notice of Proposed Rule Development, the correct date is:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2012

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-5.001 Disciplinary Guidelines

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 correction is as follows:

The Notice of Change which published on March 9, 2012, in Vol. 38, No. 10 of the Florida Administrative Weekly incorrectly stated, "The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee." It should have read, "The changes to subsections (1)(a), (1)(l), (1)(m) and (1)(ff) are in response to written comments submitted by the staff of the Joint

Administrative Procedures Committee. The change to subsection (1)(jj) is in response to a discussion of the rule and subsequent vote by the Board."

This correction does not affect the substance of the Notice of Change published on March 9, 2012.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-5.001 Disciplinary Guidelines

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 and by a vote by the Board. This Notice of Change does not affect the previous Notice of Change for the rule that published on March 9, 2012 in Vol. 38, No. 10 of the Florida Administrative Weekly. The changes are as follows:

1. Subsection (1)(q) shall now read as follows:

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.

(Sections 456.072(1)(dd) & 491.009(1)(w), F.S.)

| | MINIMUM | MAXIMUM |
|-----------------|--|--|
| FIRST OFFENSE: | \$250 fine and reprimand | \$1,000 fine and/or probation; 1 year suspension then probation; permanent revocation; |
| SECOND OFFENSE: | \$1,000 fine and 1 year probation | \$5,000 fine and 2 year suspension followed by probation; permanent revocation |
| THIRD OFFENSE: | \$1,000 fine and 1 year suspension followed by probation | denial or \$5,000 fine and/or permanent revocation; |

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH**Board of Massage**

RULE NO.: RULE TITLE:
64B7-25.004 Endorsements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH**Board of Massage**

RULE NO.: RULE TITLE:
64B7-32.001 Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH**Board of Nursing**

RULE NO.: RULE TITLE:
64B9-8.005 Unprofessional Conduct

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 changes are due to concerns by the Joint Administrative Committee in their letter dated October 17, 2011. The changes are as follows:

When changed, the proposed subsection (15) shall read:

(15) Practicing beyond the scope of the licensee's license, educational preparation or nursing experience, including but not limited to: administration or monitoring by a registered nurse or licensed practical nurse of the administration of any medication intended to create moderate or deep sedation for a surgical, diagnostic or therapeutic procedure; provided:

(a) A registered nurse may, pursuant to a duly authorized practitioner's order, administer or monitor the administration of medications to achieve deep sedation: 1) to a patient as part of a life or limb threatening situation when a practitioner who has demonstrated competence in emergency airway management is physically present with the patient; or 2) to a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway. Examples of medications used for deep sedation in this situation include, but are not limited to, propofol, pentothal and etomidate. Due to the potential for rapid, profound changes in sedative/anesthetic depth and the lack of antagonist medications, even if moderate sedation is intended, patients receiving propofol shall receive care consistent with that required for deep sedation. Therefore the administration of propofol shall not be performed by a licensee who is not a duly

authorized practitioner with the exception of those limited instances outlined in this rule. When a duly authorized practitioner is actively managing a patient's sedation, a registered nurse may monitor the patient under deep sedation.

(b) A registered nurse may administer prescribed pharmacologic agents to mechanically ventilated and non-mechanically ventilated patients for the purpose of moderate sedation in anticipation of anxiety and or discomfort during a time-limited surgical, diagnostic or therapeutic procedure. The registered nurse must continuously monitor the patient throughout the procedure and have no other responsibilities that would require leaving the patient unattended or would compromise continuous monitoring during the procedure. The registered nurse must document the non-mechanically ventilated patient's level of consciousness at least every five minutes during the procedure. In the event a deeper level of sedation (such as deep sedation or general anesthesia) unintentionally results from the administration of prescribed pharmacologic agents to the non-mechanically ventilated patient, the registered nurse must immediately notify the duly authorized practitioner and document the actions taken until the patient's level of sedation returned to moderate sedation with the assistance of the duly authorized practitioner. Pharmacologic agents that may be administered by a registered nurse pursuant to this subsection shall not include medications that intended to result in loss of consciousness such as propofol, pentothal, etomidate, or any medication which the manufacturer's package insert states should be administered only by individuals trained in the administration of general anesthesia. When a duly authorized practitioner is actively managing a patient's sedation, a registered nurse may monitor the patient under moderate sedation.

(c) A registered nurse or licensed practical nurse may, pursuant to duly authorized practitioner's order, administer or monitor the administration of medications for palliative sedation in a hospice program.

(d) In order to administer or monitor any pharmacologic agents to achieve deep sedation in accordance with paragraph (a) above, a registered nurse must:

1. Prior to any administration or monitoring of any pharmacologic agents, successfully demonstrate competence which reflects the extent of privileges requested, including a criteria-based competency evaluation. The evaluative criteria for the competency demonstration will cover knowledge and psychomotor skills in physical assessment and monitoring of sedated patients, principles of pharmacodynamics and pharmacokinetics (onset, duration, distribution, metabolism, elimination, intended and adverse effects, interactions, dosages and contraindications) of the pharmacologic agents being administered or monitored, basic and difficult airway management, mechanical ventilation, and cardiopulmonary

resuscitation. The registered nurse must also be certified in advanced cardiac life support that is appropriate for the patient's age;

2. Complete a patient assessment and ensure that the practice setting requires that the duly authorized practitioner prescribing the pharmacologic agent has evaluated the patient based on established criteria;

3. Ensure that the practice setting requires that the prescribing practitioner, or in a hospital licensed under Chapter 395, Florida Statutes, a practitioner who has demonstrated competence in emergency airway management is physically present throughout the procedure and immediately available during the recovery period unless the patient is mechanically ventilated;

4. Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and

5. Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.

(e) In order to administer or monitor any pharmacologic agents to achieve moderate sedation in accordance with subsection (b) above, a registered nurse must:

1. Ensure that the practice setting requires that the prescribing practitioner, or in a hospital licensed under Chapter 395, Florida Statutes, a practitioner who has demonstrated competence in emergency airway management is physically present throughout the procedure and immediately available during the recovery period unless the patient is mechanically ventilated;

2. Ensure that written policies and procedures for managing patients who receive moderate sedation are reviewed periodically and are readily available within the practice setting;

3. Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and

4. Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.

(f) Administration or monitoring of the administration of medication to achieve moderate or deep sedation is beyond the scope of practice of licensed practical nurses, except as described in paragraph (c) above.

(g) The following definitions apply for purposes of this rule:

1. Deep sedation means a medication-induced depression of consciousness that allows patients to respond purposefully only after repeated or painful stimulation. The patient cannot be aroused easily, and the ability to maintain a patent airway

independently may be impaired with spontaneous ventilation possibly inadequate. Cardiovascular function usually is adequate and maintained.

2. General anesthesia means the patient cannot be aroused, even by painful stimulation, during this medication-induced loss of consciousness. Patients usually require assistance in airway maintenance and often require positive pressure ventilation due to depressed spontaneous ventilation or depression of neuromuscular function. Cardiovascular function may also be impaired.

3. Moderate sedation means a minimally depressed level of consciousness that allows a patient to retain the ability to maintain a patent airway independently and continuously and respond appropriately to verbal commands and physical stimulation.

4. Immediately available means having a health care provider trained in advanced cardiac life support and resuscitation skills available to assist with patient care within five minutes.

5. Palliative sedation means the use of medications intended to provide relief of intractable or refractory symptoms by inducing varying degrees of unconsciousness in imminently dying patients.

6. Refractory symptoms means symptoms that cannot be adequately controlled in a tolerable time frame despite use of alternate therapies, and seem unlikely to be controlled by further invasive or noninvasive therapies without excessive or intolerable acute or chronic side effects or complications.

7. Duly authorized practitioner means a physician licensed under Chapter 458 or Chapter 459, a dentist licensed under Chapter 466 who is authorized to order and administer anesthesia or sedation, a podiatrist who is authorized under Chapter 461, a certified registered nurse anesthetist authorized under Chapter 464, and by protocol to order and administer anesthesia or sedation, or a certified nurse midwife authorized under Chapter 464 and by protocol to order or administer anesthetics.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

DEPARTMENT OF HEALTH

Division of Environmental Health

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 64E-15.002 | Sites – Mobile Home, Lodging, and Recreational Vehicle Parks |
| 64E-15.004 | Sewage Disposal |
| 64E-15.005 | Sanitary Facilities |
| 64E-15.009 | Recreational Camp Standards |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 13, March 30, 2012 issue of the Florida Administrative Weekly.

The Florida Department of Health provides this correction to a Notice of Petition for Emergency Variance. The previously published notice inadvertently stated comments should be filed within 14 days of publication. The correct language reads, within 5 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria

NOTICE OF PUBLIC HEARING

The Department of Children and Family Services announces a change of hearing regarding the above rule, as noticed in Vol. 38, No. 13, March 30, 2012 Florida Administrative Weekly.

DATE AND TIME: April 13, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Proposed rule as published.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program

RULE NO.: RULE TITLE:
65D-30.008 Standards for Day or Night Treatment with Host Homes

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly.

The notice of proposed rule did not state what information was relied upon in determining that the proposed rule is not expected to require legislative ratification. The information expressly relied upon is: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:
65G-2.016 Residential Fee Collection

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 2, January 13, 2012 issue of the Florida Administrative Weekly.

The Agency determined that the proposed rule is not expected to require legislative ratification and that no SERC is required. This determination was based on the Agency’s analysis performed for the Office of Fiscal Accountability and Regulatory Reform, the current accounting practices of representative payees for individuals in facilities licensed pursuant to Section 393.067, Florida Statutes, and normal reporting expenses. A SERC has not been prepared by the Agency.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:
65G-2.016 Residential Fee Collection

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. 38, No. 12, March 23, 2012 issue of the Florida Administrative Weekly.

65G-2.016 Residential Fee Collection.

(1) This rule applies to all clients, as defined in section 393.063, Florida Statutes, who are eighteen years of age or older, ~~who receive residential habilitation services~~, and who live in a foster care facility, group home facility, residential habilitation center, or comprehensive transitional education program, licensed pursuant to Section 393.067, Florida Statutes, that receives a room and board payment on the client’s behalf.

(2) Definitions. For the purposes of this rule, the following terms shall be defined as follows:

- (a) Agency. As defined in Section 393.063, F.S.
- (b) Benefit Payments. As defined in Section 402.33, F.S.
- (c) Client. As defined in Section 393.063, F.S.

(d) Gross income. For the purposes of this rule Gross income includes the sum of the client’s benefit payments and third party benefits less any deduction authorized in writing by the Social Security Administration or the Agency for Persons with Disabilities. Deductions may only be authorized by the Agency for Persons with Disabilities if the client is using benefit payments or third party benefits to offset a voluntary reduction in the client’s Medicaid Waiver services or if the benefit payments or third party benefits are used as a required payment, co-payment, or co-insurance for Medicare or Medicaid services, including, but not limited to prescribed drugs. This term does not include the client’s earned income.

(e) Personal Needs Allowance. A portion of the benefit payments and third party benefits that must be set aside and used for the direct benefit of the client. For purposes of this rule, a client’s personal needs allowance is \$93.58 per month.

~~(f) Residential Habilitation. Supervision and specific training activities that assist the client to acquire, maintain or improve skills related to activities of daily living. The service focuses on personal hygiene skills such as bathing and oral hygiene; homemaking skills such as food preparation, vacuuming and laundry; and on social and adaptive skills that enable the client to reside in the community. This training is provided in accordance with a formal implementation plan, developed with direction from the client and reflects the client's goal(s) from their current support plan.~~

~~(f)(g) Room and Board Payment. Reimbursement to the operators of facilities or programs licensed pursuant to section 393.067, Florida Statutes, to cover the cost of providing food and shelter to Agency clients who also receive residential habilitation services in accordance with Chapter 65G-2 of the Florida Administrative Code. For purposes of this rule, a client's room and board payment is \$543.42 per month.~~

~~(g)(h) Third party benefits. As defined in Section 402.33, F.S.~~

(3) Room and Board Payment Rates. Providers serving clients ~~who receive residential habilitation services within~~ a facility licensed pursuant to Section 393.067, Florida Statutes, will receive a room and board payment which is dependent upon the amount of benefit payments and third party benefits the client receives.

(4) Payments to Providers:

The room and board payment is calculated by subtracting a personal needs allowance (\$93.58 per month) from the client's monthly benefit payments and third party benefits. The room and board (\$543.42) payment is then subtracted from the remaining total. If any benefit payments or third party benefits remain after subtracting the personal needs allowance and room and board payment, the remaining balance shall be subject to the provisions in subsection (5) below.

(5) Fees assessed ~~for Residential Habilitation services:~~

(a) If a client resides ~~receives residential habilitation services~~ in a facility licensed pursuant to Section 393.067, Florida Statutes, and the client's monthly gross income exceeds the client's personal needs allowance and the client's room and board payment, the client must send the excess gross income to the Agency for Persons with Disabilities.

(b) Payments made pursuant to paragraph (5)(a) must be sent to the local APD area office by the 15th day of the month after receipt of the third party benefit payments. If the 15th of the month falls on a weekend, state holiday, or national holiday, then the payment due date will be the next business day immediately thereafter. Checks or money orders should be made payable to Agency for Persons with Disabilities (or APD). Individuals or organizations serving as the representative payee for multiple clients may submit a single check or money order to the Agency each month.

(c) Clients or representative payees for clients shall submit an accounting for any deductions in the calculation of the fees assessed pursuant to this subsection.

(6) Mandatory Monthly Reports to the Agency.

(a) Every client or representative payee for a client, including a facility or program licensed pursuant to Section 393.067, Florida Statutes, must report to the appropriate APD area office by the 15th day of the month. The report must include a calculation for each client that includes:

1. The total gross income that the client receives;
2. The amount to be subtracted for payment of the client's room and board and for the client's personal needs allowances;
3. The total amount owed to the provider pursuant to subsection (4) of this rule or the total amount of the fee assessed pursuant to subsection (5) of this rule.

(b) If the monthly report described in this subsection indicates that a fee should be assessed to the client's third party benefits pursuant to subsection (5) of this rule, the client or representative payee for the client must also include a payment of the assessed fee with the monthly report.

(c) If the 15th day of the month falls on a weekend, state holiday, or national holiday, then the payment due date will be the next business day immediately thereafter.

(7) Review of Assessed Fees

(a) Substantially affected individuals may request a review of the fees assessed upon their gross income by submitting a request for review to the applicable area office. The client or responsible party must notify the agency, in writing, of the request for review of the fee assessed, and must submit any receipts, tax records, bills, certified statements or other documentation needed to substantiate the request for a review of the fee.

(b) If the substantially affected individuals still disagree with the fees assessed upon their third party benefit payments after their request for review, they may request an administrative hearing pursuant to Section 393.125, Florida Statutes.

Rulemaking Authority 393.501(1), 402.33 FS. Law Implemented 402.33 FS. History--New _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.:
68-1.003

RULE TITLE:
Florida Fish and Wildlife
Conservation Commission Grants
Program

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. 38, No. 7, February 17, 2012 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68-1.003, F.A.C., has been changed to update the guidelines and application forms dates to reflect changes in the guidelines due to proposed minor changes received by the Joint Administrative Procedures Committee. Changes are being made to the Florida Boating Improvement Program Guidelines to: 1) clarify pre-award costs are allowable; 2) clarify when pre-agreement costs are allowable; 3) allow recipients to request more than 90 days to execute a grant agreement; 4) clarify when a recipient must request an amendment to a grant agreement; 5) specify permitting requirements for uniform waterway markers and mooring buoy projects.

The Proposed amendment to Rule 68-1.003 is changed as follows:

(9) Florida Boating Improvement Program grants shall meet all additional program requirements set forth in the Florida Boating Improvement Program Guidelines (~~Mar. 2012~~ ~~Feb. 2012~~), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/FBIP-A, Florida Boating Improvement Program Grant Application for Recreational Channel Markers and Other Uniform Waterway Markers, 03/12 ~~02/12~~; FWC/FBIP-B, Florida Boating Improvement Program Grant Application for Boating Access Facilities, 03/12 ~~02/12~~; FWC/FBIP-C, Florida Boating Improvement Program Grant Application for Derelict Vessel Removal, 03/12 ~~02/12~~; FWC/FBIP-D, Florida Boating Improvement Program Boater Education Grant Application, 03/12 ~~02/12~~; FWC/FBIP-E, Florida Boating Improvement Program Grant Application for Economic Initiatives and Other Local Boating Related Projects, 03/12 ~~02/12~~.

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 68C-22.012 | Volusia and Associated County (Parts of Putnam, Lake, Seminole, and Flagler) Zones |
| 68C-22.028 | Flagler County Zones |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 5, February 3, 2012, issue of the Florida Administrative Weekly:

The date of the final public hearing has been changed to be as follows. The location is the same. Additional information on the proposed rule is available at: <http://myfwc.com/wildlifehabitats/managed/manatee/rulemaking/>.

THE FINAL PUBLIC HEARING WILL BE HELD BY THE COMMISSION AT THE DATES, TIME, AND PLACE SHOWN BELOW:

DATES AND TIME: May 2-3, 2012, 8:30 a.m. start each day

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

The Commission’s agenda for this meeting will indicate the specific day when this item is scheduled to be addressed. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 5 days before the hearing by contacting the FWC 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).

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

| | |
|-----------|--|
| RULE NO.: | RULE TITLE: |
| 53ER12-28 | Replacement of Obsolete Emergency Rules |

SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-28 Replacement of Obsolete Emergency Rules.
The following Department of the Lottery emergency rules relating to Lottery games, promotions or retailer programs are being replaced because the games, promotions or programs have concluded, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER09-18, 53ER09-73, 53ER10-23, 53ER10-28, 53ER10-31, 53ER10-37, 53ER10-58, 53ER10-62, 53ER10-64, 53ER11-05, 53ER11-07, 53ER11-16, 53ER11-17, 53ER11-18, 53ER11-27, 53ER11-28, 53ER11-41, 53ER11-62, 53ER12-05, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 3-23-12. Replaces 53ER09-18, 53ER09-73, 53ER10-23, 53ER10-28, 53ER10-31, 53ER10-37, 53ER10-58, 53ER10-62, 53ER10-64, 53ER11-05, 53ER11-07, 53ER11-16, 53ER11-17, 53ER11-18, 53ER11-27, 53ER11-28, 53ER11-41, 53ER11-62, 53ER12-05, F.A.C.

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: March 23, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF STATE

The Department of State, Division of Historical Resources hereby gives notice that on March 30, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Amelia Research and Recovery, LLC filed February 9, 2012, and advertised in Vol. 38, No. 8, 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 1A-31.0029, Florida Administrative Code, that limits the area for which an exploration permit may be issued because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that the Petitioner would suffer a substantial hardship if required to comply with this rule.

A copy of the Order or additional information may be obtained by contacting: Betty Money, Agency Clerk, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6536.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on January 10, 2012, the Southwest Florida Water Management District, received a petition for Waiver of Rule 40D-1.607, F.A.C., from Hakim Two Family Limited Partnership, seeking a waiver of Rule 40D-1.607, F.A.C., which requires it to pay permit processing fees. On January 27, 2012, the District published Notice of Petition in the Florida Administrative Weekly. On March 22, 2012, the District received an e-mail from the attorney for Hakim Two Family Limited Partnership indicating that it was withdrawing its rule waiver petition.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne E. Vining, Senior Attorney, Southwest Florida Water Management District, 7601 US Highway 301 North, Tampa, FL 33637-6759, (813)985-7481.

NOTICE IS HEREBY GIVEN that on March 20, 2012, the South Florida Water Management District (District) received a petition for waiver from Centurylink for a Right-of-Way Occupancy Permit, Application No. 12-0307-1, for utilization of Works or Lands of the District, known as the Miller Canal, for a proposed aerial powerline crossing located approximately 40' north of the centerline of the 28th Avenue S.W. bridge lying in within Section 30, Township 49 South, Range 28 East, Collier County. The petition seeks relief from paragraph

40E-6.221(2)(j), Florida Administrative Code, which governs the minimum vertical clearance of aerial installations within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268 or e-mail: 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, Attention: Juli Russell, Office of Counsel.

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 March 15, 2012, the Department received a letter withdrawing the Petition for variance from Anglers Cove Condo, filed March 13, 2012, and advertised in Vol. 38, No. 12 of the Florida Administrative Weekly. The Petition for variance requested a variance from Rule 2.4.1.5 and 2.15.9.2, 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 the pit be five feet deep. The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety is taking no further action on the petition (VW 2012-085).

A copy of the Petition 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 March 15, 2012, the Department received a letter withdrawing the Petition for variance from Anglers Cove Condo, filed March 13, 2012, and advertised in Vol. 38, No. 12 of the Florida Administrative Weekly. The Petition for variance requested a variance from Rule 2.10.2.1 and 2.4.6.2(c), 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 42" high car-top handrail. The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety is taking no further action on the petition (VW 2012-084).

A copy of the Petition 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 March 19, 2012, the Department received a letter withdrawing the Petition for variance from Trinity Catholic High School, filed March 2, 2012, and advertised in Vol. 38, No. 11 of the Florida Administrative Weekly. The Petition for variance requested a variance from Rule 3.4.5, 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 car lighting. The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety is taking no further action on the petition (VW 2012-074).

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

NOTICE IS HEREBY GIVEN that on March 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ligonier Ministries. Petitioner seeks a variance of the requirements of ASME A18.1, Section 2.1.1.2, 2.1.1.3, 2.1.1.6 and 2.1.1.7, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that dictates runway entrances, clearance and enclosure walls 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 2012-087).

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

NOTICE IS HEREBY GIVEN that on March 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palmer Catholic Academy Gym. 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 9.5mm 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 2012-088).

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

NOTICE IS HEREBY GIVEN that on March 15, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Old Federal Courthouse 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 9.5mm 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 2012-089).

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

NOTICE IS HEREBY GIVEN that on March 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Strathmore Gardens Apartment. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 2012-090).

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

NOTICE IS HEREBY GIVEN that on March 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Marriott Tampa Westshore. Petitioner seeks an emergency 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 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-091).

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

NOTICE IS HEREBY GIVEN that on March 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Greens at Pinebrook. Petitioner seeks an emergency 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 2012-092).

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

NOTICE IS HEREBY GIVEN that on March 20, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sea Haven Resort Condo. Petitioner seeks a variance of the requirements of ASME A17.1, Section 303.3d, 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 shut-off valve in the machine room 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 2012-096).

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.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on March 2, 2012, 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 BBQ Carts 1, 2 & 3 located in Pensacola, FL. 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. 38, No. 11 on March 16, 2012. The Order for this Petition was signed on March 22, 2012. 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.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on February 28, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(6), (7) Florida Administrative Code, from Naked Pizza located in Coral Gables, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within another establishment for use by customers only.

The Petition for this variance was published in Vol. 38, No. 11 on March 16, 2012. The Order for this Petition was signed on March 22, 2012, 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 bathrooms located within Oceanview Shades & Drapery are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and 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 Oceanview Shades & Drapery 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.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on February 15, 2012, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Subway located in West Palm Beach, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water

and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Petition for this variance was published in Vol. 38, No. 9, March 2, 2012. The Order for this Petition was signed on March 19, 2012 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 wastewater holding tanks for the handwash and three-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks are provided with hot and cold running water under pressure. The handwash sink must also be equipped with soap, approved hand drying device and a handwashing sign.

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.

NOTICE IS HEREBY GIVEN that on March 22, 2012, 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, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Sweet Cravings Ice Cream & Candy located in Port Charlotte, FL. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the mop and three-compartment sinks located within Obee's Soup Salad Subs (1801603).

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.

NOTICE IS HEREBY GIVEN that on March 27, 2012, the Board of Professional Engineers, received a petition for Variance or Waiver, by Oswald Pasquesi, PE, SE. The Petitioner seeks the Variance or Waiver from Rule

61G15-20.0015, F.A.C., with respect to the requirement that each applicant for a Florida engineers license must demonstrate that the applicant meets the current criteria listed in Section 471.013, F.S., and the requirement that an applicant for licensure by endorsement who has an engineering equivalency to an EAC/ABET accredited has demonstrated substantial equivalency to an EAC/ABET accredited engineering program, as required by Rule 61G15-20.007, F.A.C., when such applicant has held a valid professional engineer's license in another state for 15 years and has had 20 years of continuous professional-level engineering experience. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, within 14 days of publication of this notice. The Board will address this Petition at its next meeting.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, at the above address or telephone (850)521-0500.

NOTICE IS HEREBY GIVEN that on March 21, 2012, the Board of Accountancy, received a petition for Matthew H. Liebhaber, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

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.

NOTICE IS HEREBY GIVEN that on March 21, 2012, the Board of Accountancy, received a petition for Joam St. Jean, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

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.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on March 21, 2012, the Board of Massage Therapy, received a petition for a waiver or variance of Section 480.041, F.S., of the Massage Practice Act with respect to Part B, which states that an applicant has completed a course of study at a board-approved massage school or has completed an apprenticeship program that meets standards adopted by the board. Petitioner seeks a permanent variance or waiver from the requirement of this requirement as she received her training in 1987, her massage school no longer has her transcripts and Petitioner has worked in California for the past 24 years with thousands of hours of massage therapy in Chiropractic and doctor's offices, spas and in private practice.

Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on March 20, 2012, the Board of Medicine, received a petition for waiver filed by Tilahun Abraha, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school.

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.

The Board of Medicine hereby gives notice that on February 21, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Migdalis Matos Gonzalez, M.D., on January 13, 2012, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the Petitioner's application to practice in an area of critical need. The Notice was published in Vol. 38, No. 4, of the Florida Administrative Weekly, on January 27, 2012. The Board, at its meeting held on February 4, 2012 voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that she has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on February 20, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Janice Quinones, M.D., on November 7, 2011, seeking a waiver or variance from paragraph 64B8-4.009(1)(c), F.A.C., with regard to the application to practice in an area of critical need. The Notice was published in Vol. 37, No. 47, of the Florida Administrative Weekly, on November 23, 2011. The Board, at its meeting held on February 4, 2012, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that she has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

The Board of Medicine hereby gives notice that on February 20, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Frantz Saint Vil, M.D., on October 20, 2011, seeking a waiver or variance from Rule 64B8-4.018, F.A.C., with regard to the requirement for two years of approved post-graduate training. The Notice was published in Vol. 37, No. 45, of the Florida Administrative Weekly, November 10, 2011. The Board, at its meeting held on February 4, 2012, voted to deny the Petition for Waiver finding that the Petitioner failed to establish that the purpose of the underlying statute was met by other means.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on March 19, 2012, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(g)11., Florida Administrative Code, from Robert and Aleta Moffett. Subparagraph 65C-13.030(5)(g)11., F.A.C., requires each children over 36 months of age may not share a bedroom with a child of the opposite sex.

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

NOTICE IS HEREBY GIVEN that on March 14, 2012, the Department of Children and Families, received a petition for waiver of Rule 65C-13.030, Florida Administrative Code, from John Lee and Stacey Patterson. Rule 65C-13.030, F.A.C., states there should be no more than five children in a licensed home, including the family's own children.

There shall be no more than two children under the age of two years in home, including the licensed out-of-home caregiver's children.

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

NOTICE IS HEREBY GIVEN that on March 20, 2012, the Department of Children and Families, received a petition for waiver of Rule 65C-14.055, Florida Administrative Code, from Youth and Family Alternatives, Inc. and Marlene Trentacoste. Rule 65C-14.055, F.A.C., requires staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work or related area of study from a college and 4 years of experience in working with children.

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

Section VI Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Agency for Enterprise Information Technology

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: April 24, 2012, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

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

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

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

The **Department of Veterans' Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking

agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

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

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

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

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

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

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

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

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

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2012, 9:00 a.m.

PLACE: Mission San Luis, 2021 West Mission Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will meet via conference call regarding the MSL facility rental to the Florida Anthropological Society in May.

A copy of the agenda may be obtained by contacting: Cookie.Stevens@dos.myflorida.com

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, (850)245-6388.

The **Bureau of Historic Preservation**, Friends of Florida Main Street Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 13, 2012, 11:00 a.m. – Conclusion

PLACE: R.A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Joan Jefferson, 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, 1(800)847-7278 or via email: Joan.Jefferson@dos.myflorida.com.

The **Division of Library and Information Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 13, 2012, 2:00 p.m. – 3:00 p.m. (EDT)

PLACE: Online Webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: An orientation session for new Library Services and Technology Act Advisory Council members.

A copy of the agenda may be obtained by contacting: Dorothy Frank, Library Program Specialist, (850)245-6631, by email: dorothea.frank@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 5 days before the workshop/meeting by contacting: (850)245-6600 or TDD (850)922-4085. 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: (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following Full Council meeting which all persons are invited to attend.

Council on the Social Status of Black Men and Boys (Strategic Planning Workshop)

DATE AND TIME: April 23, 2012, 9:00 a.m. – 5:00 p.m.

PLACE: Toll Free Dial Conference Call: 1(888)808-6959, Conference Code: 5690287421; 225 North West Main Boulevard, Lake City, Florida 32055, (386)758-5484 (Please be advised that meeting location maybe subject to change. For updates please visit <http://www.cssbmb.com>)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence,

drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

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

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: Tuesday, April 17, 2012, 4:00 p.m.

PLACE: Florida Agriculture Center and Horse Park Authority, 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general board business.

A copy of the agenda may be obtained by contacting: C.J. Marcello, Jr., (352)307-6699, ext. 5 or email: execdir@flhorsepark.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: C.J. Marcello, Jr., (352)307-6699, ext. 5 or email: execdir@flhorsepark.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 **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2012, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 323998, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section, (850)617-7940 or from the PREC Web Site: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

The **Pesticide Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2012, 10:00 a.m.

PLACE: Alachua Regional Service Center, Florida Agency for Health Care Administration, 14101 N.W. Hwy. 441, Suite 800, Alachua, FL 32615-5669, (386)418-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Council during which there will be a review of pertinent pesticide issues impacting on human health and the environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail #L6, Tallahassee, Florida 32399-1650, (850)617-7917.

For more information, you may contact: Bureau of Pesticides, 3125 Conner Boulevard, Mail #L6, Tallahassee, Florida 32399-1650, (850)617-7917.

DEPARTMENT OF EDUCATION

The **Articulation Coordinating Committee** announces a public meeting to which all persons are invited.

DATE AND TIMES: April 18, 2012, Postsecondary Transition Sub-Committee, 9:00 a.m. – 11:30 a.m.; Articulation Coordinating Committee, 1:00 p.m. – 4:30 p.m.

PLACE: Valencia College, West Campus, Building 6 (Library), Room 202, 1800 South Kirkman Road, Orlando, FL 32811

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the agenda may be obtained by contacting: Office of Articulation, 325 W. Gaines St., Ste. 1401, Tallahassee, Florida 32399-0400.

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: Matthew Bouck, (850)245-9544, matthew.bouck@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATES AND TIMES: April 19, 2012, 8:30 a.m. – 3:00 p.m.; April 20, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Embassy Suites Orlando International Drive, 8978 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting of the Florida Rehab Council for the Blind.

A copy of the agenda may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, Florida 32399, (850)245-0392 or e-mail: Phyllis.dill@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Local DBS Office, no later than five (5) working days prior to the meeting, (407)245-0700 or Toll Free: 1(866)841-0928. 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 **Florida Rehabilitation Council for the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: April 19, 2012, 4:00 p.m. – 5:30 p.m.

PLACE: Lighthouse Central Florida, 421 E. Robinson Street, Orlando, FL 32801

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

This is an open meeting with no agenda.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Local DBS Office, no later than five (5) working days prior to the meeting, (407)245-0700 or Toll Free: 1(866)841-0928. 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: Phyllis Dill, AAIL, Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0392, Phyllis.dill@dbs.fldoe.org.

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

DATES AND TIMES: Public Awareness Committee, May 1, 2012, 9:30 a.m. – 11:30 a.m.; Executive Committee, May 2, 2012, 9:00 a.m. – 11:00 a.m.; Coordination and Legislative Committee, May 8, 2012, 9:30 a.m. – 11:30 a.m.; Planning and Evaluation Committee, May 9, 2012, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any interested parties that need further information may contact: Paige Sharpton, (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing: Paige Sharpton, Florida Rehabilitation Council, 2001-A Old St. Augustine Rd., Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: The FRC, (850)245-3397.

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 3-5 days before the workshop/meeting by contacting: The FRC, (850)245-3397. 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 **Florida Rehabilitation Council**, Quarterly Meeting announces a public meeting to which all persons are invited.

DATES AND TIME: May 16-18, 2012, 8:00 a.m. – until meeting is complete

PLACE: Crowne Plaza Jacksonville Riverfront, 1201 Riverplace Blvd., Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council. Any interested parties that need further information may contact: Paige Sharpton, (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing: Paige Sharpton, Florida Rehabilitation Council, 2001-A Old St. Augustine Rd., Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: The FRC, (850)245-3397.

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 3-5 days before the workshop/meeting by contacting: The FRC, (850)245-3397. 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).

NOTICE OF CHANGE – The Florida's **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2012, 12:30 p.m. – 3:30 p.m.

PLACE: Santa Fe Community College, Downtown Blount Center, Room #DA121, 401 N.W. 6th Street, Gainesville, FL 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS NOTICE CONTAINS A NEW LOCATION AND DATE FOR THIS MEETING.

A copy of the agenda may be obtained by contacting: amy.mathis@oel.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: amy.mathis@oel.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: amy.mathis@oel.myflorida.com.

DEPARTMENT OF COMMUNITY AFFAIRS

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: April 23, 2012, 9:30 a.m.

PLACE: Tradewinds Resort – Island Grand Hotel, 5500 Gulf Boulevard, St. Petersburg Beach, Florida 33706

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,

(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).

(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: April 23, 2012, 1:30 p.m.

PLACE: TradeWinds – Island Grand, 5500 Gulf Boulevard, St. Petersburg Beach, Florida 33706

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 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 **State Emergency Response Commission for Hazardous Materials** (SERC) announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2012, 10:00 a.m.

PLACE: TradeWinds – Island Grand Resort, 5500 Gulf Boulevard, St. Petersburg Beach, Florida 33706

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,

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal and Juvenile Justice Information Systems (CJJIS) Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 9, 2012, 8:30 a.m.

PLACE: Florida Department of Law Enforcement, Headquarters, 2331 Phillips Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various topics related to the criminal justice community. Topics include, but not limited to, the Council's strategic plan, discussion of the computerized criminal history initiative, biometric identification and other projects occurring with state and national criminal justice agencies.

A copy of the agenda may be obtained by contacting: Rachel Truxell, (850)410-7116 or racheltruxell@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 5 days before the workshop/meeting by contacting: Rachel Truxell, (850)410-7116 or racheltruxell@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: Rachel Truxell, (850)410-7116 or racheltruxell@fdle.state.fl.us.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIMES: Tuesday, April 24, 2012, 5:00 p.m. – 7:00 p.m.; Open House: 5:00 p.m.; Presentation: 5:30 p.m. and 6:30 p.m.

PLACE: Piggottee Community Center, 504 Big Tree Road, South Daytona, FL 32119

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Nos. 240992-7-32-01 and 240992-8-32-01.

Project Descriptions: The Reed Canal Road project consists of pavement widening to accommodate a southbound right turn lane along SR 5 (US 1) and an eastbound left turn lane along Reed Canal Road. It also involves milling and resurfacing, replacing the existing signal with a mast arm signal, upgrading pedestrian features to meet ADA requirements, drainage improvements, and bike lanes. The project is in design; it is not funded for construction.

The Big Tree Road project consists of pavement widening to accommodate a southbound right turn lane along SR 5 (US 1) and create an eastbound right turn lane from Big Tree Road to SR 5 (US 1). Other improvements include milling and resurfacing the pavement, upgrading pedestrian features to meet ADA, modifying drainage inlets within the pavement widening areas and restriping the roadway to include bike lanes along SR 5 (US 1) within the project limits. The project is in design; it is not funded for construction.

A flyer will be distributed at 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 7 days before the workshop/meeting by contacting: Ms. Megan Olivera, Public Involvement Coordinator, (407)709-9840 or via e-mail: megan@qcausa.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Ms. Olivera at the phone number 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).

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: Todd Alexander, FDOT, Project Manager, (386)943-5420 or via e-mail: todd.alexander@dot.state.fl.us. Additional information can also be obtained at: www.cflroads.com.

STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, April 18, 2012, 1:30 p.m. (EST)

PLACE: Public access to the telephone conference call will be made available at the following location: The Hermitage Centre, Emerald Coast Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308. For instructions on how to access the meeting via telephone Conference Call, please call: (850)488-8514

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss the Executive Director position at the Florida Prepaid College Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/> or by calling: (850)488-8514.

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: Florida Prepaid College Board, (850)488-8514 or Fax a written request to the Florida Prepaid College Board, (850)488-3555. 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).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** and the **Florida Parole Commission Qualifications Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2012, 2:00 p.m.

PLACE: Via Conference Call: 1(888)808-6959, Conference Code: 4884460

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the process for filling the pending Parole Commissioner vacancy.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, Attention: Sarah J. Rumph, 4070 Esplanade Way, Tallahassee, FL 32399-2450, (850)488-4460.

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: Florida Parole Commission, Attention: Sarah J. Rumph, 4070 Esplanade Way, Tallahassee, FL 32399-2450, (850)488-4460. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Parole Commission, Attention: Sarah J. Rumph, 4070 Esplanade Way, Tallahassee, Florida 32399-2450, (850)488-4460.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: Thursday, April 26, 2012, 6:00 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, 2198 Edison Avenue, MS #2809, Jacksonville, Florida 32204

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 110282-WS Application for staff-assisted rate case in Duval County by Regency Utilities, Inc.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate

increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff, Pauline Robinson.

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

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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pauline Robinson, (850)413-6183.

The **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, April 27, 2012, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 040763-TP – This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to Section 427.706, Florida Statutes. The purpose of this committee meeting is to discuss current relevant issues related to relay such as Federal and State Regulatory updates, FTRI equipment distribution services and outreach, current call volumes and other Telecommunications Relay Service updates.

A copy of the agenda may be obtained by contacting: Cindy Miller, cmiller@psc.state.fl.us, after April 20, 2012.

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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. 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 **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: May 10, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: These water and wastewater rule revisions relate to estimated bills, overbillings and unauthorized use. Undocketed.

A copy of the agenda may be obtained by contacting: A copy of the agenda and materials for the workshop will be posted on the Commission's website: www.floridapsc.com, May 1, 2012. 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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cindy Miller, (850)413-6082 or email: cmiller@psc.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Jobs for Floridians with Disabilities**, Employer Outreach Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 16, 2012, 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 7192614

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the Employer Outreach Subcommittee 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, (850)717-9433 or 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, (850)717-9433 or 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, (850)717-9433 or David.Darm@laspbs.state.fl.us.

The **Governor's Commission on Jobs for Floridians with Disabilities**, Employment Readiness and Services Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2012, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 7192614

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the Employment Readiness and Services Subcommittee 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, (850)717-9433 or 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, (850)717-9433 or 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, (850)717-9433 or David.Darm@laspbs.state.fl.us.

The **Governor's Commission on Jobs for Floridians with Disabilities**, Access to Employment Opportunities Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 19, 2012, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959; Conference Code: 7192614

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the Access to Employment Opportunities Subcommittee 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, (850)717-9433 or 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, (850)717-9433 or 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, (850)717-9433 or David.Darm@laspbs.state.fl.us.

The **Children and Youth Cabinet**, Community Service Delivery Models Workgroup announces a workshop to which all persons are invited.

DATE AND TIME: May 1, 2012, 9:30 a.m. – 3:00 p.m.

PLACE: Early Learning Coalition Training Room, Northwood Mall, 216 North Monroe Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Community Service Delivery Models Workgroup will conduct a one day workshop to develop a framework of core guiding principles to cause positive collective impact for children.

A copy of the agenda may be obtained by contacting: Christina Pacelle, Office of Adoption and Child Protection, (850)717-9261 or Christina.Pacelle@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: Christina Pacelle, Office of Adoption and Child Protection, (850)717-9261 or email: Christina.Pacelle@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: Christina Pacelle, (850)717-9261 or email: Christina.Pacelle@eog.myflorida.com.

ADMINISTRATION COMMISSION

The **Administration Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2012, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled Cabinet meeting. The Administration Commission will consider repeal of Rule Chapter 28-111, F.A.C., Court Cost for Court Facilities. The Administration Commission's rulemaking authority for the rule chapter was repealed in 2004; therefore the rules are obsolete.

A copy of the agenda may be obtained by contacting: Barbara Leighty, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, (850)717-9513.

The **Administration Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2012, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Administration Commission will consider repeal of Rule Chapter 28-35, F.A.C., Coastal Energy Impact Program. The program was transferred to the Department of Environmental Protection during the 2011 Legislative Session. The Administration Commission no longer has authority for implementation of the program, therefore the rules are obsolete.

A copy of the agenda may be obtained by contacting: Barbara Leighty, Office of the Governor, Room 1801, the Capitol, Tallahassee, Florida 32399-0001, (850)717-9513.

REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: April 16, 2012, 4:00 p.m.; Executive Committee Meeting, 3:00 p.m.; Partnership for Community Programs Meeting, 4:45 p.m.

PLACE: Crestview City Hall, 198 North Wilson Street, Crestview, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters of the West Florida Regional Planning Councils and the above mentioned committees.

A copy of the agenda may be obtained by contacting: WFRPC, (850)332-7976 or www.wfrpc.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 2 days before the workshop/meeting by contacting: WFRPC, (850)332-7976 or www.wfrpc.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: Terry Joseph, Executive Director, (850)332-7976, terry.joseph@wfrpc.org.

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

DATE AND TIME: Thursday, April 19, 2012, 10:00 a.m.

PLACE: Baker County Commission Building, 55 N. 3rd Street, Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the Baker County Transportation Disadvantaged Local Coordinating Board to voice opinions regarding the public transportation system in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880.

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: Bonnie Magee, (904)279-0880 or email: bmagee@nefrc.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: NEFRC, 6850 Belfort Oaks Place, Jacksonville, Florida 32216 or Ed Lehman, elehman@nefrc.org.

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

DATE AND TIME: Monday, April 23, 2012, 10:00 a.m.

PLACE: Putnam County Government Complex, 2509 Crill Avenue, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the Putnam County Transportation Disadvantaged Local Coordinating Board to voice opinions regarding the public transportation system in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, email: elehman@nefrc.org or (904)279-0880.

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 days before the workshop/meeting by contacting: Bonnie Magee, email: bmagee@nefrc.org or (904)279-0880. 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: Ed Lehman, (904)279-0880 or elehman@nefrc.org.

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

DATE AND TIME: Monday, April 23, 2012, 2:00 p.m.

PLACE: Clay County Council on Aging, 604 Walnut Street, Green Cove Spring, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the Clay County Transportation Disadvantaged Local Coordinating Board to voice opinions regarding the public transportation system in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880.

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: Bonnie Magee, (904)279-0880. 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: Ed Lehman, (904)279-0880 or elehman@nefrc.org.

The **St. Johns County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2012, 2:00 p.m.

PLACE: River House Board Room, 179 Marine Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the St. Johns County Transportation Disadvantaged Local Coordinating Board to voice opinions regarding the public transportation system in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880.

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 days before the workshop/meeting by contacting: Bonnie Magee, bmagee@nefrc.org or (904)279-0880. 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: Ed Lehman, (904)279-0880 or elehman@nefrc.org.

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

DATE AND TIME: Thursday, April 19, 2012, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi, dkooi@swfrpc.org or (239)338-2550, ext. 210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

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

DATE AND TIME: Monday, April 23, 2012, 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Cheryl Cook, (954)985-4416, cherylc@sfrpc.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: Cheryl Cook, (954)985-4416, cherylc@sfrpc.com.

REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority**, Board of Directors and its advisory committees will meet to discuss the implementation of regional transportation solutions for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties and announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 27, 2012, 9:30 a.m.
 PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. Transit Management Committee (TMC)

DATE AND TIME: NO REGULAR MEETING
 PLACE: USF Connect Bldg., Oak View Room, 3720 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

Citizens Advisory Committee (CAC)
 DATE AND TIME: Wednesday, April 18, 2012, 1:30 p.m.
 PLACE: USF Connect Bldg., Oak View Room, 3720 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Michelle Greene, (813)282-8200 at least ten (10) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com/meetings/calendar> approximately three to five days prior to each meeting.

For more information, you may contact: Michelle Greene, (813)282-8200.

METROPOLITAN PLANNING ORGANIZATIONS

The **Broward County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2012, 1:00 p.m.
 PLACE: Broward Metropolitan Planning Organization, Trade Centre South, Board Room, Suite 850, 100 West Cypress Creek Road, Fort Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Review, Grievance Procedures, and CTC Evaluation Committee Meetings of the Broward County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: Deborah Byrnes, (954)876-0037, byrnesd@browardmpo.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 2 days before the workshop/meeting by contacting: Deborah Byrnes, (954)876-0037, byrnesd@browardmpo.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: Deborah Byrnes, (954)876-0037, byrnesd@browardmpo.org.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: April 19, 2012, 1:00 p.m. (ET)
 PLACE: District Headquarters, 3 miles north of I-10 on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business. There will also be an opportunity for public input on the intention to amend the District's fiscal year (FY) 2012 budget as follows: Adjust carry over and fund balances based on the September 30, 2011, audited financial statements; reallocate budget authority from the Management and Administration program to the other program areas to more accurately reflect the full cost of projects and services; and increase the Information Technology contractual services budget by \$50,000 to make change to the e-permitting systems due to legislation passed during the 2012 Legislative Session. This amendment will not impact the District millage or ad valorem property taxes.

Other Meeting to be held:
 DATE AND TIME: April 19, 2012, 1:05 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Consideration of Regulatory Matters.

A copy of the agenda may be obtained by contacting: April Murray, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet www.nwfwmd.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 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. 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 **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2012, 10:00 a.m.

PLACE: South Florida Water Management District, Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tentative special meeting of the Everglades Technical Oversight Committee (TOC). If the meeting is needed, a notice will be posted on <http://www.sfwmd.gov/toc> by April 4, 2012. All or part of these meetings may be conducted as a teleconference in order to permit maximum participation.

A copy of the agenda may be obtained by contacting: (1) District Website (<http://www.sfwmd.gov/toc>) or (2) by writing: Kim Chuirazzi, South Florida Water Management District, Mail Stop 4442, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dr. Garth Redfield, Water Quality Bureau, South Florida Water Management District, Mail Stop 4410, P. O. Box 24680, West Palm Beach, FL 33416-4680, (561)682-6611.

The **South Florida Ecosystem Restoration Working Group** announces a public meeting to which all persons are invited.

South Florida Ecosystem Restoration Working Group sponsored Public Workshop on Central Everglades Planning Project (CEPP) Recreation Issues

DATE AND TIME: April 17, 2012, 6:00 p.m. – 9:00 p.m.

PLACE: Coral Springs Marriott, 11775 Heron Bay Boulevard, Coral Springs, FL 33076

GENERAL SUBJECT MATTER TO BE CONSIDERED: The next in a series of public workshops for the Central Everglades Planning Project (CEPP) is being sponsored by the South Florida Ecosystem Restoration Working Group to engage the public. This workshop will focus solely on recreation issues. The CEPP is a fast-track planning effort for the next generation of Everglades restoration projects being conducted by the U.S. Army Corps of Engineers and the South Florida Water Management District (SFWMD) as part of the Comprehensive

Everglades Restoration Plan. The Working Group is sponsoring public workshops to facilitate public participation in the CEPP. The public is advised that it is possible that one or more members of the Water Resources Advisory Commission and Governing Board of the SFWMD may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Website: www.sfstore.org on April 10, 2012.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marsha Bansee or Sandy Soto at (305)348-1665.

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

DATE AND TIME: Governing Board Special Meeting, April 18, 2012, 9:00 a.m.

PLACE: Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or at www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jacki McGorty, (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).

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: Jacki McGorty, (561)682-2087.

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

DATE AND TIME: Wednesday, April 18, 2012, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at: Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901; Okeechobee Service Center, 205 N. Parrot Avenue, Suite 201, Okeechobee, FL 34972 (2nd Floor – Bank of America Building); Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809. The meeting will also be webcast.

A copy of the agenda may be obtained by contacting: our website at 7 days prior to the meeting date: www.sfwmd.gov

• Hold mouse over the “Topics” tab, scroll down to “Permits” and click under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link. or by subscribing: ePermitting/eNoticing: www.sfwmd.gov/epermitting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: District Clerk’s Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: District Clerk’s Office, (561)682-2087.

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

DATE AND TIME: Governing Board Special Meeting, April 18, 2012, 6:00 p.m.

PLACE: SFWMD, Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406. All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or website: www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jacki McGorty, (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).

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: Jacki McGorty, (561)682-2087.

LAND AND WATER ADJUDICATORY COMMISSION

The **Florida Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2012, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled Cabinet meeting. The Commission will consider repeal of Rule Chapter 42DDD-1, F.A.C., and associated rules, and the dissolution of the Twin Creeks Community Development District. The District is located entirely within St. Johns County.

A copy of the agenda may be obtained by contacting: Barbara Leighty, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, (850)717-9513.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 17, 2012, 10:00 a.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Room 218, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff to review applications for the contract position of Consulting Executive Director to the Withlacoochee Regional Water Supply Authority. Five applicants may be selected for interviews with the full WRWSA Board on May 16, 2012.

A copy of the agenda may be obtained by contacting: Nancy H. Smith, Administrative Assistant, (352)527-5795.

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: Nancy H. Smith, Administrative Assistant, (352)527-5795. 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: Nancy H. Smith, Administrative Assistant, (352)527-5795.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 30, 2012, 9:00 a.m. – 11:00 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Data & Information Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (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, (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 telephone conference call to which all persons are invited.

DATE AND TIME: May 3, 2012, 9:00 a.m. – 11:00 a.m. (EST)
PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Training Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (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, (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 telephone conference call to which all persons are invited.

DATE AND TIME: May 3, 2012, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Advocacy Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (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 days before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (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: May 10, 2012; August 9, 2012; November 8, 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, Florida 32399, (850)414-2323, 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, (850)414-2323, 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 16, 2012, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8509210813#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be meeting to review applications received for consideration for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)412-4303.

The **Agency for Health Care Administration, Division of Medicaid** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 30, 2012, 9:00 a.m. – 10:00 a.m.

PLACE: Webinar, Internet sign-on: kumart.glance.net, Session Key: 1234; Conference Call: 1(888)808-6959, Conference Code: 7556753

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council including review of the and kidney transplant program application from Gulf Coast Medical Center for Medicaid-designation.

A copy of the agenda may be obtained by contacting: Theresa Kumar, Transplant Coordinator, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)412-4232, or theresa.kumar@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Alcoholic Beverages and Tobacco** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2012, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public hearing considering the repeal of the aforementioned rule, which was identified, during a comprehensive review of existing rules and regulations, as substantially duplicative of Florida Statutes.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake at (850)717-1244.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: R. Kathleen Brown-Blake, (850)717-1244. 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: R. Kathleen Brown-Blake, (850)717-1244.

The **Division of Alcoholic Beverages and Tobacco** announces a hearing to which all persons are invited.

DATE AND TIME: April 27, 2012, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public meeting considering the repeal of the aforementioned rules, which were identified during a comprehensive review of existing rules and regulations, as duplicative, unnecessary, burdensome, or no longer necessary.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake, (850)717-1244.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: R. Kathleen Brown-Blake, (850)717-1244. 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: R. Kathleen Brown-Blake, (850)717-1244.

The **Division of Alcoholic Beverages and Tobacco** announces a hearing to which all persons are invited.

DATE AND TIME: April 27, 2012, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public meeting considering the repeal of the aforementioned rule, which was identified during a comprehensive review of existing rules and regulations, as not statutorily mandated and unnecessary.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake, (850)717-1244.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: R. Kathleen Brown-Blake, (850)717-1244. 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: R. Kathleen Brown-Blake, (850)717-1244.

The **Division of Alcoholic Beverages and Tobacco** announces a hearing to which all persons are invited.

DATE AND TIME: April 27, 2012, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public meeting considering the repeal of the aforementioned rules, which were identified during a comprehensive review of existing rules and regulations as not statutorily mandated, duplicative of other Rules, implementing a statute that has been repealed, or unnecessary.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake at (850)717-1244.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: R. Kathleen Brown-Blake at (850)717-1244. 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 **Division of Alcoholic Beverages and Tobacco** announces a hearing to which all persons are invited.

DATE AND TIME: April 27, 2012, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public hearing considering the repeal of the aforementioned rules, which were identified during a

comprehensive review of existing rules and regulations as not statutorily mandated, duplicative of other rules, and unnecessary.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake, (850)717-1244.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: R. Kathleen Brown-Blake, (850)717-1244. 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: R. Kathleen Brown-Blake, (850)717-1244.

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2012, 9:00 a.m.

PLACE: Hilton University of Florida Conference Center Gainesville, 1714 S.W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Architecture and Interior Design announces a public meeting to which all persons are invited to attend.

DATE AND TIME: May 2, 2012, 9:00 a.m.

PLACE: Hilton University of Florida, Conference Center Gainesville, 1714 S.W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Roland Baker 2011-019040

Matt Bierschied 2011-027217

Reginald Burton 2011-019047

Corner Stone Design Group, Inc. 2011-010695

Edward P. Tafelski

The Cury Group, Inc. 2011-026912

Don Stevenson Design 2011-031802

Don Stevenson

Melisha Ethier 2012-056325

Nelo William Freijomel 2011-017702

Lesly Gaillard 2011-024357

Gillette & Associates, Inc. 2011-027287

Asa R. Gillette

Ram A. Goel 2012-008402

Soney FM, LLC

Kenneth Golan 2012-001910

Dennis Graves 2011-027220

Thomas L. Hanson 2011-010709

TL Hanson & Associates Consulting Engineers, Inc.
 Majed M. Hawari 2012-009901
 All Architecture, Inc.
 Interior Development & Design 2011-053795
 The Kirouac Group, LLC 2011-027213
 Shawn Kirouac
 Edward A. Landers 2011-019031
 Looney & Associates, LLC 2012-008115
 James Looney
 Metro Architects, Inc. 2011-052249
 Christopher P. Miller
 Steve Molaver 2011-045635
 Rahimuddin S. Rahimi 2011-046664
 2011-048465
 Mario H. Rodriguez 2011-041687
 TECHNICAD of Volusia County, Inc. 2010-056156
 Joe Hiller
 Timothy Haas & Associates, Inc. 2011-011349
 Timothy Haas
 Turbomouse Drafting Service 2012-004396
 Ryan Kronbetter
 William Edward Construction, LLC 2011-061225
 David K. Minacci
 Smith, Thompson, Shaw, Minacci & Colón, PA
 3520 Thomasville Road, Fourth Floor
 Tallahassee, Florida 32309
 (850)402-1570
 A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.
 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 K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. 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 K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.
 DATE AND TIMES: April 24, 2012, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.
 A copy of the agenda may be obtained by contacting: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.
 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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. 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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

The **Board of Cosmetology** announces a public meeting to which all persons are invited.
 DATES AND TIME: July 16-17, 2012, 9:00 a.m.
 PLACE: Swan and Dolphin Resort, 1200 Epcot Resorts Boulevard, Lake Buena Vista, Florida 32830, (407)934-1740
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.
 A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 19, 2012, 2:00 p.m.

PLACE: Telephone conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Compton, 1(888)862-7010.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Compton, 1(888)862-7010. 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: Janet Compton, Executive Director, FMHRC, P. O. Box 3047, Tallahassee, FL 32315, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: April 19, 2012, 6:00 p.m.

PLACE: Deltona Library and Environmental Center, Scrub Jay Auditorium, 2150 Eustace Avenue, Deltona, Florida 32725

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a general public meeting to discuss issues related to the Lakes Harney/Monroe Basin Management Action Plan (BMAP). This meeting will provide an opportunity for stakeholders to provide their comments and recommendations to the Department of Environmental Protection regarding development of the Lakes Harney/Monroe BMAP. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary topic of discussion during this meeting will be the ongoing process of BMAP development.

A copy of the agenda may be obtained by contacting: Samantha Fillmore, Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400 or by calling (850)245-8418.

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: Samantha Fillmore, (850)245-8418. 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

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

DATE AND TIME: May 18, 2012, 7:30 a.m. (CDT)

PLACE: Wyndham Bay Point Resort, 4114 Jan Cooley Drive, Panama City Beach, FL 32408, (850)236-6071

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 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.

The **Board of Medicine**, Physicians Assistants Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 18, 2012, 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 284 344 0330

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call: (850)245-4135.

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: Chandra Prine at chandra_prine@doh.state.fl.us or

call: (850)245-4135. 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 Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 20, 2012, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code: 2458182

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

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

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

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

NOTICE OF CHANGE – The Florida **Board of Speech-Language Pathology and Audiology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, April 18, 2012, 9:00 a.m. (EST) or shortly thereafter

PLACE: Meeting will not be held at physical location in Tampa, FL as previously noticed. Will be held via Conference Call: 1(888)808-6959, Conference Code: 2454597

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, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Christy Robinson, (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.

The **Department of Health, Division of Health Access and Tobacco** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 4, 2012, 9:00 a.m. – 4:30 p.m.

PLACE: 4052 Bald Cypress Way, 3rd Floor, Room 301, Tallahassee, Florida 32399; Conference Call: 1(888)808-6959, Conference Code: 6849116

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of an Advisory Council required by Section 381.84, Florida Statutes. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meetings will provide evaluation information and reports about the Tobacco Education and Use Prevention Program and each of the program’s major components including media, the cessation quitline, and community programs. There will be additional discussion in the Advisory Council Subcommittee breakout sessions during this meeting.

A copy of the agenda may be obtained by contacting: Betsy Howell, (850)245-4444, ext 2153, email: Elizabeth_howell2@doh.state.fl.us or by going to the Department of Health Tobacco website: <http://www.doh.state.fl.us/tobacco/TAC.html> prior to 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 72 days before the workshop/meeting by contacting: Betsy Howell, (850)245-4444, ext 2153, email: Elizabeth_howell2@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.

For more information, you may contact: Betsy Howell, (850)245-4444, ext. 2153, Elizabeth_howell2@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Central Region Circuit 10 Community Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 17, 2012, 9:30 a.m. – 11:30 a.m.

PLACE: Bartow Service Center, 1055 Highway 17 North, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local planning team meeting to develop mission statement and brainstorm the future direction of the alliance.

A copy of the agenda may be obtained by contacting: Vicki Pearson, (863)519-8736, ext. 115, by email: vicki_pearson@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 5 days before the workshop/meeting by contacting: Vicki Pearson, (863)519-8736, ext. 115 or by email: vicki_pearson@dcf.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 **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2012, 10:00 a.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, Florida 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The solicitation conference for the Invitations to Negotiate for Youth Services for Refugees and Entrants in Broward, Collier, Duval, Hillsborough, Palm Beach, Pinellas and Miami-Dade Counties (ITN's #03K12BS1, 03K12BS2, 03K12BS3, 03K12BS4, 03K12BS5, 03K12BS6 and SNR12K03, respectively), as provided for in Section 1.9 of the ITN's published on the Vendor Bid System (VBS) on March 19 and 20, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

A copy of the agenda may be obtained by contacting: Anna Bethea, Anna_Bethea@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 5 days before the workshop/meeting by contacting: Pamela Thornton, Pamela_Thornton@dcf.state.fl.us or

(850)717-4567. 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 **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2012, 3:45 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The opening of proposals in response to the Requests for Proposals for Employment Services for Refugees and Entrants in Duval, Pinellas, and Collier Counties (RFPs #02K12BS1, 02K12BS2, 02K12BS3, respectively), as provided for in Section 1.9 of the RFPs published on the Vendor Bid System (VBS) on March 5, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

A copy of the agenda may be obtained by contacting: Anna Bethea, Anna_Bethea@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 5 days before the workshop/meeting by contacting: Pamela Thornton, Pamela_Thornton@dcf.state.fl.us or (850)717-4567. 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 **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2012, 10:00 a.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Building 5, Room 203, Tallahassee, Florida 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The initial meeting of Department Evaluators for the Requests for Proposals for Employment Services for Refugees and Entrants in Duval, Pinellas, and Collier Counties (RFPs #02K12BS1, 02K12BS2, 02K12BS3, respectively), as provided for in Section 1.9 of the RFPs published on the Vendor Bid System (VBS) on March 5, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

A copy of the agenda may be obtained by contacting: Anna Bethea, Anna_Bethea@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 5 days before the workshop/meeting by contacting: Pamela Thornton, Pamela_Thornton@dcf.state.fl.us or

(850)717-4567. 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 **Council on Homelessness** announces a conference call meeting of its Children’s Committee to which all interested parties are invited to participate.

Committee: Affordable Housing

DATES AND TIME: Wednesday, April 18, 2012; Wednesday, May 16, 2012; Wednesday, June 20, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Legal and Law

DATES AND TIME: Friday, May 4, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Executive

DATE AND TIME: Monday, May 7, 2012, Monday, June 4, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Children’s

DATE AND TIME: Thursday, May 17, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Data Collection

DATE AND TIME: Wednesday, June 6, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Continuum of Care

DATES AND TIME: Wednesday, May 9, 2012; Wednesday, June 13, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees’ continued development of policy recommendations and work tasks to address the Council’s Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting. 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: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

The **Department of Children and Families, Council on Homelessness** announces a meeting of the state’s Council on Homelessness to which all interested persons are invited:

DATE and TIME: Wednesday, May 2, 2012, 10:00 a.m. – 3:00 p.m.

PLACE: City Hall, Mayor’s Large Conference Room, 117 West Duval Street, Jacksonville, Florida 32202; Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will receive reports and recommendations from its committees for proposals to be included in its 2012 Report.

A copy of the agenda for the meeting can be obtained from the Office on Homelessness, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness at (850)922-4691 at least 48 hours in advance of the meeting. 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: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a facilitated stakeholder meeting to discuss and examine manatee issues.

DATE AND TIME: April 12, 2012, 9:00 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Conference Room 272, Tallahassee, FL 32399; Participation by teleconference also will be available at the following location, and remotely via the Internet and telephone (see contact information below for who to contact for details). Additional remote location: Florida Fish and Wildlife Research Institute, 100 8th Ave., S.E., 1st Floor, Conference Room, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is exchange of information and fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. Limited public comments will be taken.

A copy of the agenda may be obtained by contacting: Ms. Carol Knox, (850)922-4330 or Carol.Knox@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 FWC, (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: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: April 19, 2012, 1:00 p.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cypress Property & Casualty Insurance Company has requested a 17.7% overall rate increase for its homeowners line of coverage. The proposed rate increase would be effective June 1, 2012 for new business and July 1, 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@floir.com; the subject line of your e-mail should read "Cypress Property & Casualty."

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, (850)413-2616, e-mail: cindy.walden@floir.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.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The **Department of Economic Opportunity** announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2012, 3:00 p.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center (CCOC), 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the preparation of the Annual Action Plan for Federal Fiscal Year 2012 and to review the draft of the Action Plan once it is completed.

SUMMARY: The State of Florida is required to submit an Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD) in order to receive federal funding from that agency. The Plan must cover the grant programs funded by HUD. Grant programs included in the Plan are the Florida Small Cities Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), Home Investment Partnership (HOME) and Housing Opportunities for Persons with Aids (HOPWA). The Plan must specify the manner in which the funds will be distributed to eligible applicants.

ACTION TO BE TAKEN: At the public meeting to be held on April 24, 2012, staff from the CDBG, ESG, HOME and HOPWA programs will provide an overview of the programs and answer questions. Interested parties are encouraged to attend. A draft of the Action Plan will be available for review and comment on April 24, 2012, the date of the public meeting. It will also be posted to the Department's website: <http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/community-development-block-grant-program/state-of-florida-consolidated-plan>. Comments on the draft will be accepted from April 24, 2012 through May 14, 2012. Written comments on the draft of the Annual Action Plan are encouraged. They may be made at the public meeting or mailed to the address listed.

A copy of the agenda may be obtained by contacting: Florida Small Cities CDBG Program, Department of Economic Opportunity, Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399, (850)717-8405, email: Stacie.Roldan-Toci@deo.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stacie Roldan-Toci, (850)717-8405. 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: Stacie Roldan-Toci, (850)717-8405.

AREA AGENCY ON AGING OF PASCO-PINELLAS, INC.

The **Area Agency on Aging of Pasco-Pinellas, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 16, 2012, 9:30 a.m.

PLACE: The Villas at Sunset Bay, Multi-Purpose Room, 7423 Kauai Loop, New Port Richey, FL 34653

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black, (727)570-9696, ext. 233.

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: Brenda Black, (727)570-9696, ext. 233. 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: Brenda Black, (727)570-9696, ext. 233.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, April 23, 2012, 4:00 p.m.; Tuesday, April 24, 2012, 8:30 a.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: FAJUA Audit Finance Committee Meeting.

DATE AND TIME: Monday, April 23, 2012, 4:00 p.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Financial Reporting and any other matters that may come before the committee.

Annual Meeting of Members

DATE AND TIME: Tuesday, April 24, 2012, 8:30 a.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 2011; receive Association's annual report; and consider any other matters that may come before the Members.

Board of Governors Meeting

DATE AND TIME: To begin immediately following the Annual Meeting

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, April 11, 2012, 8:00 a.m.

PLACE: 1501 FAU Research Park Boulevard, Deerfield Beach, FL 33442

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Director's meeting.

A copy of the agenda may be obtained by contacting: Christine Cannon-Burres, cc@research-park.org.

NORTHWOOD SHARED RESOURCE CENTER

The **NSRC, Finance & Auditing Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 12, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Revenue, 2450 Shumard Oak Boulevard, Bldg. 1, Room 1220, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Administration Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 12, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: Department of State, 1949 N. Monroe, Suite 79, Room 112, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Technical Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 12, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, CR 180, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Board of Trustees** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 19, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Business & Professional Regulation, Professions Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Finance & Auditing Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2012, 9:00 a.m. – 10:30 a.m.

PLACE: Florida Department of Revenue, 2450 Shumard Oak Boulevard, Bldg. 1, Room 1220, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Administration Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: Department of State, 1949 N. Monroe, Suite 79, Room 112, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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 **NSRC, Technical Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 26, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, CR 180, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.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: Monica Cash, (850)921-4479. 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).

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The **Florida Higher Educational Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 17, 2012, 12:00 Noon – 1:00 p.m.

PLACE: The Offices of: The Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, and by teleconference at (866)578-5716. Conference Code 6813188

GENERAL SUBJECT MATTER TO BE CONSIDERED: (A) Consideration of a supplemental resolution related to a municipal bond insurance policy and other matters in connection with the issuance of not to exceed \$120,000,000 principal amount of Bonds for the University of Tampa, Inc.

(B) Conducting a public hearing, consideration of the results of a public hearing and consideration of a resolution with respect to the authorization by the Authority of the issuance of not exceeding \$60,000,000 in aggregate principal amount of educational facilities revenue bonds of the Authority in order to make a loan to Nova Southeastern University Inc., a Florida no-for-profit corporation for the purposes of: (i) refunding all or a portion of the outstanding Broward County Educational Facilities Authority Educational Facilities Revenue Bonds, Series 2002A (Nova Southeastern University Project) and the Broward County Educational Facilities Authority Educational Facilities Revenue Bonds, Series 2002B (Nova Southeastern University Project), the proceeds of which were used to finance various capital projects and equipment, and (ii) to finance and refinance the acquisition, construction, and equipping of various educational facilities, including, without limitation, information technology equipment, infrastructure upgrades, technology upgrades, wireless communication upgrades, and compliance and security and technology tools, including without limitation replacing all video conference systems on the main campus and certain other educational facilities with high definition audio and video systems, replacing and standardizing all audio visual (AV) classroom systems and network infrastructure, all to be located on campuses of Nova Southeastern University Inc., (iii) fund necessary reserves, including a debt service reserve fund, if any, and (iv) pay costs of issuance of such Bonds.

(C) Any other matters that may come before the Authority. A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

PALM TRAN CONNECTION

The **Palm Beach County TD**, Local Coordinating Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2012, 9:00 a.m.

PLACE: Palm Tran Connection, 3040 South Military Trail, Suite J Conference Room, Lake Worth, FL 33463

GENERAL SUBJECT MATTER TO BE CONSIDERED:

AGENDA:

- I. CALL TO ORDER
- II. INTRODUCTIONS
- III. ADOPTION OF AGENDA
- IV. CONSENT AGENDA
 - a. Approval of Meeting Minutes – January 18, 2012
 - b. Transportation Operators Payments
- V. MEETING START TIME DISCUSSION – Ron Jones
- VI. CONNECTION BUDGET
- VII. TD RATE MODEL – John Coons
- VIII. CTC DESIGNATION – Angela Morlok
- IX. CTC REVIEW – Angela Morlok
- X. CTC UPDATE
 - a. Monthly Operating Report – John Coons
 - b. Connection RFP – Chuck Cohen
- XI. FIXED ROUTE UPDATE – Chuck Cohen
- XII. TD DAY TRIP RECAP – Larry Osband
- XIII. COMMENTS BY PUBLIC
- XIV. COMMENTS BY BOARD MEMBERS
- XV. NEXT MEETING – July 18, 2012
- XVI. ADJOURNMENT

A copy of the agenda may be obtained by contacting: Kimberly Nunez, (561)649-9848, ext. 3658, KNUNEZ@PBCGOV.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 2 days before the workshop/meeting by contacting: Kimberly Nunez, (561)649-9848, ext. 3658, email:

KNUNEZ@PBCGOV.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).

SOIL AND WATER CONSERVATION DISTRICTS

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

DATE AND TIME: Thursday, April 19, 2012, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to Board of Supervisors: Ag Lab, MIL, District Reports and projects.

A copy of the agenda may be obtained by contacting: Wendy Lobos, (305)242-1288, southdadeswcd@southdadeswcd.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 2 days before the workshop/meeting by contacting: Morgan Levy, Administrator, (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Morgan Levy, Administrator, (305)242-1288.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 10, 2012, 9:00 a.m. – 4:00 p.m.

PLACE: Ramada Plaza Beach Resort, 1500 Miracle Strip Pkwy., Fort Walton Beach, FL 32548

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Defense Alliance, semi-annual meeting. This meeting is to promote base efficiencies and to further military missions in the state, while supporting its military families' quality of life. Please RSVP via e-mail to hcave@eflorida.com by April 3rd.

A copy of the agenda may be obtained by contacting: Heather Cave, (850)298-6640.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Heather Cave, (850)298-6640. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 18, 2012, 9:00 a.m. – 10:00 a.m.

PLACE: Residence Inn by Marriott, Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Defense Support Task Force was established during the 2011 Legislative Session and given the following missions: Make recommendations to maximize the position of Florida's installations in any strategic basing or other competitive process.

Strengthen Florida's defense industries, as well as cultivate defense research, development, test and evaluation capabilities. Improve the state's military-friendly environment for service members, military dependents, military retirees, and businesses which bring military and base-related jobs to Florida.

The purpose of this meeting is to review the Task Force strategic plan and progress on the ITNs. Additionally, the Task Force will discuss a draft communications plan and a base visitation plan. Following the public meeting, the Task Force will conduct a closed session for the purpose of receiving presentations and conducting interviews as part of a competitive solicitation with prospective contractors for the published ITNs. Pursuant to Section 286.0113, F.S., that portion of the meeting after 10:00 a.m. will be closed to the public.

A copy of the agenda may be obtained by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com or Bruce Grant, (850)878-0826, bgrant@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com or Bruce Grant, (850)878-0826, bgrant@eflorida.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: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com or Bruce Grant, (850)878-0826, bgrant@eflorida.com.

FLORIDA WORKERS COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA, Investment Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 13, 2012, 10:00 a.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda items shall include approval of minutes and investment manager selection process.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

MRGMIAMI

The Florida **Department of Transportation (FDOT)**, District Six announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, May 3, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Trinity Church, Hospitality Suite, 17801 N.W. 2 Avenue, Miami Gardens, Florida 33169

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six, in conjunction with the Florida's Turnpike Enterprise (FTE), will conduct an Alternatives Public Workshop for the Golden Glades Interchange Project Development and Environment (PD&E) Study from State Road (SR) 826/Palmetto Expressway eastbound to I-95 northbound. This workshop is being held to present the results of the PD&E Study to date and to obtain input on the alternatives under consideration. The primary purpose of this study is to evaluate options for a direct connection from SR 826/Palmetto Expressway eastbound to I-95 northbound and to improve the Turnpike southbound to I-95 southbound connection in order to increase mobility and reduce travel delay. The project will also identify interim improvements for the GGI and evaluate connecting a potential managed lanes system for SR 826/Palmetto Expressway to the existing 95 Express managed lanes system. These improvements are in support of a separate and adjacent SR 826 PD&E Study, from I-75 to Golden Glades Interchange, currently under study and an Ultimate Master Plan to be established for this interchange.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager, Florida Department of Transportation, District Six, 1000 N.W. 111th Avenue, Room 6251, Miami, Florida 33172, (305)470-5217, (305)640-7588 (Fax) or via email: dat.huynh@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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 (7) days before the workshop/meeting by contacting: Mr. Nicholas Danu, P.E., (305)470-5219, writing: 1000 N.W. 111th Avenue, Room 6111-A, Miami, Florida 33172 or via email: nicholas.danu@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). Any persons who require translation

services (free of charge) should also contact: Mr. Nicholas Danu at least seven (7) days before the meeting. 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. Dat Huynh, P.E., Project Manager, Florida Department of Transportation, District Six, 1000 N.W. 111th Avenue, Room 6251, Miami, Florida 33172, (305)470-5217, (305)640-7558 (Fax) or via email: dat.huynh@dot.state.fl.us.

HNTB

The **Florida Statewide Passenger Rail Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2012, 10:00 a.m.

PLACE: Florida Department of Transportation, District Four, Headquarters, D-4 Auditorium, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business will be discussed.

A copy of the agenda may be obtained by contacting: www.floridarailcommission.com or Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station #58, Tallahassee, Florida 32399-0458.

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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station #58, Tallahassee, Florida 32399-0458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

KIMLEY-HORN AND ASSOCIATES, INC.

The Florida **Department of Transportation**, District Four announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, May 1, 2012, Open House: 5:30 p.m.; Formal Presentation: 6:00 p.m. followed by a public comment period

PLACE: Indian River State College, 3209 Virginia Avenue, Fort Pierce, Florida 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being held to give interested persons an opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of the proposed improvements to SR 713 (Kings Highway) from SR 70 (Okeechobee Road) north to SR 5 (US 1). The

proposed improvements consist of widening SR 713 (Kings Highway) from SR 70 (Okeechobee Road) north of SR 614 (Indrio Road) from the existing two (2) lanes to four (4) lanes. Other improvements include adding bicycle lanes, a shared use path, and sidewalks as well as evaluating access along the corridor. Kings Highway will be reclassified as a four-lane divided roadway to Access Management Class 3 per Section 335.18, Florida Statutes. The project corridor is approximately 10.2 miles and is located in St. Lucie County, Florida (Financial Project Identification Number: 230256-5-22-01).

A copy of the agenda may be obtained by contacting: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309 or email: bing.wang@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 7 days before the meeting by contacting: Ms. Bing Wang, (954)777-4406, Toll Free: 1(866)336-8435, ext. 4406 or by email: bing.wang@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Ms. Bing Wang seven (7) days before the meeting. 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: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone (954)777-4406, Toll Free: 1(866)336-8435, ext. 4406 or by email: bing.wang@dot.state.fl.us.

REGISTE, SLIGER ENGINEERING, INC.

The Florida **Department of Transportation (FDOT)**, District Three announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 1, 2012, 5:30 p.m. – 6:30 p.m. (CDT)

PLACE: East Mt. Zion United Methodist Church, 1590 County Road 173, Graceville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT, District Three announces a public information meeting regarding the bridge replacement on North Holmes Creek Road in Holmes County. Proposed improvements include replacing the existing single lane wooden bridge on North Holmes Creek Road over Unnamed Branch, paving roadway approaches, minor regrading, signs and pavement markings, and sodding.

A copy of the agenda may be obtained by contacting: Dean Mitchell, P.E., FDOT, General Consultant Project Manager, (850)638-2288.

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 at the number listed above or by email: 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).

For more information, you may contact: Dean Mitchell at the number or email address listed above.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that Public Service Commission has received the petition for declaratory statement from KW Resort Utilities Corporation. The petition seeks the agency's opinion as to the applicability of Sections 367.081, 367.101 and 367.111, F.S., as it applies to the petitioner.

The petition seeks the agency's opinion as to the applicability of Sections 367.081, 367.101 and 367.111, Florida Statutes, and First Revised Sheets 3.0 and 3.1 of the utility's wastewater tariff as it applies to the petitioner. The petitioner inquires as to (1) whether KWRU is entitled to collect certain capacity reservation fees from Monroe County for excess capacity used by Monroe County as provided for in the Parties' Utility Agreement or Bulk Services Agreement entered into on August 16, 2001; (2) whether KWRU is entitled to collect unpaid amounts for services rendered in the treatment of wastewater as provided for in the Parties' Utility Agreement or Bulk Services Agreement entered into on August 16, 2001; (3) the ownership of three (3) lift stations located on Monroe County Property and, if there was a transfer of ownership, the date the ownership transferred; (4) whether KWRU is entitled to collect construction costs associated with the South Stock Island Sewer Expansion project which were borne by KWRU even after KWRU has repaid the capacity reservation fees to Monroe County pursuant to the Capacity Reservation and Infrastructure Contract (the "CRU Contract") with the County; (5) whether KWRU is entitled to collect amounts unpaid by the County for the installation of a Buffer Tank at the County's request. Docket No. 120060-SU.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, (850)413-6770.

Please refer all comments to: Cindy Miller, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Frederick Barnes, Esq. on behalf of Champion Services of Florida, LLC., filed on March 23, 2012. The petition seeks the agency’s opinion as to the applicability of Section 489, Part I, Florida Statutes, as it applies to the petitioner.

The Petitioner seeks the Board to interpret Section 489, Part I, Florida Statutes, and whether any statewide license is required to when entering into a subcontract with, and supervised by, a state certified Division I contractor to demolish and remove elements and systems such as sheet metal, mechanical, plumbing and commercial pool and spa systems that have been previously disconnected and decommissioned by the appropriate Division II contractors.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Derek Pratt, filed on March 9, 2012. The petition seeks the agency’s opinion as to the applicability of Section 489.105, F.S., as it applies to the petitioner.

The Petitioner does not state in his request which statute the Petitioner seeks the Board to interpret. However, Petitioner appears to be requesting an interpretation of Section 489.105, Florida Statutes, and whether a State license is required for sewer and drain cleaning, TV pipeline inspection, and private utility locating.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

**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

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS – Invitation To Bid for an Electrical Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida. BIDS ARE DUE ON OR BEFORE April 19, 2012 AND WILL BE ACCEPTED UNTIL 2:00 p.m. OFFICIAL PROJECT TITLE: Districtwide Energy Retrofits/ Lighting Retrofits at Various Schools – Group 2 Phase 1-2 School Nos. 14, 143, 162, 32, 12, 16, 20, 6, 37/DCSB Project No. M-83750/OFDC- ITB-013-12.

SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting ballasts and lamps. Estimated construction cost is not to exceed \$140,000. Project is subject to availability of funds as authorized by the Owner. The selected contractor shall be required to execute the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers, 806 Roselle St., Jacksonville, FL 32204, (904)381-0777. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Haddad Engineering, 2955 Hartley Road, Suite 205, Jacksonville, Florida 32257, (904)262-5066. DCSB Point of Contact: Kevin Trussell, (904)390-2336.

MBE Participation Goal: Sheltered (based on the availability of certified MBE's in this area). All contractors that are interested in bidding are required to attend a Mandatory Pre-Bid Conference to be held: Tuesday, April 10, 2012, 2:00 p.m., 1701 Prudential Drive, Room 513D, Jacksonville, FL. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at: www.duvalschools.org under http://www.duvalschools.org/static/aboutdcp/departments/facilities/general_documents.asp. The Bid Award Recommendation will be posted on the Duval County School Board Building, First Floor, Bulletin Board, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS – Invitation To Bid for an Electrical Contractor. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida. BIDS ARE DUE ON OR BEFORE MAY 1, 2012 AND WILL BE ACCEPTED UNTIL 2:00 p.m. Districtwide Energy Retrofits/Lighting Retrofits at Various Schools Group 2 Phase 1-3 School Nos. 169, 170, 205, 234, 234, 45, 68, 88, 215, 250 DCSB Project No. M-83750/OFDC-ITB-014-12.

SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting ballasts and lamps. Estimated construction cost is not to exceed \$200,000. Project is subject to availability of funds as authorized by the Owner. The selected contractor shall be required to execute the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers, 806 Roselle St., Jacksonville, FL 32204, (904)381-0777. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Haddad Engineering, 2955 Hartley Road, Suite 205, Jacksonville, Florida 32257, (904)262-5066. DCSB Point of Contact: Kevin Trussell, (904)390-2336.

MBE Participation Goal: Participation (10% Overall MBE Participation based on available MBE's in this area). All contractors that are interested in bidding are required to attend a Mandatory Pre-bid Conference to be held: Tuesday, April 10, 2012, 2:00 p.m., 1701 Prudential Drive, Room 513D, Jacksonville, FL. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at: www.duvalschools.org under http://www.duvalschools.org/static/aboutdcp/departments/facilities/general_documents.asp. The Bid Award Recommendation will be posted on the Duval County School Board Building, First Floor, Bulletin Board, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS Invitation To Bid for an Electrical Contractor. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida. BIDS ARE DUE ON OR BEFORE MAY 1, 2012, AND WILL BE ACCEPTED UNTIL 2:00 p.m. OFFICIAL PROJECT TITLE: Districtwide Energy Retrofits/Lighting Retrofits at Various Schools – Group 2 Phase 2-1 School Nos. 89, 21, 78, 79, 48, 51, 71, 19, 65, 15, 59/DCSB Project No. M-83750/OFDC-ITB-015-12.

SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting. The estimated construction cost is not to exceed \$240,000. Project is subject to availability of funds as authorized by the Owner. The selected contractor shall be required to execute the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers, 806 Roselle St., Jacksonville, Florida 32204, (904)381-0777. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Haddad Engineering, 2955 Hartley Road, Suite 205, Jacksonville, FL 32257, (904)262-5066. DCSB Point of Contact: Kevin Trussell, (904)390-2336.

MBE Participation Goal: Participation (10% Overall MBE Participation based on available MBE's in this area). All contractors that are interested in bidding are required to attend a Mandatory Pre-bid Conference to be held: Tuesday, April 10, 2012, 2:00 p.m., 1701 Prudential Drive, Room 513D, Jacksonville, FL. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp.

The Bid Award Recommendation will be posted on the Duval County School Board Building, First Floor, Bulletin Board, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

REGIONAL PLANNING COUNCILS

USAR MobEx RFP

The East Central Florida Regional Planning Council invites all qualified firms to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Proposals (RFP).

Proposals shall be accepted until 12:00 Noon (Eastern Time), Friday, May 4, 2012. A mandatory pre-bid meeting is scheduled for Tuesday, April 24, 2012, 10:00 a.m. at the ECFRPC.

To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant's responsibilities, please visit: <http://www.ecfrpc.org> and select the Emergency Management document library page. Any modifications that occur to the Request for Proposals will be posted at the web site.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT OF SHORTLIST RESULTS FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES

*****THIS PROJECT HAS BEEN CANCELLED*****

Project Number: MSFM 11007020

Project Name: Due Diligence Evaluation for DMS Lease Realignment and Optimization – General Building Renovations for Lease Realignment – Tallahassee, Florida

Contact: Eugenio Nicoloso, (850)488-2521.

**Section XII
Miscellaneous**

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

McCall Storage, a private airport, in Duval County, at Latitude 30° 9' 26" and Longitude 81° 32' 02", to be owned and operated by Mr. Wayne S McCall, 6262 Greenland Road, Jacksonville, FL 32258.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, FL 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station #58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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 Boss Hoss Cycles, Inc., intends to allow the establishment of House of Thunder (USA), LLC, as a dealership for the sale of motorcycles manufactured by Boss Hoss Cycles, Inc. (line-make BOSS) at 25 Northwest 19th Street, Miami (Miami-Dade County), Florida 33136, on or after May 7, 2012.

The name and address of the dealer operator(s) and principal investor(s) of House of Thunder (USA), LLC, are dealer operator(s): Erik Vauth, 100 Lincoln Road, Miami, Florida 33139 and Gabriele Baum, 1240 Coconut Drive, Fort Myers, Florida 33901; principal investor(s): Erik Vauth, 100 Lincoln Road, Miami, Florida 33139 and Gabriele Baum, 1240 Coconut Drive, Fort Myers, Florida 33901.

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: Doug Zaricor, Boss Hoss Cycles, Inc., 790 South Main Street, Dyersburg, Tennessee 38024.

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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District (SRWMD) SRWMD in Live Oak, FL, is actively seeking an Executive Director. For additional employment information and instruction to apply, visit: www.mysuwanneeriver.com.

Or contact: Lisa Cheshire, Human Resources, SRWMD, (386)362-1001.

CLOSING DATE AND TIME: April 16, 2012, 5:00 p.m.
EOE/VET PREF/DRUG FREE WORKPLACE

AGENCY FOR HEALTH CARE ADMINISTRATION

EXEMPTIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Duval District: 4-3
ID # E120005 Decision: A Issue Date: 3/27/2012
Applicant/ Facility/Project: Brooks Skilled Nursing Facility A, Inc.

Project Description: Divide CON #10133 into two components of 87 and 32 community nursing home beds.

Proposed Project Cost: \$0.00
County: Duval District: 4-3
ID # E120006 Decision: A Issue Date: 3/27/2012
Applicant/Facility/Project: Brooks Skilled Nursing Facility A, Inc.

Project Description: Combine 32 community nursing home beds from CON #10133 with 68 beds from CON #10105.

Proposed Project Cost: \$742,500.00

EXEMPTION

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Marion District: 3
ID # E120002 Decision: A Issue Date: 3/2/2012
Applicant/ Facility: Ocala Behavioral Health, LLC d/b/a The Vines Hospital.
Applicant: Project Description: Add 16 adult psychiatric beds.
Project Cost: \$0.00

EXEMPTION

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Miami-Dade District: 11
ID # E120004 Decision: A Issue Date: 3/22/2012
Applicant/Facility: West Gables Rehabilitation Hospital.
Project Description: Add six comprehensive medical rehabilitation beds.
Project Cost: \$150,000.00

Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Winter Haven Hospital, 200 Avenue F, N.E., Winter Haven, FL 33881, 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 Orthopedics. 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

The Department of Environmental Protection has determined that City of Eagle Lake's proposed five new submersible pump lift stations to replace the existing deteriorating dry pit/wet well lift stations will not have a significant adverse affect on the environment. The total construction cost is estimated at

\$1,250,000. The project is expected to qualify for a Small Community Wastewater Construction Grant and 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 Notice can be obtained by writing to: Pankaj Shah, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

Florida State Clearinghouse

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://appprod.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On March 23, 2012, State Surgeon General, issued an Agreed Order of Restriction of License with regard to the license of Donald B. Bletz, M.D., License #ME 67306. This Agreed Order of Restriction of License 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mari Charlene Fielding, M.D., License #ME 66256. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Andrew G. Frank, M.D., License #ME 15876. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dona Iris Beckmann, R.N., License #RN 3193572. 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 (2011). 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.

Notice of Emergency Action

On March 22, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Pattie Darlene Cahall, R.N., License #RN 2537172. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lori Denise Clayton, R.N., License #RN 9182363. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Janet Lynn Kalman, R.N., License #RN 9240332. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Danielle Lee Scott, R.N., License #RN 9288783. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Rony Cabral, RPT, License #RPT 25893. 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 (2011). 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.

Notice of Emergency Action

On March 23, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Baldwin I O Ihenacho, RPH, License #PS 27158. 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.

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 applications:

APPLICATIONS WITHDRAWN

Application To Establish An International Branch Office
 Applicant and Location: NCG Banco, S.A., A Coruña, Spain
 Proposed Florida Locations: 1111 Brickell Avenue, Suite 2600, Miami, Florida 33131
 Proposed Name: NCG Banco, S.A.
 Date Received: October 24, 2011
 Date Withdrawn: March 27, 2012
 Application To Merge
 Constituent Institutions: Floridian Bank, Daytona Beach, Florida and Orange Bank of Florida, Orlando, Florida
 Resulting Institution: Floridian Bank
 Received: September 27, 2011
 Date Withdrawn: March 20, 2012

NOTICE OF PUBLIC HEARING CONCERNING
 A PROPOSED CHANGE IN BANK CONTROL

Notice is hereby given that pursuant to Section 120.80(3), Florida Statutes, a Public Hearing will be held on Tuesday, April 24, 2012, 1:30 p.m., concerning the application filed with the Florida Office of Financial Regulation by Guido F. Hinojosa Cardoso for a Certificate of Approval to Purchase or Acquire a Controlling Interest in Sunrise Bank, Cocoa Beach, Brevard County, Florida (the "Bank"). In the event the proposed transaction is approved by the Florida Office of Financial Regulation and by the Board of Governors of the Federal Reserve System, the Bank will continue to transact business at its main office located at 5604 North Atlantic Avenue, Cocoa Beach, Florida 32931.
 The Public Hearing will be held at the Tallahassee Offices of the Florida Office of Financial Regulation, Division of Financial Institutions, Fletcher Building, Sixth Floor

Conference Room (Suite #630-D), 200 East Gaines Street, Tallahassee, Florida 32399. The Hearing is open to members of the general public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE OF APPLICATION PERIOD
 Spring Training Baseball Facilities

The Department of Economic Opportunity announces an application period for local governments to receive state funding for Spring Training Baseball Facilities based on the requirements set forth in Section 288.11621(2), F.S. (2011).

DEADLINE: Applications will be accepted by the Florida Sports Foundation until 5:00 p.m. (EDT), July 6, 2012. Applications must be received in the Florida Sports Foundation's office by the above stated deadline. Applications received after the published deadline shall be deemed late and will not be considered for funding. Applications may not be changed once submitted.

APPLICATION: The original and seven (7) copies of the application should be submitted to the Florida Sports Foundation at the address below.

ADDRESS: For mail and carrier service deliveries, the address is:

Florida Sports Foundation
 ATTN: President
 2930 Kerry Forest Parkway, Suite 100
 Tallahassee, FL 32309
 Tel: (850)488-8347
 Fax: (850)922-0482

MORE INFORMATION: Interested parties may obtain additional information from: Florida Sports Foundation, (850)488-8347 or at the address above.

ENVIRONMENTAL PROTECTION AGENCY

*** PUBLIC NOTICE ***

U.S. Environmental Protection Agency
 Outer Continental Shelf Air Permit OCS-EPA-R4008
 for BHP Billiton Petroleum, Inc.
 Public Comment Period: April 4, 2012 – May 7, 2012

The United States Environmental Protection Agency is seeking public comment on a draft Clean Air Act (CAA) Outer Continental Shelf (OCS) air permit for BHP Billiton Petroleum, Inc. (BHPB), 1360 Post Oak Blvd., Suite 150, Houston, Texas 77056. The draft permit will regulate air pollutant emissions from one of two deepwater exploratory drilling vessels and associated support fleet that BHPB proposes to operate within DeSoto Canyon OCS lease blocks 499, 543-545, 586-592, 631-640, 676-685, 721-729, 768-773

and 815-817 in the Gulf of Mexico. The drilling area is located approximately 120 miles southeast of the nearest Louisiana shoreline, 139 miles south southeast of the nearest Mississippi shoreline and 125 miles south of the nearest Alabama and Florida shorelines. The project will last for less than two years and does not include the establishment of any permanent production platforms.

EPA Region 4 is the agency responsible for implementing and enforcing CAA requirements for OCS sources in the Gulf of Mexico east of longitude 87.5°. Pursuant to section 328 of the CAA, 42 U.S.C. § 7627 and the air quality regulations applicable to OCS sources set forth in Title 40, Code of Federal Regulations (CFR), part 55, an OCS source is required to obtain an air quality permit before beginning construction and an operating permit within 12 months of becoming an OCS source. BHPB has opted to apply for an operating permit concurrently with the preconstruction air quality permit. EPA has completed review of BHPB’s air permit application and supplemental material and is soliciting comments on our proposal to issue Permit No. OCS-EPA-R4008 to BHPB for an exploratory drilling project subject to the terms and conditions described in the permit.

EPA has prepared a draft permit for public comment, as well as a preliminary determination/statement of basis document that explains the derivation of the permit conditions. These documents are available on EPA Region 4’s website: <http://www.epa.gov/region4/air/permits/ocspemits/ocspemits.html>.

To request a copy of these documents or to be added to our BHPB permit mailing list, please contact: Ms. Rosa Yarbrough, Permit Support Specialist, (404)562-9643 or R4OCSpermits@epa.gov. For questions on the draft permit, please contact: Mr. Andrew Porter, (404)562-9184 or email: porter.andrew@epa.gov.

Send comments on the draft permit and requests for a public hearing to: Andrew Porter, EPA Region 4, APTMD, 61 Forsyth Street, S.W., Atlanta, GA 30303, Fax: (404)562-9066, email: R4OCSpermits@epa.gov or submit comments electronically via: www.regulations.gov, which can be accessed through the EPA Region 4 website listed above. Public Comments must be received by email, submitted electronically via: www.regulations.gov or postmarked, by May 7, 2012. Public Hearing requests must be received by EPA by email or mail, by April 20, 2012.

Project Emissions: The maximum potential annual emissions in tons per year for each drillship and support vessels are summarized in the following table. The project is a temporary source subject to Prevention of Significant

Deterioration and Title V permitting requirements. BHPB is required to apply Best Available Control Technology for emissions of NO_x, CO, VOC, PM/PM₁₀/PM_{2.5}, and greenhouse gases (GHGs).

| Pollutant | C.R. Luigs Potential to Emit, Tons per Year | DDI Potential to Emit, Tons per Year | Significant Emission Rate, Tons per year | PSD Review Required? |
|--------------------------------|---|--------------------------------------|--|----------------------|
| PM | 66.02 | 59.62 | 25 | Yes |
| PM10 | 41.15 | 34.94 | 15 | Yes |
| PM2.5 | 40.16 | 33.96 | 10 | Yes |
| NOX ¹ | 1699.60 | 1306.04 | 40 | Yes |
| SO ₂ ¹ | 0.91 | 0.88 | 40 | No |
| H ₂ SO ₄ | 0.03 | 0.03 | 7 | No |
| CO | 373.69 | 308.53 | 100 | Yes |
| VOC ¹ | 81.61 | 74.36 | 40 | Yes |
| GHGs (CO ₂ e) | 101,574.72 | 97,503.61 | 75,000 (subject to regulation threshold) | Yes |
| Lead | 0.02 | 0.02 | 0.60 | No |

¹ NO_x and VOC are the measured precursors for the criteria pollutant ozone. NO_x & SO₂ are precursors for PM_{2.5}.

Public Comments: Any interested person may submit written comments on the draft permit during the public comment period. If you believe any condition of the permit is inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting your position by the end of the comment period. Any documents supporting your comments must be included in full and may not be incorporated by reference unless they are already part of the record for this permit or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials.

Comments should focus on the draft air quality permit, the permit terms, and the air quality aspects of the project. The objective of the OCS air quality program is to control air pollution from OCS sources to attain and maintain ambient air quality standards and to prevent significant adverse environmental impact from air pollution by a new or modified OCS source. If you have more general concerns regarding things such as leasing, non-air quality impacts, drilling safety, discharge, etc., these should be addressed during the leasing and approval proceedings of the Bureau of Ocean Energy Management, which is the lead agency for this project.

All comments on the draft permit must be received by email, submitted electronically via: www.regulations.gov, which can be accessed through the EPA Region 4 website listed above, or postmarked by May 7, 2012. An extension of the 30-day comment period may be granted if the request for an extension adequately demonstrates why additional time is required to prepare comments. Comments must be sent or delivered in writing to the address above. All comments will be included in the public docket without change and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information or other information whose disclosure is restricted by statute. Information that you consider Confidential Business Information or otherwise protected should be clearly identified as such and should not be submitted through email. If you send email directly to EPA, your email address will be captured automatically and included as part of the public comment. Please note that an email or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and responses to comments submitted during the public comment period.

All timely comments will be considered in making the final decision, included in the record, and responded to by EPA. Similar comments may be grouped together in our response, and EPA will not respond to individual commenters directly.

Public Hearing: EPA has discretion to hold a public hearing if we determine there is significant public interest in the draft permit. Requests for a public hearing must be received by EPA by email or mail by April 20, 2012, and must state the nature of the issues proposed to be raised in the hearing. If a public hearing is held, you may submit oral or written comments on the proposed permit at the hearing. You do not need to attend the public hearing to submit written

comments. If there is significant public interest, a public hearing will be held on May 3, 2012, 3:00 p.m. – 5:00 p.m., at the following location: Palmetto Branch Library, 923 6th Street West, Palmetto, Florida 34221, (941)722-3333. If no timely request for a public hearing is received or EPA determines that there is not significant interest, the hearing will be cancelled. An announcement of cancellation will be posted on EPA's website: <http://www.epa.gov/region4/air/permits/ocspermits/ocspermits.html> or you may call EPA at the contact number above to determine if the public hearing has been cancelled.

Permit Documents: EPA's draft permit and preliminary determination/statement of basis; BHPB's application and supporting documentation; and comments received from the public, other government agencies, and the applicant during the public comment period become part of the administrative record for the permit. All data submitted by the applicant is available as part of the administrative record. The administrative record is available through EPA's website: <http://www.epa.gov/region4/air/permits/ocspermits/ocspermits.html>. The administrative record is also available at the EPA Region 4 office (please call in advance for available viewing times): 61 Forsyth Street, S.W., Atlanta, GA 30303, (404)562-9643.

Final Determination: A final decision to issue a permit or to deny the application for the permit shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has submitted written comments or requested notice of the final permit decision, provided EPA has adequate contact information.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN March 19, 2012
 and March 23, 2012**

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

DEPARTMENT OF STATE
Division of Library and Information Services

| | | | | |
|----------|---------|---------|------|--|
| 1B-2.011 | 3/21/12 | 4/10/12 | 38/4 | |
|----------|---------|---------|------|--|

DEPARTMENT OF EDUCATION
State Board of Education

| | | | | |
|-------------|---------|--------|------|--|
| 6A-1.099822 | 3/19/12 | 4/8/12 | 38/4 | |
| 6A-6.0782 | 3/19/12 | 4/8/12 | 38/1 | |
| 6A-6.0783 | 3/19/12 | 4/8/12 | 38/1 | |
| 6A-20.0131 | 3/19/12 | 4/8/12 | 38/4 | |

STATE BOARD OF ADMINISTRATION

| | | | | |
|----------|---------|---------|------|--|
| 19-7.001 | 3/22/12 | 4/11/12 | 38/6 | |
| 19-7.002 | 3/22/12 | 4/11/12 | 38/6 | |

WATER MANAGEMENT DISTRICTS
St. Johns Water Management District

| | | | | |
|-----------|---------|--------|-------|--|
| 40C-9.250 | 12/1/11 | 3/9/12 | 37/40 | |
|-----------|---------|--------|-------|--|

DEPARTMENT OF HEALTH
Board of Opticianry

| | | | | |
|--------------|---------|--------|------|--|
| 64B12-8.019 | 3/20/12 | 4/9/12 | 38/3 | |
| 64B12-9.002 | 3/20/12 | 4/9/12 | 38/5 | |
| 64B12-10.007 | 3/20/12 | 4/9/12 | 38/5 | |
| 64B12-10.012 | 3/20/12 | 4/9/12 | 38/5 | |
| 64B12-11.003 | 3/20/12 | 4/9/12 | 38/5 | |
| 64B12-16.003 | 3/20/12 | 4/9/12 | 38/5 | |

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

Division of Environmental Health

| | | | | |
|------------|---------|---------|------|--|
| 64E-18.005 | 3/21/12 | 4/10/12 | 38/4 | |
|------------|---------|---------|------|--|

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| | | | | |
|--------------------|---------|--------|------|--|
| 68A-20.005(4)(p)2. | 3/23/12 | 7/1/12 | 38/1 | |
|--------------------|---------|--------|------|--|

Marine Fisheries

| | | | | |
|--------------|---------|---------|------|--|
| 68B-14.0035 | 3/23/12 | 3/23/12 | 38/9 | |
| 68B-14.00355 | 3/23/12 | 3/23/12 | 38/9 | |
| 68B-14.0039 | 3/23/12 | 3/23/12 | 38/9 | |

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL
 PURSUANT TO (CHAPTER 2010-279, LAWS OF
 FLORIDA)**

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

| | | | | |
|-----------|--------|-------|-------|--|
| 5F-11.002 | 7/7/11 | ***** | 37/14 | |
|-----------|--------|-------|-------|--|

DEPARTMENT OF ENVIRONMENTAL PROTECTION

| | | | | |
|------------|--------|-------|------|--|
| 62-304.300 | 3/2/11 | ***** | 38/3 | |
|------------|--------|-------|------|--|

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

| | | | | |
|-----------|----------|-------|-------|-------|
| 69L-7.020 | 10/24/11 | ***** | 37/24 | 37/36 |
|-----------|----------|-------|-------|-------|

Section XIV
List of Rules Affected

This “List of Rules Affected” is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w – Signifies Withdrawal of Proposed Rule(s)
- c – Rule Challenge Filed
- v – Rule Declared Valid
- x – Rule Declared Invalid
- d – Rule Challenge Dismissed
- dw – Dismissed Upon Withdrawal

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|----------|-------------------|------------------|------------------|
|----------|-------------------|------------------|------------------|

STATE

| | | | |
|----------|-------|--|-------|
| 1B-2.011 | 38/4 | | 38/14 |
| 1T-1.036 | 38/1 | | 38/13 |
| 1T-1.037 | 38/3 | | 38/13 |
| 1T-1.039 | 38/14 | | |

AGRICULTURE AND CONSUMER SERVICES

| | | | |
|-----------|-------|-------|-------|
| 5E-2.036 | 38/10 | | |
| 5E-2.040 | 38/10 | | |
| 5E-14.117 | 37/51 | 38/11 | |
| 5E-14.142 | 37/51 | 38/11 | |
| 5E-14.149 | 37/51 | 38/11 | |
| 5E-14.150 | 37/51 | 38/11 | |
| 5F-11.002 | 37/14 | | |
| 5I-4.002 | 38/4 | | |
| 5I-4.003 | 38/4 | | |
| 5I-4.005 | 38/4 | | |
| 5I-4.006 | 38/4 | | |
| 5I-4.007 | 38/4 | | |
| 5I-4.008 | 38/4 | | |
| 5I-4.011 | 38/4 | | |
| 5I-5.001 | 38/4 | | |
| 5I-5.002 | 38/4 | | |
| 5I-5.003 | 38/4 | | |
| 5I-5.004 | 38/4 | | |
| 5I-5.005 | 38/4 | | |
| 5I-5.006 | 38/4 | | |
| 5I-5.007 | 38/4 | | |
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