

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

| RULE NO.: | RULE TITLE: |
|------------|---|
| 6A-6.03026 | Special Programs for Prekindergarten Children with Disabilities |
| 6A-6.03030 | Special Programs for Children Birth Through Two Years Old who have Established Conditions |
| 6A-6.03031 | Special Programs for Children Birth Through Two Years Old who are Developmentally Delayed |

PURPOSE AND EFFECT: The purpose of this rule development is to revise Rule 6A-6.03026, F.A.C., for the purpose of conforming references and rule titles to revised rules and to remove obsolete and redundant language. The effect will be a rule that includes accurate references. Additionally the rule is being revised to clarify that an individual educational plan team may recommend that a child with a disability who is eligible for public kindergarten in accordance with Section 1003.21, Florida Statutes, may continue to receive services in the prekindergarten program for one additional year. While presently permitted in rule, there is no specific limitation with regard to the amount of time this is allowed. The draft language also stipulates that parent or guardian must be informed of the implications of remaining in the prekindergarten program for an additional year. The effect will be increased parental awareness and understanding of the implications of such a decision. Rules 6A-6.03030 and 6A-6.03031, F.A.C., are being revised to ensure that procedures and practices for evaluating and determining eligibility for infants and toddlers with established conditions and developmental delays conform to the requirements of the Department of Health Early Steps Program. The Department of Health is the lead agency for early intervention services provided to infants and toddlers with disabilities through Part C of the Individuals with Disabilities Education Act. In collaboration with Early Steps, school districts may provide early intervention services for eligible infants and toddlers with disabilities. The effect will be rules that align with the definitions and requirements of the Department of Health.

SUBJECT AREA TO BE ADDRESSED: Criteria for eligibility as an infant or toddler with an established condition or developmental delay and definitions of a prekindergarten child with a disability and the instructional program.

RULEMAKING AUTHORITY: 1003.01, 1003.21, 1003.57 FS.

LAW IMPLEMENTED: 1003.01, 1003.21, 1003.57 FS.

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

DATE AND TIME: July 26, 2012, 1:30 p.m.

PLACE: Via telephone conference call at 1(888)670-3525; participant pass code is 2977283213; participants may access a presentation by linking to <http://fcim.adobeconnect.com/rule/> immediately prior to the telephone conference call. For anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Ed.D., Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475. To submit a comment on this rule development go to: <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

COMMISSION ON ETHICS

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 34-8.002 | General Rules for Filing the CE Form 6 – Full and Public Disclosure of Financial Interests |
| 34-8.008 | Final Filing Using the CE Form 6F |
| 34-8.009 | Amended Filing Using the CE Form 6X |
| 34-8.202 | General Rules for Filing the CE Form 1 – Statement of Financial Interests |
| 34-8.208 | Final Filing Using the CE Form 1F |
| 34-8.209 | Amended Filing Using the CE Form 1X |

PURPOSE AND EFFECT: The Commission proposes to change these rules to adopt by reference the CE Form 6, CE Form 6F, CE Form 6X, CE Form 1, CE Form 1F, and CE Form 1X that will be used by filers in calendar year 2013.

SUBJECT AREA TO BE ADDRESSED: The financial disclosure forms that local officers, state officers, and specified state employees are required to file are affected by this rulemaking.

RULEMAKING AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(6), 112.3144(7), 112.3145(9), 112.3147, 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(5), 112.3144(6), 112.3144(7), 112.3145, 112.3145(2)(b), 112.3145(9) 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: Julia Cobb Costas, Assistant General Counsel, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, telephone (850)488-7864 or costas.julie@leg.state.fl.us

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.110
RULE TITLE: Project AIDS Care Waiver Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.110, F.A.C., is to incorporate by reference the Project AIDS Care Waiver Services Coverage and Limitations Handbook, August 2012. The handbook is being updated to clarify policy, outline responsibilities for providers, and update fiscal agent information.

SUBJECT AREA TO BE ADDRESSED: Project AIDS Care Waiver Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-13.110, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, July 31, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 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 48 hours before the workshop/meeting by contacting: Brenda Jones-Garrett at the Bureau of Medicaid Services, (850)412-4260. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Brenda Jones-Garrett, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop

20, Tallahassee, Florida 32308-5407, telephone: (850)412-4260, e-mail: brenda.jones-garrett@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.110 Project AIDS Care Waiver Services.

(1) This rule applies to all Project AIDS Care waiver services providers enrolled in the Medicaid program.

(2) All Project AIDS Care waiver services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Project AIDS Care Waiver Services Coverage and Limitations Handbook, August 2012 ~~July 2003, updated December 2005~~, which is incorporated by reference, ~~and the Florida Medicaid Provider Reimbursement Handbook, Non Institutional 081, which is incorporated by reference in Rule 59G-13.001, F.A.C.~~ The Both handbooks is are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting Option 7 by calling Provider Enrollment at (800)377-8216 or from the fiscal agent's website at <http://floridamedicaid.aes-inc.com>. Click on Provider Support, and then on Handbooks.

(3) No change.

~~Rulemaking Specific~~ Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History– New 2-3-05, Amended 5-31-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.013
RULE TITLE: Service Maintenance Contracts, Reporting Requirements; and Maintenance Control Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to update elevator safety code references and service maintenance contract requirements, specify conflict of interest provisions, update service maintenance contract verification and notification requirements, adopt an optional form, and address ownership of maintenance control programs.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address service maintenance contract minimum performance standards, verification and notification, and maintenance control programs.

RULEMAKING AUTHORITY: 399.10 FS.

LAW IMPLEMENTED: 399.10, 399.061 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comingore, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011, Michelle.Comingore@dbpr.state.fl.us, (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.013 Service Maintenance Contracts, Reporting Requirements; and Maintenance Control Programs.

(1) A service maintenance contract as defined by Section 399.01(10), F.S., must include routine examinations and periodic safety tests and meet the following minimum requirements: For the purpose of this chapter, the term “routine examination” as it relates to the definition of a service maintenance contract means:

(a) Routine examinations and periodic safety tests Registered elevator companies that enter into service maintenance contracts with elevator owners must follow the procedures established by the safety standards adopted in Rule 61C-5.001, F.A.C. within the scope of ASME A17.2, as incorporated by reference, for routine examinations and periodic safety tests of elevators;

(b) The periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as referenced in the Florida Building Code, must be conducted within the time frames established by that standard;

(b)(e) The Rroutine examinations examination by registered elevator companies shall be performed at least annually. Category 1 periodic safety tests shall be performed annually. Category 5 periodic safety tests shall be performed every five years. Routine examinations and periodic safety tests must be performed by a certified elevator technician or certified elevator inspector, on a yearly basis; and

(c) Periodic safety tests and routine examinations must be witnessed by a certified elevator inspector who is not performing the safety test or routine examination or an employee of the registered elevator company holding the service maintenance contract.

(d) The registered elevator service maintenance company must make a written performance record indicating the date or dates of routine examinations and required testing. This performance record must be maintained in the elevator machine room and, available for review by the division or its contractual designees.

(e) The annual safety inspection required for certificate of operation renewal shall not be included in a service maintenance contract.

(2) The following reporting requirements must be met before a service maintenance contract can qualify a two-stop elevator or other conveyance for the annual inspection exemption under Section 399.061(1), F.S. If the periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as referenced in the Florida Building Code, are not included in a service maintenance contract, the service contract will not be valid and will not be considered to be a service maintenance contract as defined by Section 399.01(10), F.S.

(a) The registered elevator company holding a service maintenance contract for a two-stop elevator or other conveyance meeting the annual inspection exemption in Section 399.061(1), F.S., must verify annually the existence of a valid service maintenance contract and the contract expiration date. Verification must be submitted to the division through the company’s online account located on the department’s website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01341>), adopted herein by reference and effective _____, or a written document providing the same information. Copies of this form are available from the Division of Hotels and Restaurants website at www.MyFloridaLicense.com/dbpr/hr; by e-mail to dh.elevators@dbpr.state.fl.us; by phone request to the department at (850)487-1395; or upon written request to the Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

(b) The owner or lessee, when owner responsibilities are specifically assigned by lease, is responsible for ensuring the division receives the verification of the valid service maintenance contract. In the event the registered elevator company fails to provide the verification as required in paragraph (a), the owner or lessee must verify the the existence of a valid service maintenance contract, the contract expiration date, and the name of the elevator company holding the contract. Verification must be submitted to the division through the owner’s or lessee’s online account located on the department’s website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT or a written document providing the same information.

(3) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), F.S., must notify the division in writing within 30 days of cancellation, termination, or expiration of the service maintenance contract. Notification must be submitted

to the division through the owner’s or lessee’s online account located on the department’s website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT or a written document providing the same information. For the purpose of this section, Notification is not required if the service maintenance contract is renewed or a new contract is executed within 30 days of cancellation, termination, or expiration and, provided that proper notification of the terms of the new or renewed service maintenance contract is submitted by the registered elevator company on letterhead attesting to the existence of a service maintenance agreement as required for license renewal.

(4) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), F.S., must notify the division in writing within 30 days of transfer of ownership of the service maintenance contract ownership.

(5) Written verifications and notifications shall be mailed to the Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, or e-mailed to dh.elevators@dbpr.state.fl.us.

(6) A copy of any maintenance control program developed for an elevator must be maintained in the elevator machine room and shall remain property of the elevator owner.

Rulemaking Specific Authority [399.02](#), [399.061](#), [399.10](#) FS. Law Implemented [399.01](#), [399.061](#) FS. History—New 2-2-94, Amended 10-4-00, 4-2-08, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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| RULE NOS.: | RULE TITLES: |
| 62-699.200 | Definitions |
| 62-699.310 | Classification and Staffing of Domestic Wastewater or Water Treatment Plants and Water Distribution Systems |
| 62-699.311 | Additional Classification and Staffing Requirements |

PURPOSE AND EFFECT: The Department is making clarifications and reductions to existing classification and staffing requirements for domestic wastewater treatment plants, water treatment plants, and water distribution systems.

SUBJECT AREA TO BE ADDRESSED: Rule 62-699.200, F.A.C., is being amended to delete definitions that duplicate definitions in the Florida Statutes and add definitions of “biosolids treatment facility,” “water main,” and “water service line.” Rule 62-699.310, F.A.C., is being amended to clarify that certain transient non-community water systems serving religious institutions are exempt from operator staffing requirements; clarify that the phrase “public food service establishment” is defined in several chapters of the Florida Statutes; clarify the procedure for determining the category and

classification of wastewater or water treatment plants and water distribution systems; reduce operator staffing requirements for some water treatment processes; and clarify the exception for operator staffing of certain water distribution system operation and maintenance activities when the activities are being performed by a construction contractor. Rule 62-699.311, F.A.C., is being amended to reduce the required number of owner checks or visits for some water treatment plants; clarify existing supplemental requirements for lead/chief operators of Class A or B treatment plants; and allow for reduced operator staffing at treatment plants that are operational fewer hours per day, or fewer days per week, than they must be staffed per paragraph 62-699.310(2)(a) or (e), F.A.C.

RULEMAKING AUTHORITY: 403.869, 403.88(4) FS.

LAW IMPLEMENTED: 403.182, 403.852, 403.853(6), 403.862, 403.866, 403.867, 403.875(1)(f), 403.88(1), 403.88(2), 403.88(3) 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: Tuesday, July 24, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400, (850)245-8630, e-mail: Virginia.Harmon@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400, (850)245-8630, e-mail: Virginia.Harmon@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Council of Medical Physicists

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| RULE NO.: | RULE TITLE: |
| 64B23-2.001 | Documentation for Licensure |

PURPOSE AND EFFECT: To update the material incorporated by reference to comply with the requirements in Chapter 2012-64, L.O.F., and to amend the items that are required to be submitted with each application.

SUBJECT AREA TO BE ADDRESSED: Licensure applications related to Medical Physicists.

RULEMAKING AUTHORITY: 456.004, 456.013, 483.901(6)(b) FS.

LAW IMPLEMENTED: 456.013, 483.901(6)(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: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Division of Disease Control

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|-----------|--------------------------------------|
| RULE NO.: | RULE TITLE: |
| 64D-2.002 | Definitions |
| 64D-2.003 | Confidentiality |
| 64D-2.004 | Testing Requirements |
| 64D-2.006 | Registration of HIV Testing Programs |

PURPOSE AND EFFECT: Revise rules to comply with updated statutes and rules and streamline the HIV testing process in county health department clinic sites.

SUBJECT AREA TO BE ADDRESSED: HIV testing program.

RULEMAKING AUTHORITY: 381.0011, 381.003, 381.004, 381.0041(10), 384.33 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.004, 381.0031, 381.0041, 384.31, 456.061 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: Marlene LaLota, Bureau of HIV/AIDS, Florida Department of Health, Bin #A09, 4052 Bald Cypress Way, Tallahassee, FL 32399-1715, telephone number (850)245-4423

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

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|------------|--|
| RULE NOS.: | RULE TITLES: |
| 65C-13.022 | Definitions |
| 65C-13.023 | Background Screening Requirements |
| 65C-13.024 | Pre-service Training |
| 65C-13.025 | Initial Licensing Procedures |
| 65C-13.026 | In-Service Training |
| 65C-13.027 | Changes During the Licensed Year |
| 65C-13.028 | Re-Licensing |
| 65C-13.029 | Licensed Out-of-Home Team Member Roles |
| 65C-13.030 | Standards for Licensed Out-of-Home Caregivers |
| 65C-13.031 | Terms of a License |
| 65C-13.032 | Capacity, Placement, and Over-Capacity Assessments |
| 65C-13.033 | Babysitting, Respite and Other Supervision |
| 65C-13.034 | Complaint Investigations and foster Care Referrals |
| 65C-13.035 | Administrative Actions, Appeals and Closures |

PURPOSE AND EFFECT: Amendments to this rule will implement current statutory requirements and address pre-service training for out-of-home caregivers; continuing education requirements; role of foster parents; normalcy activities for children in foster care; and licensing requirements.

SUBJECT AREA TO BE ADDRESSED: Substitute Care of Children.

RULEMAKING AUTHORITY: 39.012, 39.0121, 402.40, 409.175 FS.

LAW IMPLEMENTED: 39.012, 39.0121, 402.40, 409.175 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Stacey Cleveland, (850)717-4647. 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: Stacey Cleveland, (850)717-4647

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

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

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

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

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

It is estimated that, over the course of five years, this rule will have a total cost impact of approximately \$72,900. This estimate is based on a cost of \$9 an hour for employee time, an estimate that it will take each impacted provider 45 minutes to comply with the requirements of the rule and an estimate of 10,800 impacted providers. The cost impact to each provider would be approximately \$6.75 per provider per year.

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

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

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

LAW IMPLEMENTED: 411.01(4)(d)9. 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: July 27, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32301, or via WebEx which may be accessed at the following website: http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ed Hoover, (850)717-8550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephanie Savestanan at (850)717-8550

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-4.610 Statewide Provider Contract for the School Readiness Program.

(1) The Statewide School Readiness Provider Contract (Form OEL-SR 20, dated August 2012) is hereby incorporated by reference.

(2) An early learning coalition may not pay a School Readiness (SR) provider which registers to offer the SR program on or after October 1, 2012, except under the Statewide School Readiness Provider Contract adopted herein with the coalition. A coalition must be a party to a Statewide School Readiness Provider Contract.

(3) The Statewide School Readiness Provider Contract may be in effect for a term of up to three (3) years, at the discretion of the coalition, after which point the Statewide School Readiness Provider Contract must be executed again. A school district may sign a single Statewide School Readiness Provider Contract on behalf of all public schools in the district offering the SR program. The owner or manager of multiple private child care providers may sign a single Statewide School Readiness Provider Contract on behalf of all of his or her private providers within an early learning coalition service area in which it operates.

(4) To request participation in the SR program, a provider must complete and execute a copy of the Statewide School Readiness Provider Contract and submit all required documentation as indicated in the Statewide School Readiness Provider Contract to the early learning coalition under which the provider will operate. Upon determination that a provider is eligible to participate in the SR program, an early learning coalition shall complete and execute the Statewide School Readiness Provider Contract which has been executed by the provider.

(5) An early learning coalition which determines a provider is eligible to offer the SR program shall forward a copy of the fully executed Statewide School Readiness

Provider Contract to the SR provider to inform the provider of its eligibility to offer the SR program. A coalition shall keep the original fully executed Statewide School Readiness Provider Contract in the coalition's records on the SR provider.

(6) Neither a coalition nor an SR provider may omit, supplement, or amend the terms and conditions of the Statewide School Readiness Provider Contract. Neither a coalition nor an SR provider may include any attachments, addenda, or exhibits to the Statewide School Readiness Provider Contract except Exhibit 1 (Provider Location List) and Exhibit 2 (Required Documentation) which are incorporated as part of Form OEL-SR 20.

Rulemaking Authority 411.01(4)(e) FS. Law Implemented 411.01(4)(d)9. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephanie Savestanan, Policy Director, Florida's Office of Early Learning

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Mel Jurado, Director, Florida's Office of Early Learning

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011, Vol. 37/51

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 40E-0.102 | Time for Consideration of Emergency Petition for Variance or Waiver |
| 40E-0.109 | Point of Entry Into Proceedings and Mediation |
| 40E-0.113 | Variances from Specified Review Criteria for Environmental Resource Permits |

PURPOSE AND EFFECT: To update the District's rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The proposed amendments update the delegation authority of the Governing Board pursuant to Sections 373.079(4) and 373.083(5), F.S., and remove reference to a repealed 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 proposed amendments are procedural in nature and have no economic impact.

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

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: 120.54(5), 373.044, 373.113, 373.171, 373.414(17) FS.

LAW IMPLEMENTED: 120.54(5), 120.569, 120.57, 120.60, 373.079, 373.083, 373.146, 373.413, 373.427, 403.021, 668.003, 668.004, 668.50 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299.

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-0.102 Time for Consideration of Emergency Petition for Variance or Waiver.

Notwithstanding Rule 28-104.005, F.A.C., when a petition for an emergency variance or waiver requires action by the ~~District Governing Board~~, the ~~District Board~~ shall grant or deny a petition for emergency variance or waiver within 30 days of its receipt or at the next regularly scheduled meeting for which notice may be properly given.

Rulemaking ~~Specific~~ Authority 120.54(5) FS. Law Implemented 120.54(5), ~~373.079, 373.083~~ FS. History–New 7-2-98, Amended _____.

40E-0.109 Point of Entry Into Proceedings and Mediation. Point of entry into proceedings determining substantial interests are governed by Rule 28-106.111, F.A.C., and this section.

(1)(a) “Receipt of written notice of agency decision” as set forth in Rule 28-106.111, F.A.C., means receipt of either written notice through regular United States mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.

(b) If notice is published pursuant to this chapter, publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.

(2) If the ~~District Board~~ takes action which substantially differs from the notice of intended agency decision, the applicant or persons who may be substantially affected shall have an additional point of entry pursuant to Section 28-106.111, F.A.C., unless otherwise provided by law. The ~~District Board~~ action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.

(3) Notwithstanding Rule 28-106.111, F.A.C., intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands pursuant to Section 373.427, F.S., shall provide a 14 day point of entry to file petitions for administrative hearing under Rule 28-106.111, F.A.C.

Rulemaking Authority 120.54(5), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.54(5), 120.569, 120.57, 120.60, 373.079, 373.083, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 FS. History–New 7-2-98, Amended 6-12-00, 3-22-09, _____.

40E-0.113 Variances from Specified Review Criteria for Environmental Resource Permits.

(1) The ~~District Governing Board~~ is authorized to grant a variance from the provisions of Section 373.414, F.S., paragraph 40E-4.301(1)(e) or Rule 40E-4.302, F.A.C., pursuant to Section 403.201, F.S. The variance under this rule is provided in addition to the variance and waiver procedures set forth in Chapter 28-104, F.A.C., which implements Section 120.542, F.S.

- (2) No change.
(3)(a) through (e) No change.

(f) The steps or measures the petition is taking to meet the requirement from which the variance is sought. ~~If the request is pursuant to subsection 40E-4.311(1), F.A.C., above, the petitioner shall include a schedule when compliance will be achieved.~~

- (g) through (h) No change.
(4) through (7) No change.

Rulemaking ~~Specific~~ Authority 373.044, 373.113, 373.171, 373.414(17) FS. Law Implemented 373.079, 373.083, 403.201 FS. History–New 9-2-98, Amended 6-12-00, 6-26-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 40E-1.021 Definitions, 40E-1.603 Application Procedures for Processing Permit Applications or Notices of Intent, 40E-1.6065 Consideration of Intended Agency Decision on Permit Applications, 40E-1.607 Permit Application Processing Fees, 40E-1.6107 Transfer of Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit, 40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern, 40E-1.659 Forms and Instructions, 40E-1.711 Orders of Corrective Action and Consent Order, 40E-1.715 Civil Penalty Calculation.

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The proposed amendments include: 1) adding chapters applicable to the definitions; 2) clarifying types of permits; 3) deleting references to repealed rules; 4) updating delegation pursuant to Section 373.079(4) and 373.083(5), F.S.; 5) updating rules to comply with Section 120.55(1)(a)4. and 5., F.S., regarding incorporation of forms by reference; 6) updating titles of referenced rules; and 7) updating rule pursuant to Section 373.119, 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 proposed amendments are procedural in nature and have no economic impact.

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

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(1), 218.075, 373.044, 373.109, 373.113, 373.333, 373.4136, 373.416, 373.421(2), 373.421(6)(b), 380.051, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.60, 120.69, 218.075, 373.079, 373.083, 373.107, 373.109, 373.113, 373.116, 373.119, 373.129, 373.136, 373.171, 373.209, 373.229, 373.309, 373.4135, 373.4136, 373.416, 373.417, 373.421, 373.422, 373.426, 373.429, 373.430, 373.436, 373.603, 380.051, 403.201, 668.003, 668.004, 668.50, 704.06 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District,

3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-1.021 Definitions.

When used in this Chapter, Chapters 40E-2, 40E-4, 40E-20, 40E-40, 40E-41, 40E-61, and 40E-400, F.A.C.:

(1) “e-Permitting website” means the District’s website address for e-Permitting at <http://www.sfwmd.gov/ePermitting>.

(2) through (5) No change.

~~Rulemaking Specific Authority 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 668.003, 668.004, 668.50 FS. History—New 10-1-06, Amended _____.~~

40E-1.603 Application Procedures for Processing Permit Applications or Notices of Intent ~~Conceptual Approval, Individual and Standard Permits.~~

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

(b) If the District determines that the application is incomplete, the District shall request the information needed to complete the application within 30 days of its receipt. For individual environmental resource permits, ~~and~~ standard environmental resource permits, individual water use permits, and standard general water use permits, the applicant shall have 90 days from receipt of a timely request for additional information to submit that information to the District.

(c) through (e) No change.

(2) No change.

(3)(a) Agency action on individual permits and conceptual approvals for environmental resource permits shall occur within 90 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

(b) An authorization to proceed for standard general water use permits in Chapter 40E-20, F.A.C., shall occur within 60 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

(c) Agency action on a standard environmental resource permit application in Chapter 40E-40, F.A.C., shall occur within 60 days of receipt of a complete application, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

~~(d) An authorization to proceed for general permits in Chapter 40E-30, F.A.C., shall be issued within 30 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.~~

(d)(e) Noticed general environmental resource permits under Chapter 40E-400, F.A.C., may be utilized by the applicant 30 days after the District receives the notice of intent, unless a notice that the project does not qualify for the noticed general permit is sent by regular United States mail or electronic mail by the District within 30 days, in accordance with Rule 40E-400.211, F.A.C. If notice that the proposed project does not qualify for the noticed general permit is sent by regular United States mail or electronic mail by the District to the applicant, the review process under subsection (1) shall be initiated or the applicant shall be required to apply for the appropriate permit if the requested activity is not covered by the noticed general permit rule.

Rulemaking Authority 120.53(1), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.60, 373.107, 373.109, 373.116, 373.229, 373.417, 373.421, 373.422, 668.003, 668.004, 668.50 FS. History–New 9-3-81, Formerly 16K-1.08(1)-(8), Amended 7-1-86, 7-26-87, 11-21-89, 5-11-93, 10-3-95, 4-1-96, 7-2-98, 6-12-00, 10-1-06, Amended 12-1-11, _____.

40E-1.6065 Consideration of Intended Agency Decision on Permit Applications.

(1) After the application for a permit is declared by staff to be complete, ~~if a governing board hearing on the permit application is required,~~ the District shall prepare a Staff Review Summary, which shall contain its recommendations regarding the subject application and which shall constitute intended agency decision. A notice of intended agency decision together with the Staff Review Summary shall be furnished to the applicant and any persons requesting the same pursuant to Rule 40E-1.6058, F.A.C., as applicable. The notice shall state the District Staff’s recommendation that the District Governing Board approve, deny, or approve with conditions the permit application and the reasons therefore.

(2) The District Governing Board shall consider the application for a conceptual approval, individual environmental resource, individual surface water management, or individual water use permit application at its next available regularly scheduled regulatory meeting following the mailing or electronic mailing of notice of intended agency decision, unless an administrative hearing is requested and granted pursuant to Section 120.569, F.S.

(3) No change.

(4) Because the District Governing Board may take a final agency action which materially differs from the noticed intended agency action, applicants and other interested persons should be prepared to defend their position regarding the permit application when it is considered by the District Governing Board. If the District Governing Board takes final agency action which materially differs from the intended agency decision, the District shall mail by regular United States mail or electronic mail a notice of the final agency action to all persons who were notified of the intended agency decision.

Rulemaking Specific Authority 120.53(1), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.60, 373.079, 373.083, 373.107, 373.109, 373.116, 668.003, 668.004, 668.50 FS. History–New 7-2-98, Amended 6-12-00, 10-1-06, _____.

40E-1.607 Permit Application Processing Fees.

Introductory paragraph – No change.

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)

PERMIT APPLICATION PROCESSING FEES FOR WATER USE PERMIT APPLICATIONS REVIEWED PURSUANT TO CHAPTERS 40E-2 AND 40E-20, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

| Category | Amount |
|---|--------|
| Individual Public Water Supply with a duration less than 20 years Maximum monthly allocation through Aquifer Storage and Recovery – No Change Permit Transfer to Another Entity Pursuant to Rules 40E-0.107 40E-1.611 and 40E-2.351, F.A.C. | \$300 |
| Letter Modification to Individual Permit through Letter Modification to General Permit – No change. | |

(2) No change.

(3) through (7) No change.

Rulemaking Authority 373.044, 373.109, 373.113, 373.421(2), 373.421(6)(b) FS. Law Implemented 218.075, 373.109, 373.421(2), 373.421(6)(b), 403.201 FS. History–New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, _____.

40E-1.6107 Transfer of Environmental Resource, Surface Water Management, ~~or~~ Water Use, or Wetland Resource Permit.

(1) To transfer an environmental resource, surface water management, or water use permit, the permittee, in addition to satisfying the applicable provisions in Rules 40E-2.351, ~~and~~ 40E-4.351, 40E-20.351, and 40E-40.351, F.A.C., must submit Form No. 0483, _____ (date), (hyperlink) _____, Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer, incorporated by reference herein and available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

(2) In addition, the permittee must provide information required in Rule 40E-1.6105, F.A.C., and file a statement from the proposed transferee in writing or at the District’s e-Permitting website that it has reviewed the District permit

and project design and will be bound by all terms and conditions of the permit, including all compliance requirements, for the duration of the permit.

(2) through (4) renumbered (3) through (5) No change.

~~Rulemaking Specific Authority 120.53(1), 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.083, 373.171, 373.309, 373.416, 373.426, 373.429, 373.436, 668.003, 668.004, 668.50 FS. History–New 5-11-93, Amended 10-3-95, 10-1-06, _____.~~

40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern.

(1) through (2) No change.

(3) The following coordinated agency review procedures apply to projects which require permits pursuant to Chapters 40E-2 or 40E-20 (Consumptive Use) and 40E-4 or 40E-40, (Environmental Resource), F.A.C.:

(a) The Coordinated Review Application shall consist of the application information required by Rules 40E-1.603 (Application Procedures for Processing Permit Applications or Notices of Intent), 40E-2.101 (Content of Application) or 40E-4.101 (Content of Application), F.A.C.

(b) No change.

(c) The District’s Coordinated Review process follows the permit review procedures set forth in Rule 40E-1.603, F.A.C. (Application Procedures for Processing Permit Applications or Notices of Intent Conceptual Approval, Individual and Standard Permits).

(d) No change.

(e) The Certification of the Coordinated Review Application required by Section 380.051(2)(a), F.S., and subsections 9J-19.002(3) (Purpose) and 9J-19.009(1) and (2) (Completion of Substantive Review), F.A.C., shall occur within 60 days after the District begins substantive review, and shall consist of the notice of proposed agency action together with the staff report on the individual permit pursuant to subsection 40E-1.603(6) (Application Procedures for Processing Permit Applications or Notices of Intent Conceptual Approval, Individual and Standard Permits), F.A.C., which may recommend denial to the Governing Board, or approval, or approval with conditions to its designee.

(f) No change.

~~Rulemaking Authority 373.044, 373.113, 380.051, 668.003, 668.004, 668.50 FS. Law Implemented 380.051, 668.003, 668.004, 668.50 FS. History–New 9-22-87, Amended 10-3-95, 10-1-06, 12-1-11, _____.~~

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by reference throughout the District’s rules as specified below and are listed herein for convenience. Hyperlinks are provided in the rules in which the forms and instructions are referenced and copies can be obtained without cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436:

| Form No. | Date | Title |
|------------|-------|---|
| 0050A | 7-89 | Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No. |
| 0108 | 3-91 | Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida |
| 0123 | 4-95 | Well Construction Permit Application |
| 0124 | 11-90 | Well Completion Report |
| 0186 | _____ | State of Florida Water Well Contractor’s Application, incorporated by reference in subsection 40E-3.038(3), F.A.C. |
| 0188-QMQ | 8-03 | Quarterly Report of Withdrawals, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0188-MDQ | 8-03 | Monthly Report of Daily Withdrawals |
| 0188-QASR | 8-03 | Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0188-QMON | 8-03 | Quarterly Report of Monitoring Requirements, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0188-QMQF | 8-03 | Quarterly Report of Withdrawals from Wells and Surface Water Pumps, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0188-QCROP | 8-03 | Report of Planting and Harvest of Seasonal Crops, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0188-QBWDR | 8-03 | Quarterly Report of Bulk Water Delivered and Received, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C. |
| 0195 | 6-91 | Public Water Supply Well Information and Classification |
| 0196 | 10-89 | Water Well Inspection Scheduling Card |
| 0444 | 12-11 | No change. |
| 0445 | 8-03 | Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference in subsection 40E-2.101(3), F.A.C. |

| | | |
|---------------------------|--------------------------------------|--|
| 0483 | _____ | Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer, incorporated by reference in subsection 40E-1.6107(1), F.A.C. |
| 0645-W01 | 9-04 | Water Use Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference in subsection 40E-2.101(1), F.A.C. |
| 0645-G60 | 8-03 | Table A Descriptions of Wells, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G61-1 | 8-03 | Table B Description of Surface Water Pumps, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G61-2 | 8-03 | Table C Description of Culverts, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G65 | 8-03 | Table D Crop Information, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G74 | 8-03 | Table E Water Received From or Distributed to Other Entities, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G69 | 8-03 | Table F Past Water Use & Table G Projected Water Use, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G70 | 8-03 | Table H Projected Water Use (For Per Capita Greater than 200 GPD), incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G71 | 8-03 | Table I Water Treatment Method and Losses, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G72 | 8-03 | Table J Aquifer Storage and Recovery, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0645-G73 | 8-03 | Table K Water Supply System Interconnections, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C. |
| 0779 | 01-01 | Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/Application for a Works of the District Permit |
| 0830 | 5-5-92 4-94 | Special Use Application and License, incorporated by reference in subsection 40E-63.091(9), F.A.C. |
| 0881A through 1024 | | No change. |
| <u>1045</u> | <u>11-10</u> | <u>Application for a C-139 Basin Pollutant Source Control Permit and Guidebook for Preparing an Application for a C-139 Basin Pollutant Source Control Permit, incorporated by reference in subsection 40E-63.430(2), F.A.C.</u> |
| | | No change. |
| | | Water Use General Permit |
| 1105 thru 1109 | 1106 | |
| | 8-03 | |
| 1189 thru | 1318 | No change. |
| <u>62-532.900(1)</u> | <u>10-07-10</u> | <u>State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, incorporated by reference in subsection 40E-3.101(1), F.A.C.</u> |
| <u>62-532.900(2)</u> | <u>10-07-10</u> | <u>State of Florida Well Completion Report, incorporated by reference in subsection 40E-3.411(1), F.A.C.</u> |

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

40E-1.711 Orders of Corrective Action and Consent Order Agreements.

- (1) No change.
- (2) Consent Order Agreement.

(a) A consent ~~order agreement~~ is final agency action wherein all parties and the District, by negotiation, have arrived at a resolution of alleged violations of law for the purpose of achieving full and expeditious compliance with Chapters 373 and 403, F.S., and District rules promulgated thereunder. A consent ~~order agreement~~, executed by all parties to an enforcement action, shall have the same force and effect as a final order entered by the District after a formal Section 120.57, F.S., administrative hearing, and shall be enforced in like manner.

(b) The resolution of an enforcement action which requires only the payment of civil penalties and costs but no corrective action shall be memorialized by use of a letter agreement. Any other remedial action required, such as mitigation, restoration, or procurement of permits shall be implemented by use of a consent order agreement.

(c) Upon execution by the Chair of the Governing Board, or a duly authorized designee, and filing by the District Clerk, a consent order agreement shall constitute agency action subject to the provisions of Rule 40E-0.109 40E-1.511, F.A.C.

(3) No change.

Rulemaking Specific Authority 120.53, 373.044, 373.113 FS. Law Implemented 373.119, 373.129, 373.136, 373.430, 373.603 FS. History–New 5-11-93, Formerly 40E-1.614, Amended 10-3-95,_____.

40E-1.715 Civil Penalty Calculation.

(1) Consistency and equitable treatment are essential elements of the District’s enforcement guidelines. Therefore, the District has developed two a civil penalty matrices matrix (CPMs) for use in calculating appropriate civil penalties in enforcement actions. The Consumptive Use CPM, Form No. _____, is incorporated by reference herein and utilized for violations of into this chapter and Chapters 40E-2, 40E-3, 40E-4, 40E-5, 40E-20, and 40E-21 40E-40, 40E-41, 40E-61, 40E-63 and 40E-400, F.A.C. The Environmental Resource CPM, Form No. _____, is incorporated by reference herein and utilized for violations of Chapters 40E-4, 40E-40, 40E-41, 40E-61, 40E-63, and 40E-400, F.A.C. Copies of the CPMs are also available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33405, 1(800)432-2045, ext. 6436, or (561)682-6436.

(2) The CPM is the initial basis for determining the appropriate amount for a particular penalty. The CPM reflects the District’s statutory authority under Section 373.129, F.S., to seek civil penalties of up to \$10,000 per day, per violation. The CPM is comprised of two principle components:

(a) The actual or potential harm to the public and the environment that may occur as a result of the violation; and

(b) The extent of deviation from statutory or regulatory requirements.

(3) Because an economic advantage can be derived through avoidance of expenditures necessary to achieve compliance with District permitting rules and regulations, the District shall consider in its assessment of civil penalties any economic benefit which the violator may have gained through noncompliance.

(4) Multiple penalties shall be calculated for every violation which constitutes an independent and substantially distinguishable violation, or when the same person has violated the same requirement in substantially different locations.

(5) Multi-day penalties shall be calculated where daily advantage is being gained by the violator for an ongoing violation, computed by multiplying the original assessment amount by the number of days of noncompliance.

Rulemaking Specific Authority 120.53(1), 373.044, 373.113, 373.333(1) FS. Law Implemented 120.69, 373.129, 373.209(3), 373.430, 373.603 FS. History–New 10-3-95, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 40E-2.010 | Review of Consumptive Use Permit Applications |
| 40E-2.011 | Policy and Purpose |
| 40E-2.031 | Implementation |
| 40E-2.041 | Permits Required |
| 40E-2.091 | Publications Incorporated by Reference |
| 40E-2.101 | Content of Application |
| 40E-2.331 | Modification of Permits |
| 40E-2.341 | Revocation of Permits |
| 40E-2.381 | Limiting Conditions |
| 40E-2.451 | Emergency Authorization |
| 40E-2.501 | Permit Classification |

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The proposed amendments include: 1) updating references to repealed rules; 2) updating titles of referenced rule chapters; 3) correcting typographical errors; 4) updating delegation pursuant to Sections 373.079(4) and 373.083(5), F.S.; 5) updating rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; and 6) adding ePermitting option to be consistent with other rules.

In addition, the amendments update the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C., as follows: 1) update references to repealed rules; 2) update delegation pursuant to Sections 373.079(4) and (5), F.S.; 3) clarify types of permits; 4) correct typographical errors; 5) delete sections regarding basin expiration dates; 6) update rules to reflect compliance reports should be submitted

every 10 years rather than 5, in accordance with Section 373.236(3), F.S.; 7) change definition of "Xeriscape" to "Florida Friendly Landscaping" pursuant to Section 373.185, F.S.; 8) update name of map; 9) move Figure 3-4 and re-label Figures 3-5 and 3-6; 10) update rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; 11) add e-Permitting option to be consistent with other rules; and 12) delete outdated contact information.

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 proposed amendments are procedural in nature and have no economic impact.

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

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: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.042, 373.0421, 373.079, 373.083, 373.103(1), 373.109, 373.196, 373.203, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.232, 373.233, 373.236, 373.239, 373.244, 373.246, 373.249, 373.250 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.
PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District,

3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-2.010 Review of Consumptive Use Permit Applications.

Consumptive use permit applications are processed pursuant to Section 120.60, Florida Statutes, ~~Part VI of~~ and Chapters 40E-1 and ~~28-106~~ 28-107, F.A.C.

Rulemaking Specific Authority 120.54(5), 120.60 FS. Law Implemented 120.54(5), 120.60 FS. History–New 7-2-98, Amended _____.

40E-2.011 Policy and Purpose.

(1) through (2) No change.

(3) Additional rules relating to water use are found in Chapter 40E-5, F.A.C., (Artificial Recharge), Chapter 40E-8, F.A.C., (Minimum Flows and Levels (MFLs)), Chapter 40E-10, F.A.C., (Water Reservations), Chapters 40E-20, F.A.C., (General Water Use Permits), 40E-21, F.A.C., (The Water Shortage Plan), 40E-22, F.A.C., (Regional Water Shortage Plans) and 40E-24 (Mandatory Year-Round Landscape Irrigation Conservation Measures) ~~40E-23, F.A.C., Water Resource Caution Areas~~.

(4) Standards for the construction, repair and abandonment of water wells are found in Chapters 40E-3, F.A.C. (Water Wells) and ~~40E-30 (General Permits for Water Wells), F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.203, 373.216, 373.249 FS. History–New 9-3-81, Formerly 16K-2.01, Amended 7-4-82, 2-24-85, 11-18-91, 8-1-02, 8-31-03, 7-2-09, _____.

40E-2.031 Implementation.

(1) The effective dates for the water use permitting program established in this chapter are:

(a) If the use or withdrawal of water exceeds 100,000 gallons per day, the effective dates are:

1. January 12, 1977, for the portion of the District formerly within the Ridge and Lower Gulf Coast Water Management District,

2. March 2, 1974, for the remainder of the District;

(b) If the use or withdrawal of water does not exceed 100,000 gallons per day, the effective date is January 14, 1979.

(2) The effective dates specified in subsection (1) are used to determine the two year period provided in Section 373.236, F.S. 373.266, Florida Statutes, for existing water users to file initial applications.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.103(1), 373.216, 373.226 FS. History–New 9-3-81, Formerly 16K-2.011, Amended.

40E-2.041 Permits Required.

(1) through (2) No change.

(3) Under certain circumstances the District Board or the Executive Director may issue a temporary water use permit pursuant to Rule 40E-2.441, F.A.C., and Section 373.244, Florida Statutes.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.079, 373.083, 373.103(1), 373.219, 373.244 FS. History–New 9-3-81, Formerly 16K-2.03(1), (2), Amended.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – March 18, 2010,” (hyperlink), is incorporated by reference herein, and incorporates the following forms: is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

(1) Form 0188-QMO, Quarterly Report of Withdrawals, (date) (hyperlink) (referenced in Section 4.1):

(2) Form 0188-QASR, Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, (date) (hyperlink) (referenced in Section 4.1):

(3) Form 0188-QMOF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (date) (hyperlink) (referenced in Section 4.1):

(4) Form 0188-QBWDR, Quarterly Report of Bulk Water Delivered and Received, (date) (hyperlink) (referenced in Section 4.1):

(5) Form 0188-QMON, Quarterly Report of Monitoring Requirements, (date) (hyperlink) (referenced in Section 4.2):

(6) Form 0188-QCROP, Report of Planting and Harvest of Seasonal Crops, (date) (hyperlink) (referenced in Section 5.2.3):

(7) Form 0188-QMMOF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (date) (hyperlink) (referenced in Section 5.2.3).

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District” and forms incorporated therein are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406. 1(800)432-2045, ext. 6436 or (561)682-6436.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History–New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.

The following is an excerpt of the changes in the Basis of Review:

1.1 Objectives

Chapter 373, Florida Statutes (F.S.), enables and directs the District to regulate the use of water within its jurisdictional boundaries. The purpose of the water use regulatory program is to ensure that those water uses permitted by the District are reasonable-beneficial, will not interfere with any presently existing legal uses of water, and are consistent with the public interest pursuant to Section 373.223, F.S. The District has adopted rules for regulating the consumptive use of water, which are set forth in Chapters 40E-2 and 40E-20, Florida Administrative Code. The Basis of Review is incorporated by reference into Chapter 40E-2. The Basis of Review must be read in conjunction with Chapters 40E-2 and 40E-20, as applicable. The objective of the Basis of Review is to further specify the general procedures and information used by District staff for review of water use permit applications. All criteria in the Basis of Review applies to processing individual permit applications, and specified criteria applies to processing of general permit notices of intent. The criteria contained herein are flexible, with the primary goal being to meet District water resource objectives.

In addition, procedures for processing water use permit applications are set forth in Chapters 40E-0 and 40E-1, F.A.C. Rules 40E-1.603 and 40E-1.606. Rule 40E-1.610 provides procedures for permit renewals and Rule 40E-1.6107 sets forth procedures for permit transfers.

1.3.1 Third Party Interests

Frequently, other governmental entities, organizations, or affected citizens have an interest in the outcome of a permit action. Third party interests that would be substantially affected by issuance of a requested permit will have the opportunity to request an administrative hearing, pursuant to Sections 120.569 and 120.57(1), F.S. Rule 40E-1.521, prior to issuance of the permit. In order to obviate any delays in permit issuance, discussions with such entities regarding their water resource concerns prior to or during permit application review is encouraged. Issuance of a water use permit by the District does not relieve the Applicant of the responsibility to obtain all necessary federal, state, local, or other District permits or authorizations.

1.3.2.1 Competition within the Central Florida Coordination Area (CFCA)

In adopting the interim CFCA rules, the District acknowledges the increasing stress on the water resources in the CFCA and the mandate of the Legislature to foster the development of additional water supplies and avoid the adverse effects of competition. However, the interim CFCA rules do not abrogate the rights of the ~~District Governing Board~~ or of any other person or entity under Section 373.233, F.S., Competing Applications. The CFCA regulatory framework provides a comprehensive strategy for interim allocations of available groundwater and expeditious development of supplemental water supply projects, as defined in Section 1.8, to minimize competition and thereby provide greater certainty of outcome than competition.

1.6 Professional Certification of Supporting Documents

All final plans, calculations, analyses, or other geologic/engineering documents, submitted as part of a permit application are required to be signed and sealed by an appropriate registered professional pursuant to Section 373.117, 373.1175, or Chapter 492, F.S., as appropriate.

1.7 Application Review Process

The District has established two categories ~~procedures~~ for ~~issuing~~ permits based on the quantity of water permitted; individual and standard general. ~~These two procedures include permit issuance by (1) the Governing Board for individual permits and (2) District staff for general permits~~ General permits include: (1) (minor standard general permits for uses of 3 million gallons per month or less; (2) major standard general permits for uses greater than 3 million gallons per month up to 15 million gallons per month; and (3) dewatering general permits). Individual permits must be obtained for water use activities that are not exempt pursuant to Rule 40E-2.051, F.A.C., and do not fall within the thresholds for general permits established in Rule 40E-20.302, F.A.C.

The permit application will be processed pursuant to Chapters 40E-0 and 40E-1 ~~Rule 40E-1.603, F.A.C.~~, for individual and general permits. These rules set forth procedures for filing applications, requests for additional information, permit application modification, public noticing of permit applications, and requests for administrative hearings.

(Remainder of section remains unchanged)

1.7.2.2 Special Duration Factors

A. 1. through 3. No change.

4. For irrigation uses permit applications filed before the applicable Basin Application Date in Section 1.7.3, the permit duration will be limited to the Basin Expiration Date;

5. through 8. renumbered 4 through 7. No change.

B.1. No change.

2. Lower East Coast Regional Water Supply Planning Area: Biscayne/Surficial Aquifer System to the extent that withdrawals result in induced seepage from the Central and Southern Florida Project, except when stormwater discharge or

wet season discharge occurs; Lake Okeechobee; Central and Southern Florida Project; the Caloosahatchee River/Canal; and the Saint Lucie River/Canal.

3. through 4. No change.

C. through E. No change.

1.7.2.3 Compliance Reports

A. Where necessary to maintain reasonable assurance that the conditions for issuance of a permit can continue to be met over the duration of a 20 year permit, the District shall require the permittee to submit a compliance report pursuant to subsection 373.236(3), F.S., no more than once every ~~ten five~~ years. The permit shall be conditioned to assure compliance with the initial conditions for issuance, including implementation of schedules for Water Need and Demand Methodologies under Section 2.0, maintaining updated water conservation and efficiency requirements, and updated allocation methodologies, pursuant to District rules.

The compliance report shall contain sufficient information to maintain reasonable assurance that the permittee's use of water will continue to meet Chapters 40E-2 and 40E-20, F.A.C., as applicable, for the remaining duration of the permit. The compliance report shall, at a minimum, include all of the information specifically required by the permit limiting conditions.

B. No change.

C. No change.

1.7.3 Basin Expiration Dates

1.7.3.1 Definitions

A. ~~Irrigation Permit Expiration Basin — Geographic area where Individual and major Standard General Water Use Permits for the irrigation use class have a specified Irrigation Basin Expiration Date.~~

B. ~~Basin Application Date — The date, specified below in Section 1.7.3.3, after which complete applications for Individual and major Standard General Water Use Permits for the irrigation use class shall be reviewed under newly adopted rules.~~

C. ~~Basin Expiration Date — The date of expiration, specified below in Section 1.7.3.3, of Individual and major Standard General Water Use Permits for the irrigation use class located in the specified Irrigation Permit Expiration Basin.~~

1.7.3.2 Policy and Purpose

~~This Section addresses application and expiration procedures associated with Individual and major Standard General Water Use Permits for the irrigation use class during the transition from the use of Basin Expiration Dates to use of permit durations based on the date of permit application. These criteria establish Irrigation Permit Expiration Basins, Basin~~

~~Expiration Dates, Basin Application Dates, and application procedures for Individual and major Standard General Water Use Permits for the irrigation use class.~~

~~The Irrigation Permit Expiration Basins are defined considering a number of factors including commonality of supply source, resource concerns, and work load management. By establishing the Irrigation Permit Expiration Basins, the District specifically does not intend to establish any priority or preference between individual users or basins. The District recognizes individual user concerns regarding availability of shared resources across basin lines may warrant flexibility in the timing of permit application and review. Thus, procedures to address such concerns are detailed below.~~

~~1.7.3.3 Basin Expiration and Application Dates~~

~~A. An Individual and major Standard General Water Use Permit for the Irrigation Use Class shall expire on the Basin Expiration Date for the Irrigation Permit Expiration Basin in which the permitted project is located.~~

| Irrigation Permit Expiration Basin | Basin Application Date | Basin Expiration Date |
|---|-----------------------------------|----------------------------------|
| Upper East Coast Basin A | October 30, 2003 | February 28, 2004 |
| Upper East Coast Basin B | February 28, 2004 | June 30, 2004 |
| Upper East Coast Basin C | June 30, 2004 | October 30, 2004 |
| Lower West Coast Basin A | October 30, 2004 | February 28, 2005 |
| Lower West Coast Basin B (excluding projects located within the Lake Okeechobee Basin) | February 28, 2005 | June 30, 2005 |
| Lower West Coast Basin C | June 30, 2005 | October 30, 2005 |
| Lower West Coast Basin D | October 30, 2005 | February 28, 2006 |
| Lower West Coast Basin E (excluding projects located within the Lake Okeechobee Basin) | February 28, 2006 | June 30, 2006 |
| Broward County Basin | June 30, 2006 | October 30, 2006 |
| Dade / Monroe Basin | October 30, 2006 | February 28, 2007 |
| Palm Beach County Basin | February 28, 2007 | June 30, 2007 |
| Kissimmee Basin A | October 30, 2007 | February 28, 2008 |
| Kissimmee Basin B | February 28, 2008 | June 30, 2008 |
| Kissimmee Basin C | June 30, 2008 | October 30, 2008 |
| Lake Okeechobee Basin | October 30, 2008 | February 28, 2009 |

~~1.7.3.4 Lake Okeechobee Basin~~

~~Permittees located within the Lake Okeechobee Basin using water, in whole or in part, from sources other than Lake Okeechobee, the Caloosahatchee River, the St. Lucie River/Canal, or integrated conveyance systems that are hydraulically connected to either Lake Okeechobee, the Caloosahatchee River or the St. Lucie River/Canal, may elect to have their permit applications reviewed concurrently with other water use applications located within the same Irrigation Permit Expiration Basin.~~

~~1.7.3.5 Irrigation Permit Expiration Basin Descriptions~~

- ~~(1) Lower West Coast Basin A is described in Figure 2.~~
- ~~(2) Lower West Coast Basin B is described in Figure 3.~~

- ~~B. Individual and major Standard General Water Use Permits for the Irrigation Use Class issued pursuant to applications that are completed before the Basin Application Date shall have a permit expiration date commensurate with the Basin Expiration Date.~~
- ~~C. The District shall provide notice to Individual and major Standard General Water Use Permit holders for the Irrigation Use Class of the expiration date of their permits 30 days prior to the Basin Application Date applicable to their project. Notice shall be made by mail or by publication in a newspaper of general circulation in the affected area.~~
- ~~D. The following table identifies the Irrigation Permit Expiration Basins and states the applicable Basin Application Dates and Basin Expiration Dates.~~

- ~~(3) Lower West Coast Basin C is described in Figure 4.~~
- ~~(4) Lower West Coast Basin D is described in Figure 5.~~
- ~~(5) Lower West Coast Basin E is described in Figure 6.~~
- ~~(7) Upper East Coast Basins A, B, and C are described in Figure 7.~~
- ~~(8) Palm Beach County Basin is described in Figure 8.~~
- ~~(9) Broward County Basin is described in Figure 9.~~
- ~~(10) Kissimmee Basins A, B, and C are described in Figure 10.~~
- ~~(11) Dade/Monroe Basin is described in Figure 11.~~
- ~~(12) Lake Okeechobee Basin is described in Figure 12.~~

(Figure 1 is proposed to be deleted)

Figure 1

(Figure 2 is proposed to be deleted)

Figure 2

(Figure 3 is proposed to be deleted)

Figure 3

(Figure 4 is proposed to be deleted)

Figure 4

(Figure 5 is proposed to be deleted)

Figure 5

(Figure 6 is proposed to be deleted)

Figure 6

(Figure 7 is proposed to be deleted)

Figure 7

(Figure 8 is proposed to be deleted)

Figure 8

(Figure 9 is proposed to be deleted)

Figure 9

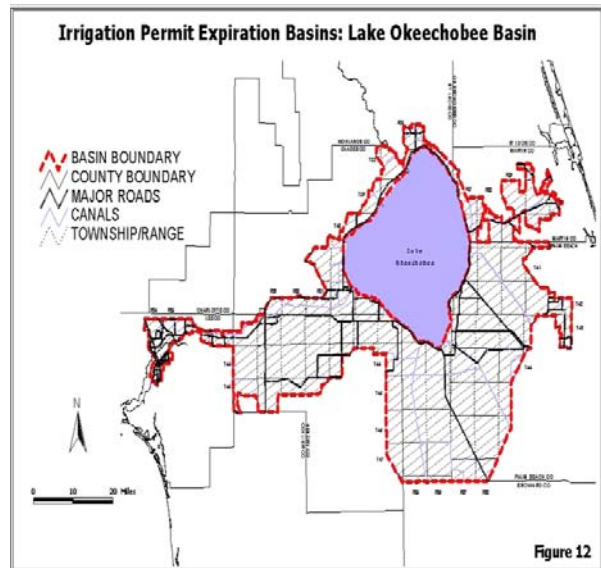
(Figure 10 is proposed to be deleted)

Figure 10

(Figure 11 is proposed to be deleted)

Figure 11

(Move to Section 3.2.1(G), remove Irrigation Permit Expiration Basins: from title and renumber as Figure 3-5)



1.7.3.6 Basin Boundary Overlap

For projects that cross Irrigation Permit Expiration Basin boundaries, the District shall assign a Basin Expiration Date and Basin Application Date that best addresses resource issues. A permit shall be assigned the Basin Expiration Date and Basin Application Date of the Irrigation Permit Expiration Basin in which:

- i. adverse resource impacts are likely to occur;
- ii. resource competition is a concern;
- iii. the majority of the withdrawal facilities are located;
- or;
- iv. the majority of the project's irrigated acreage is located if the withdrawal facilities are split equally between the basins.

1.7.3.7 User Rights

A. The District does not intend, by adoption of these rules, to create a priority or preference between water users within different basins, however, it is possible that projects located in an adjacent basin having an earlier Basin Expiration Date and Basin Application Date may affect user rights by providing the ability to apply, and get a permit, before another affected user outside the designated basin is otherwise authorized to apply for a permit. Thus, if due to basin boundary lines water user rights are affected, a water user may elect to have its permit application reviewed concurrently with other water use applications within an adjacent basin. The manner in which user rights may be affected include contribution to cumulative drawdown impacts

~~which may trigger water resource protection rules such that there may be insufficient water available for allocation to all permit applicants.~~

~~B. Water users shall have the burden of identifying those projects which may affect their water use rights.~~

1.7.4 Permit Renewals

Applications for permit renewal shall be made pursuant to Rule 40E-1.610, F.A.C., any time within six months prior to permit expiration. Permittees are encouraged to apply for renewal at least 90 days prior to the expiration date, ~~except as provided in Section 1.7.3.~~ Permits for which renewal applications have been submitted shall remain in effect past the expiration date until final agency action on the application is taken.

1.8 Definitions

Allocation Coefficient through Existing Legal Use of Water – No change.

Florida-Friendly Landscaping – A landscaping method that details nine landscape principles that conserve water, protect the environment, and promote planting native flora adaptable to local conditions. The principles are described in Section 373.185, F.S.

The definitions set forth in Chapter 40E-8, F.A.C., shall be incorporated into the Basis of Review.

Flow Meter through Wind Stress Damage – No change

~~*Xeriscape* – A landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system. The definitions set forth in Chapter 40E-8, F.A.C., shall be incorporated into the Basis of Review.~~

2.1 Demonstration of Need

To receive a general or individual permit, an applicant must demonstrate that the proposed water use is a reasonable-beneficial use of water, as required by Section 373.223, F.S. In order to demonstrate that a water use is reasonable-beneficial, the Applicant must show "need" for the water in the requested amount. This chapter describes the factors involved in determining whether there is need and for determining the appropriate permit allocation, or "demand," for a particular water use.

For twenty year duration permits, the permittee shall ensure that, on a continual basis, the conditions for permit issuance are met for the duration of the permit, including requirements for attaining the maximum reasonable-beneficial use of water, preventing inefficient uses of water, and ensuring that uses continue to be consistent with the public interest. Every ~~ten~~ five years the permittee shall be required to evaluate and update the water use based on current District rules regarding efficiency of use and reasonable demands.

Demonstration of "need" requires consideration of several factors, including: 1) legal control over the project site, facilities, and for public water supplies, the proposed service area, and 2) compatibility of the proposed water use with the land use at the project site or area to be supplied water.

Demonstration of "demand" is dependent on the specific water use classification requirements set forth in Sections 2.2 through 2.8.

2.3.1 Water Conservation Plans

All individual permit applicants for landscape and golf course irrigation projects shall develop a conservation program incorporating the following mandatory elements. This conservation program must be submitted at the time of permit application.

A. The use of Florida-Friendly ~~Xeriscape~~ landscaping principles for proposed projects and modifications to existing projects where it is determined that Florida-Friendly landscaping ~~Xeriscape~~ is of significant benefit as a water conservation measure relative to the cost of Florida-Friendly landscaping ~~Xeriscape~~ implementation and meets the requirements of Section 373.185(2)(a)-(f), F.S.

B. No change.

C. The limitation of all lawn and ornamental irrigation to the hours and days specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation measures adopted by local government ordinance in accordance with Rule 40E-24.301, F.A.C.

2.5.3 Long-Term Dewatering Individual Permits

Long-term dewatering individual permits apply to projects that exceed the thresholds and criteria described in Basis of Review, Sections 2.5.1 and 2.5.2 above. ~~These permits must be approved by the District Governing Board.~~ Two types of individual dewatering permits are available from the District. For projects where all the dewatering activities are defined at the time of the permit application, the applicant may apply for a "standard" Individual Permit. For long-term, multi-phased projects, with undefined activities or no contractor at the time of the permit application, the applicant may apply for a "master" Individual Permit.

Applicants for all individual dewatering permits must satisfy the conditions of issuance for Individual Permits (Rule 40E-2.301, F.A.C.), ~~and may not commence dewatering prior to approval of the permit by the Governing Board.~~ In order to provide reasonable assurances that water reserved in Rule 40E-10.041, F.A.C., will not be withdrawn, all water from the dewatering activity shall be retained on site. If the applicant demonstrates that retaining the water on site is not feasible, the project shall be modified to demonstrate pursuant to Section 3.11 that reserved water will not be withdrawn. The applicant may elect to begin dewatering for a single period of only 90 days in areas of the project, that meet the No-Notice criteria specified in Section 2.5.1 of this Basis of Review, once an application for an Individual dewatering permit has been submitted to the District.

The applicant must provide the information required for the Dewatering General Permit, as specified in Section 2.5.2. In addition, the applicant shall provide estimates of the maximum monthly and annual dewatering withdrawals for the project and will be required to submit records of monthly withdrawals for each dewatering pump to the District. Staff shall not specify maximum monthly or annual withdrawal volumes in the recommended permit conditions ~~presented to the Governing Board.~~

A. “Standard” Individual Permits

The applicant shall specify all proposed dewatering activities for the project in terms of depth, duration, and areal extent of dewatering and proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm. The applicant may proceed with all dewatering activities once the permit has been approved ~~by the Governing Board.~~

B. “Master” Individual Permits

Due to project uncertainties, the applicant may not be able to specify all aspects of the proposed dewatering activities at the time of the permit application. In order to receive a “master” dewatering permit, the applicant must meet all conditions of issuance and specify the depth, duration, and areal extent of dewatering, the proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm for “typical” dewatering activities for the project. In addition, the applicant shall provide an estimated project schedule showing dewatering activities and calculated estimated maximum monthly and annual dewatering withdrawals. After approval of the permit ~~by the Governing Board,~~ the applicant shall be required by limiting condition to supply site-specific dewatering plans for each proposed dewatering activity to the District for review and approval at least two weeks prior to dewatering. The applicant may not initiate dewatering prior to receiving written notification from District Staff, that the proposed dewatering activity is consistent with the “master” permit approved ~~by the Governing Board.~~

(No change to Table 2-3 Dewatering Permits)

2.6.1 Water Conservation Plans

Introductory paragraph – No change.

A. No change.

B. Where the local government operating the public water supply utility, pursuant to Section 125.568 or 166.048, F.S., determines that Florida-Friendly Landscaping Xeriscape would be of significant benefit as a water conservation measure relative to the cost of Florida-Friendly Landscaping Xeriscape implementation, the local government operating the public water supply utility is required to adopt a Florida-Friendly Landscaping Xeriscape landscape ordinance meeting the requirements of Section 373.185(2)(a)-(f), F.S. In the event such a

Florida-Friendly Landscaping Xeriscape ordinance is proposed for adoption, the permit Applicant shall submit the draft ordinance to the District for determination of compliance with Section 373.185(2)(a)-(f), F.S. If the ordinance which the local government has or proposes to adopt includes an alternative set of requirements which do not encompass those contained in Section 373.185(2)(a)-(f), F.S., eligibility for the incentive program will not be achieved. The District, in compliance with Section 373.185, F.S., offers the following incentive program, to those local governments who are eligible, consisting generally of information and cost-benefit analysis assistance. Specifically, the information provided interested parties will consist of an explanation of the costs and benefits of Florida-Friendly Xeriscape landscapes; the types of plants suitable for Florida-Friendly Xeriscape landscapes within the local government’s jurisdiction; the types of irrigation methods suitable for Florida-Friendly Xeriscape landscaping and the use of solid waste compost. Further, if requested, the District will assist local governments in determining whether the benefits of requiring Florida-Friendly Xeriscape landscaping outweigh the costs within that local government’s jurisdiction; this assistance may consist of economic considerations, technical information or referral to other agencies that can provide information the local government may need to perform its cost benefit determination. The Governing Board finds that the implementation and use of Florida-Friendly Xeriscape landscaping, as defined in Section 373.185, F.S., contributes to the conservation of water. The Governing Board further supports adoption of local government ordinances as a significant means of achieving water conservation through Florida-Friendly Xeriscape landscaping.

C. through I. No change.

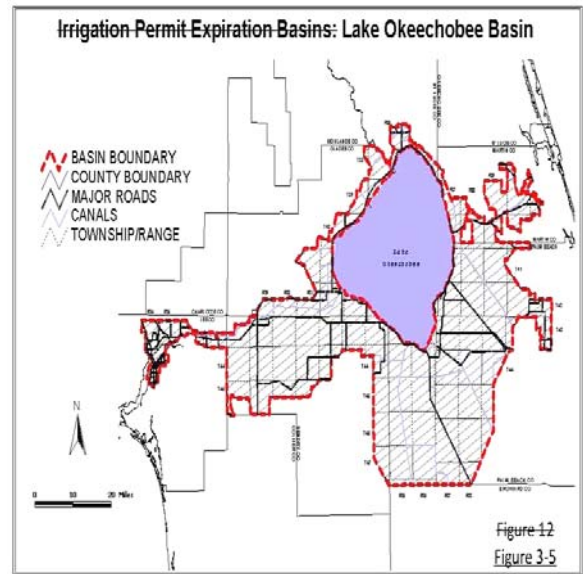
3.2.1 Restricted Allocation Areas

A. through D. No change.

E. In addition to all other applicable consumptive use statutory and rule provisions, the following restrictions shall apply when allocating water by permit for water use withdrawals within the Northern Palm Beach County Service Area and Lower East Coast Service Areas 1, 2 or 3.

This section is a component of recovery strategies for ~~MFLs minimum flows and levels~~ for the Everglades and the Northwest Fork of the Loxahatchee River, as set forth in Chapter 40E-8, F.A.C., and assists in implementing the objective of the District to ensure that water necessary for Everglades restoration and restoration of the Loxahatchee River Watershed is not allocated for consumptive use upon permit renewal or modification under this rule.

- (1) through (6) No change.
- (7) Permit applicants must meet the requirements of any established ~~MFL minimum flow and level~~ and water reservation, if applicable.
- F. No change.
- G. The following restrictions shall apply when allocating surface water derived from the Lake Okeechobee Waterbody for consumptive use within the Lake Okeechobee Basin as ~~delineated in Figure 3-5 defined in Section 1.7.3~~. This rule is a component of the recovery strategy for ~~MFLs minimum flows and levels~~ for Lake Okeechobee, as set forth in Chapter 40E-8, F.A.C., to address lower lake management levels and storage under the U. S. Army Corps of Engineers’ interim Lake Okeechobee Regulation Schedule (LORS), adopted to protect the public health and safety (April 28, 2008). Compliance with this rule along with the other criteria contained in the Basis of Review implements the objectives of the District to protect the public health and safety, to prevent interference among legal users of Lake water, to be consistent with the MFL recovery strategy as defined in Rule 40E-8.421, F.A.C., and to ensure that water necessary for Everglades restoration is not allocated for consumptive use.
- (1) The rule applies to applications for new projects, existing unpermitted projects, modifications to existing projects, and permit renewals for existing projects located within the Lake Okeechobee Basin as ~~delineated in Figure 3-5 described in Section 1.7.3~~, that propose to use surface water from the “Lake Okeechobee Waterbody,” defined as:
 - (a) through (b) No change.
 - (2) through (4) No change.
 - (5) Requests for temporary increases over the project’s base condition water use from the Lake Okeechobee Waterbody shall be granted to accommodate increased demands during a reasonable time period while alternative sources are constructed provided all other consumptive use permit criteria are satisfied. The duration of the temporary increase shall be determined based on a construction schedule for the alternative source to be implemented with due diligence and defined in permit conditions. Additionally, the permit shall include requirements to reduce the allocation to the base condition water use in accordance with this construction schedule.



3.4 Saline Water Intrusion

A water use permit application will be denied if the application requests freshwater withdrawals that would cause harm to the water resources as a result of saline water intrusion. Harmful saline water intrusion occurs when:

- A. No change.
- B. Withdrawals result in the sustained upward movement of saline water. Sustained upward movement is the level of movement that persists when the withdrawals have ceased. When the saline interface occurs beneath the point of withdrawal, the ~~maximum~~ ~~maximum~~ amount of pumpage from any well shall be constrained as follows:

(Remainder of section remains unchanged)

3.11.1 Picayune Strand and Fakahatchee Estuary

A permit applicant shall provide reasonable assurances that the proposed use will not withdraw water reserved under Rules 40E-10.041(1) and (2), F.A.C., except that water uses less than 100,000 gallons per day associated with land management or public access/recreation shall be permissible. Compliance with the following criteria constitutes reasonable assurances that water reserved in Rules 40E-10.041(1) and (2), F.A.C., will not be withdrawn. Water not reserved under Rules 40E-10.041(1) and (2), F.A.C., shall be allocated pursuant to Subsections A and B.

For this section, the following definitions apply:

Direct Withdrawals from Groundwater: water pumped from a well(s) constructed within the boundaries of the Picayune Strand or Fakahatchee Estuary into the water table or unconfined portions of the Lower Tamiami aquifer.

Indirect Withdrawals from Groundwater: a) a groundwater withdrawal from a well(s) constructed outside the boundaries of Picayune Strand and Fakahatchee Estuary into the water table or Lower Tamiami aquifer that results in a 0.1 foot or greater drawdown in the water table aquifer at any location underlying the Picayune Strand or the Fakahatchee Estuary as determined by an evaluation conducted pursuant to Section 1.7.5.2.A. or b) a groundwater withdrawal that causes a water table drawdown of 0.1 foot or greater underlying any canal identified in Figure ~~3-6~~ ~~3-5~~, as determined by an evaluation conducted pursuant to Section 1.7.5.2.A.

Direct Withdrawals from Surface Water: Withdrawal of surface water from facilities physically located within the Picayune Strand or Fakahatchee Estuary boundaries.

Indirect Withdrawal from Surface Water: Withdrawal of surface water from any canal identified in Figure ~~3-6~~ ~~3-5~~.

A.1. through 8. No change.

B. Model Impact Evaluation. If required by Section A, the applicant shall demonstrate water reserved for the Picayune Strand and Fakahatchee Estuary will not be withdrawn by conducting the following model impact evaluation. A pre-application meeting between the applicant and District staff is strongly recommended to be conducted prior to initiating model development.

1. Defining Scope of Model Evaluation

- (a) For groundwater withdrawals, identify the cone of influence of the proposed withdrawal per Section 1.7.5.2.A. Based on this analysis, the Applicant shall identify which reservation inflow locations (set forth in Figures 1 and 2 in Rule 40E-10.021, F.A.C.) and conveyance system(s) identified on Figure ~~3-6~~ ~~3-5~~ are potentially influenced by the proposed withdrawal.
- (b) For surface water withdrawals, identify the reservation inflow locations, reservation water body (set forth in Figures 1 and 2 in Rule 40E-10.021, F.A.C.), and conveyance system(s) identified on Figure ~~3-6~~ ~~3-5~~ that are potentially influenced by the proposed withdrawal.

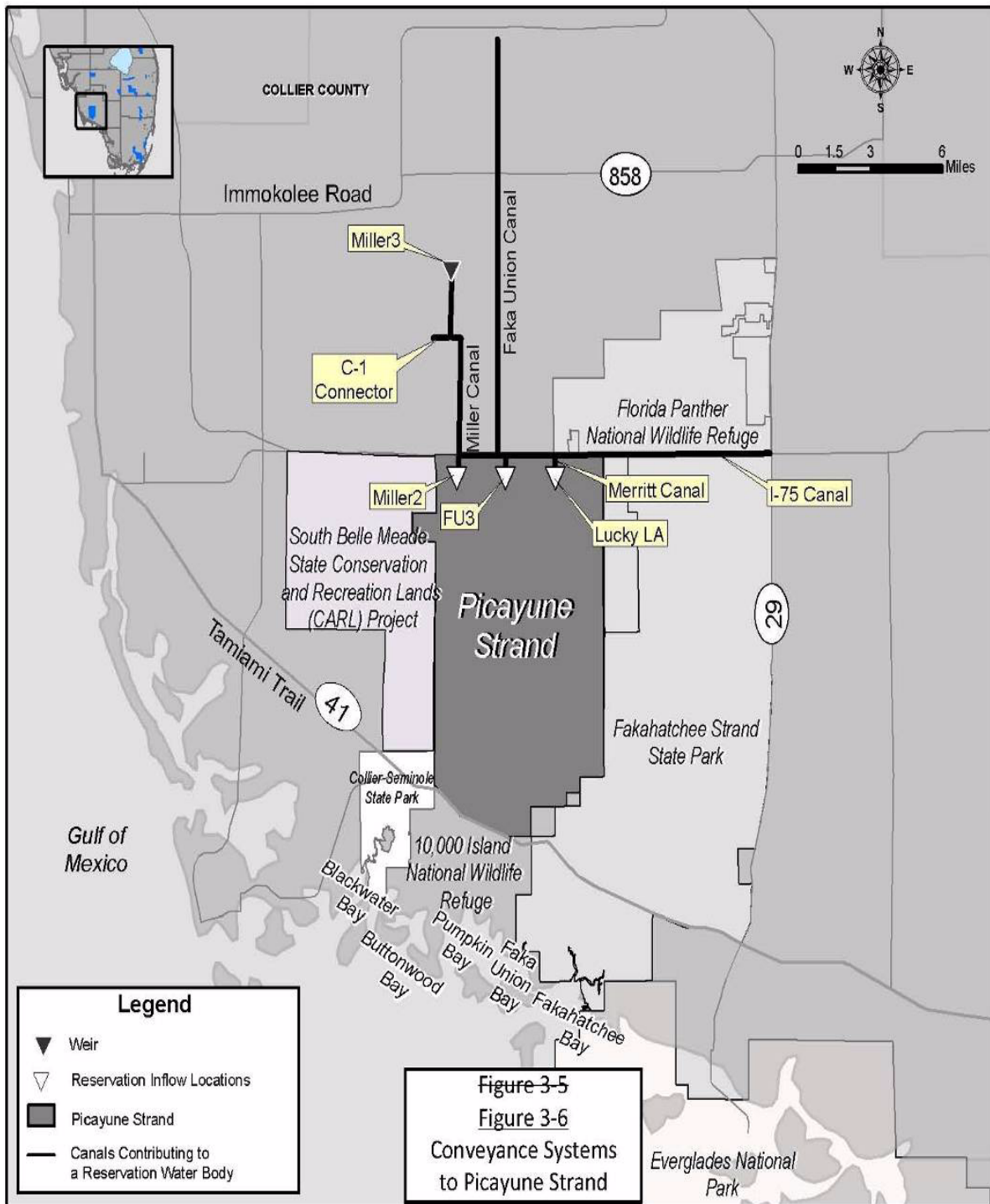
2. (a) through (f) No change.

3. Impact Evaluation. Once the model is calibrated, applicants shall demonstrate that water reserved for the Picayune Strand and Fakahatchee Estuary will not be withdrawn, based on the following:

- (a) "Without scenario": All existing legal uses at the effective date of the rule shall be represented using the allocation in the permit. For the purposes of this evaluation and paragraph (b) the annual allocation shall be distributed on a monthly basis based on the use type. For a public water supply use type, the monthly distribution shall be calculated based on the measured monthly pumpage divided by the annual total pumpage using the average of the three most recent representative years. Representative years shall not include years with water shortage restrictions, years with plant failures or other years that are not representative of normal pumpage. For an irrigation use type, the monthly distribution shall be determined using the Blaney-Criddle distribution calculated for each project pursuant to "Part B Water Use Management System Design and Evaluation Aids" of the Volume III, Permit Information Manual for Water Use Permit Applications referenced in the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District", which is incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., the annual allocation and the associated monthly distribution shall be simulated using the calibrated model developed in accordance with the criteria identified in Subsection 3.11.1.B.2 in order to generate a daily flow data for each represented inflow location identified in Subsection 3.11.1. These data shall be presented as daily hydrographs as well as seasonal and period of record flow probability curves.

(b) through (c) No change.

4. through 5. No change.



4.1 Withdrawal Quantity

Proper accounting for water use is essential to establish that the use is a reasonable-beneficial use of the resource and in the public interest. In addition, proper accounting of the various water uses enables the District to better estimate water use and to implement water shortage plans.

All Permittees with a maximum monthly allocation of greater than 3.0 million gallons, or irrigation water users located within the South Dade County Water Use Basin (as designated in Figure 21-11, Chapter 40E-21, F.A.C.), with a maximum monthly allocation of greater than 15.0 million gallons, are required to monitor and report withdrawal quantities from each withdrawal facility or point of diversion. Permittees shall submit the following forms, if applicable, electronically or at the address provided below:

0188-OMO, Quarterly Report of Withdrawals, (date) (hyperlink) :

0188-OASR, Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, (date) (hyperlink) :

0188-OMQF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (date) (hyperlink) :

0188-OBWDR, Quarterly Report of Bulk Water Delivered and Received, (date) (hyperlink) :

These forms are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436.

(Remainder of section remains unchanged)

4.2 Saline Water Monitoring

The purpose of saline water monitoring is to ensure that harmful saline water intrusion, whether lateral from a surface or groundwater saline source, vertical from an aquifer containing lower quality water, or a combination of both, does not occur. Saline water monitoring is accomplished by routine sampling of the discharge water from production wells or from separate monitor wells. However, in areas of known saline water movement, separate monitor wells are required to be designed and constructed expressly for the purpose of saline water intrusion monitoring. The dissolved chloride concentration and the water level elevation, referenced to National Geodetic Vertical Datum, shall be measured. Frequency of measurements may be weekly, monthly, or quarterly, and will be identified in the permit limiting conditions. The data shall be reported using Form No. 0188-OMON, Quarterly Report of Monitoring Requirements, (date) (hyperlink), incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.

A. through G. No change.

H. Staff evaluation indicates saline water may come in contact with a fresh water source (per Section 3.4.1 of this Basis of Review) as a result of the proposed use.

(Remainder of section remains unchanged)

5.1 Standard Permit Conditions

A. through N. No change.

O. Permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted activities are located. All transfers of ownership are subject to the requirements of Rule 40E-1.6107, F.A.C.

(Remainder of section remains unchanged)

5.2 Special Permit Conditions

Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S:F:W:M:D: at www.sfwmd.gov/ePermitting, or the Regulatory Support Bureau, MSC 9611, Supervising Hydrogeologist—Water Use Compliance, Water Use Division (4320), P. O. Box 24680, West Palm Beach, FL 33416-4680 or by e-mail to wucomp@sfwmd.gov.

5.2.1 Public Water Supply

A. through G. No change.

H. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every ~~ten~~ five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff to SFWMD at www.sfwmd.gov/ePermitting, or the Regulatory Support Bureau, MSC 9611, P. O. Box 24680, West Palm Beach, FL 33416-4680, which addresses the following:

1. and 2. No change.

5.2.3 Irrigation

A. No change.

B. ~~Landscape and Golf~~ course irrigation is prohibited between the hours of 10:00 A.M. and 4:00 P.M., except as follows:

(a) through (e) No change.

C. No change.

D. The permittee shall complete Form No. 0188-OCROP, a "Report of Planting and Harvest of Seasonal Crops", (date) (hyperlink), incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C., form and submit it with the appropriate "Quarterly Report of Withdrawals From Wells and Surface Water Pumps" (Form No. 0188-OMQF, incorporated by reference in paragraph 40E-2.091(1)(a) form).

E. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every ~~ten~~ five years from the date of permit issuance the permittee shall submit a water use compliance report for review and approval by District Staff to SFWMD at www.sfwmd.gov/ePermitting, or the Regulatory Support Bureau, MSC 9611, P. O. Box 24680, West Palm Beach, FL 33416-4680, which addresses the following:

1. and 2. No change.

F. No change.

G. Landscape irrigation shall be restricted to the hours and days specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation measures adopted by local government ordinance in accordance with Rule 40E-24.301, F.A.C.

5.2.8 Well Construction

A. Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapters 40E-3 and ~~40E-30~~, F.A.C.

B. through D. No change.

E. Within six months of permit issuance, the Permittee shall plug and abandon the following wells in accordance with Chapters 40E-3 or ~~40E-30~~, F.A.C.: (individual wells identified based on project specifications).

F. through H. No change.

40E-2.101 Content of Application.

(1) Applications for permits required by this chapter shall be filed electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District's Service Centers. The addresses and phone numbers of the District's Service Centers are online at www.sfwmd.gov, "Locations." ~~with the District.~~

(a) The application, Form No. 0645-W01, Water Use Permit Application, _____ (date) _____, (hyperlink) _____ shall include the following forms, if applicable ~~contain~~: The following parts of Form 0645 Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.;

1. Part RC-1A Administrative Information for Water Use Permit Applications;

2. Part RC-1W Application for a Water Use Permit;

(b) Form No. 0645-G60, Table A Description of Wells, _____ (date) _____, (hyperlink) _____, for permits with wells;

(c) Form No. 0645-G61-1, Table B Description of Surface Water Pumps, _____ (date) _____, (hyperlink) _____, for permits with pumps;

(d) Form No. 0645-G61-2, Table C Description of Culverts, _____ (date) _____, (hyperlink) _____, for permits with irrigation culverts;

(e) Form No. 0645-G65, Table D Crop Information, _____ (date) _____, (hyperlink) _____, for agricultural permits;

(f) Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, _____ (date) _____, (hyperlink) _____, (2) For public water supply permits;

(g) Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, _____ (date) _____, (hyperlink) _____, for public water supply permits;

(h) Form No. 0645-G70, Table H Projected Water Use, _____ (date) _____, (hyperlink) _____, for public water supply permits;

(i) Form No. 0645-G71, Table I Water Treatment Method and Losses, _____ (date) _____, (hyperlink) _____, for public water supply permits;

(j) Form No. 0645-G72, Table J Aquifer Storage and Recovery, _____ (date) _____, (hyperlink) _____, for public water supply permits; and

(k) Form No. 0645-G73, Table K Water Supply System Interconnections, _____ (date) _____, (hyperlink) _____, for public water supply permits.

(b) through (d) renumbered (l) through (n) No change.

(2) No change.

(3) Applicants for a Dewatering Water Use permit shall electronically file or file with the District Form 0445, _____ (date) _____, (hyperlink) _____, Mining/Dewatering Permit Application.

(4) The forms identified in subsections (1) and (3) above are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History—New 9-3-81, Amended 12-1-82, 2-24-85, 11-21-89, Repromulgated 1-4-93, Amended 4-20-94, 8-1-02, _____.

40E-2.331 Modification of Permits.

(1) through (3) No change.

(4)(a) Modification of an existing water use permit shall be approved by letter, provided the permit is in compliance with all applicable limiting conditions and the modification request:

1. through 4. No change.

5. Does not result in a modification of the permit ~~which must be approved by the Governing Board~~ pursuant to Section 373.239(2), F.S.

6. No change.

(b) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.079, 373.083, 373.223, 373.229, 373.239 FS. History—New 9-3-81, Formerly 16K-2.09(1), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, 7-2-09, 3-15-10, _____.

40E-2.341 Revocation of Permits.

Violations of this chapter may result in the revocation or suspension of the authorization in whole or in part in accordance with the provisions of Chapter 373, including

Sections 373.119 and 373.243, Florida Statutes, Chapter 120, Florida Statutes, and Rules 40E-1.609 and 28-106.2015 28-107.004, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(6), 373.103(4), 373.219, 373.229 FS. History–New 4-20-94, Amended 7-2-98,_____.

40E-2.381 Limiting Conditions.

The District Board shall impose on any permit granted under this chapter such reasonable standard and special permit conditions as are necessary to assure that the permitted use or withdrawal will be consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest. Standard permit conditions in Section 5.1 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit. Special permit conditions, including those specified in Section 5.2 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.079, 373.083, 373.219(1) FS. History–New 9-3-81, Amended 2-24-85, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 8-1-02, 4-23-07, 2-13-08,_____.

40E-2.451 Emergency Authorization.

(1) Permission to begin use, withdrawal, or diversion of water prior to the issuance of a permit may be applied for in writing, when emergency conditions exist which would justify such permission. However, no such permission shall be granted unless the use, withdrawal, or diversion is already being considered for a permit under Rule 40E-2.041, F.A.C. A serious set of unforeseen or unforeseeable circumstances must exist to create an emergency. Mere carelessness or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of emergency authorization.

(2) Emergency authorizations shall be administered pursuant to Rule 40E-0.108 40E-1.6115, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(5), 373.219 FS. History–New 9-3-81, Formerly 16K-2.11, Amended 4-20-94, 7-2-98,_____.

40E-2.501 Permit Classification.

Each water use permit shall be classified according to source, use and method of withdrawal. The source use and method of withdrawal classes are listed in Rules 40E-21.631 40E-21.611 through 40E-21.691, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.246 FS. History–New 9-3-81, Formerly 16K-2.12(2), Amended 7-4-82,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:
40E-5.101 Content of Application
40E-5.381 Limiting Conditions

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The District proposes to update the Governing Board delegation pursuant to Section 373.079(4) and 373.083(5), F.S.; add ePermitting as an option, which is consistent with other rules; include location where applications may be submitted; and delete references to separate parts of Form 0645 which have been consolidated in Form 0645-W-01.

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 proposed amendments are procedural in nature and have no economic impact.

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

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.229 FS.

LAW IMPLEMENTED: 373.079, 373.083, 373.106(1), 373.219 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-5.101 Content of Application.

(1) Applications for permits required by this chapter shall be filed electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District's Service Centers. The addresses and phone numbers of the District's Service Centers are available online at www.sfwmd.gov, "Locations," with the District Water Use Permit Application, Form No. 0645-W-01, which is incorporated by reference in subsection 40E-2.101(1), F.A.C., The application shall contain:

~~(a) The following parts of Form 0645 Surface Water Management Permit Applications and/or Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.:~~

~~1. Part RC-1A Administrative Information for Surface Water Management Permit Applications and/or Water Use Permit Applications;~~

~~2. Part RC-1W Application for a Water Use Permit;~~

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

(2) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.229 FS. Law Implemented 373.106(1) FS. History--New 9-3-81, Formerly 16K-2.02(2), Amended 5-30-82, 8-14-03, _____.

40E-5.381 Limiting Conditions.

The ~~District Governing Board~~ shall impose on any permit granted under this chapter such reasonable standards and special permit conditions necessary to assure that the permitted

activity is consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.079, 373.083, 373.106(1), 373.219 FS. History--New 8-14-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 40E-8.011 | Purpose and General Provisions |
| 40E-8.021 | Definitions |
| 40E-8.221 | Minimum Flows and Levels (MFLs): Surface Waters |
| 40E-8.321 | Minimum Flows and Levels (MFLs): Surface Waters |
| 40E-8.341 | Minimum Flows and Levels (MFLs): Surface Waters for Upper East Coast Regional Planning Area |
| 40E-8.421 | Prevention and Recovery Strategies |

PURPOSE AND EFFECT: To update the District's rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The proposed amendments update incorporation language in accordance with Section 120.55(1)(a)4. and 5., F.S.; add ePermitting as an option, which is consistent with other rules; update delegation pursuant to Section 373.079(4) and 373.083(5), F.S.; correct typographical errors; and add acronym to title.

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 proposed amendments are procedural in nature and do not have an economic impact.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed amendments are procedural in nature and do not have an economic impact.

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

RULEMAKING AUTHORITY: 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087, or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-8.011 Purpose and General Provisions.

(1) through (3) No change.

(4) The recovery and prevention strategies set forth in Rule 40E-8.421, F.A.C., the consumptive use permitting procedures described in paragraph 40E-2.301(1)(i), Rule 40E-8.431, F.A.C., Section 3.9 of the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District ~~September 10, 2001,~~ incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C. the water shortage plan implementation provisions specified in

Rules 40E-8.441, 40E-21.531, and 40E-21.541, and Part III of Chapter 40E-22, F.A.C., ~~September 10, 2001,~~ are inseparable components of the ~~MFLs minimum flows and levels~~ established in Rules 40E-8.321 and 40E-8.331, F.A.C.; ~~September 10, 2001.~~ The District would not have adopted the ~~MFLs minimum flows and levels~~ set forth in Rules 40E-8.321 and 40E-8.331, F.A.C., for Lake Okeechobee, the Everglades, the Biscayne Aquifer, the Lower West Coast Aquifers, and the Caloosahatchee River without simultaneously adopting their related implementation rules. If the rules cited above, as they pertain to a specified MFL water body, are found to be invalid, in whole or in part, such specified minimum flow(s) or level(s) in Rule 40E-8.321 or 40E-8.331, F.A.C., (including Lake Okeechobee, Everglades, Biscayne Aquifer, Lower West Coast Aquifers, Caloosahatchee River) (month, year) shall not be adopted, or if already in effect, shall not continue to be applied, until the District amends the applicable regional water supply plan(s), as necessary, and amends the subject rules, as necessary to address the reason for invalidity consistent with the requirements of Section 373.0421, F.S. This section shall be triggered after a rule is found to be invalid pursuant to a final order issued under Section 120.56, F.S., and after appellate review remedies have been exhausted.

(5)(a) through (d) No change.

(e) Establish ~~MFLs Minimum Flows and levels~~ for other tributaries to the Northwest Fork of the Loxahatchee River including Loxahatchee Slough, Cypress Creek, Kitching Creek and Hobe Grove Ditch as committed to in the District's Priority Water Body List, as updated.

~~Rulemaking Specific~~ Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History—New 9-10-01, Amended 4-1-03, 1-19-06, _____.

40E-8.021 Definitions.

(1) through (15) No change.

~~(16)(17) MFL Minimum Flow and Level Exceedance~~ – means to fall below a minimum flow or level, which is established in Parts II and III of this chapter, for a duration greater than specified for the MFL water body.

~~(17)(18) MFL Minimum Flow and Level Violation~~ – means to fall below a minimum flow or minimum level, which is established in Parts II and III of this chapter, for a duration and frequency greater than specified for the MFL water body. Unless otherwise specified herein, in determining the frequency with which water flows and levels fall below an established MFL for purposes of determining an MFL violation, a "year" means 365 days from the last day of the previous MFL exceedance.

~~(18)(20) MFL Water Body~~ – means any surface water, watercourse, or aquifer for which an MFL is established in Part II or III of this chapter.

~~(19)~~(16) Minimum Flow – means a flow established by the District pursuant to Sections 373.042 and 373.0421, F.S., for a given water body and set forth in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources or ecology of the area.

~~(20)~~(19) Minimum Level – means the level of groundwater in an aquifer or the level of surface water established by the District pursuant to Sections 373.042 and 373.0421, F.S., in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources of the area.

(21) Northwest Fork of the Loxahatchee River: Means those areas defined below:

(a) Northwest Fork of the Loxahatchee River that has been federally designated as Wild, Scenic and Recreational uses (as defined in the Loxahatchee River Wild and Scenic River Management Plan 2000) (see Map 1, incorporated herein), including the river channel that extends from river mile 6.0 (latitude 26.9856, longitude 80.1426) located near the eastern edge of Jonathan Dickinson State Park and continues upstream to the G-92 structure (latitude 26.91014, longitude 80.17578), including the South Indian River Water Control District Canal C-14 Canal. The river channel includes the physical water flow courses and adjacent floodplain up to the limits of the floodplain swamp and wetlands within Riverbend Park, as determined by state wetland delineation criteria;

(b) through (d) No change.

(22) through (31) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06.

40E-8.221 Minimum Flows and Levels (MFLs): Surface Waters.

(1) through (5) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 4-1-03, 12-12-06.

40E-8.321 Minimum Flows and Levels (MFLs): Surface Waters.

No change.

Rulemaking Specific Authority 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01.

40E-8.341 Minimum Flows and Levels (MFLs): Surface Waters for Upper East Coast Regional Planning Area.

No change.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New 11-11-02.

40E-8.421 Prevention and Recovery Strategies.

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

(c) The rules implementing water resource protection tools, including Chapters 40E-2, 40E-8, 40E-20, 40E-21, 40E-22, F.A.C., and the “Basis of Review for Consumptive Use Permits Within the South Florida Water Management District —April 23, 2007”, incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., identify the specific factors and conditions that will be applied and considered in implementing the conceptual model. Due to the extreme variations in water resource conditions, climatic conditions, hydrologic conditions, and economic considerations that will be faced when implementing these rules, it is critical to apply such criteria flexibly and to reserve for the governing board the ability to implement water resource protection and allocation programs considering all of the District’s missions under Chapter 373, F.S., and to balance water supply, flood protection, resource protection and water quality protection needs. Implementation of the recovery and prevention strategies will be achieved in compliance with the assurances to consumptive users and to natural systems contained in the LEC Plan and the LWC Plan.

(d) through (f) No change.

(2) through (5) No change.

(6) Northwest Fork of the Loxahatchee River Recovery Strategy: Purpose and Intent.

(a) The Northwest Fork of the Loxahatchee River is currently not meeting the MFL and requires implementation of a recovery strategy to achieve the MFL as soon as practicable, consistent with Section 373.0421, F.S. The recovery strategy consists of projects contained within the following approved plans: the Lower East Coast Regional Water Supply Plan (LEC Plan), the Comprehensive Everglades Restoration Plan (CERP), and the Northern Palm Beach County Comprehensive Water Management Plan (NPBCCWMP). Four phases of recovery are identified in the Technical Documentation to Support Development of Minimum Flows and Levels for the Northwest Fork of the Loxahatchee River, November 2002, which are projected to increase flows to meet the MFL for the Northwest Fork of the Loxahatchee River. As part of the recovery strategy, as provided in this rule, the consumptive use permitting and water shortage requirements in this Chapter and Chapters 40E-2, 40E-20, 40E-21, F.A.C., and the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District —April 23, 2007”, incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., including Section 3.2.1.E. regarding Restricted Allocation Areas for Lower East Coast Everglades Waterbodies and North Palm Beach County/Loxahatchee River Watershed Waterbodies, shall apply to consumptive use direct

and indirect withdrawals from surface and groundwater sources from the Northwest Fork of the Loxahatchee River and those areas directly tributary to the Northwest Fork.

(b) through (f) No change.

(g) As reservations are adopted to restore the Loxahatchee River beyond that to be achieved by the MFL, the District shall revise the ~~MFL minimum flow and level~~ and associated prevention and recovery strategy, as appropriate, under Sections 373.042 and 373.0421, F.S., to be consistent with the reservation.

(7) through (8) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History—New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06, 4-23-07, 10-14-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 40E-20.010 | Review of General Water Use Permit Applications |
| 40E-20.061 | Delegation of Authority Pertaining to General Water Use Permits |
| 40E-20.091 | Publications Incorporated by Reference |
| 40E-20.101 | Content of General Water Use Permit Applications |
| 40E-20.301 | Conditions for Issuance of General Water Use Permits |
| 40E-20.321 | Duration of General Water Use Permits |

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S.

SUMMARY: The proposed amendments are as follows: 1) update references to repealed rules; 2) update titles of agency positions; 3) update rules to comply with Section 120.55(1)(a)5., regarding incorporation of materials by reference; and remove references to basin expiration dates that have passed.

In addition, the amendments update the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., as follows: 1) update references to repealed rules; 2) update delegation pursuant to Section 373.079(4) and (5), F.S.; 3) clarify types of permits; 4) correct typographical errors; 5) delete sections regarding basin expiration dates; 6) update rules to reflect compliance reports should be submitted every 10 years rather than 5, in accordance with Section 373.236(3), F.S.; 7) change definition of “Xeriscape” to “Florida Friendly Landscaping” pursuant to Section 373.185, F.S.; 8) update name of map; 9) move Figure 3-4 and relabel Figures 3-5 and 3-6; 10) update rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; 11) add ePermitting option to be consistent with other rules; and 12) delete outdated contact information.

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 proposed amendments are procedural in nature and have no economic impact.

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

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: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.118, 373.042, 373.0421, 373.103, 373.118, 373.1501, 373.1502, 373.171, 373.219, 373.223, 373.229, 373.2295, 373.470 FS.

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

DATE AND TIME: August 9, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087, or (561)682-2087. If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Lead Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-20.010 Review of General Water Use Permit Applications.

General Water Use permit applications are processed pursuant to the provisions of Section 120.60, F.S., ~~Part VI of and Chapters 40E-1, F.A.C., and 28-106 Chapter 28-107, F.A.C.~~

Rulemaking Specific Authority 120.54(5), 120.60 FS. Law Implemented 120.54(5), 120.60 FS. History—New 7-2-98, Amended 8-14-02, _____.

40E-20.061 Delegation of Authority Pertaining to General Water Use Permits.

The Governing Board delegates to the Executive Director the authority to issue general water use permits under this chapter pursuant to Section 373.118, F.S. The Executive Director hereby executes such delegated authority through the Chief Director and supervisors of the Bureau Division that reviews water use permit applications.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118 FS. History—New 8-14-02, Amended _____.

40E-20.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District ~~March 18, 2010,~~” and associated forms incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C., are applicable and referenced throughout this chapter ~~is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.~~

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.171, 373.223, 373.229 FS. History—New 8-14-02, Amended 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.

40E-20.101 Content of General Water Use Permit Applications.

(1) Except in those circumstances detailed in subsection (4) below, an application for a General Water Use permit shall be filed with electronically at www.sfwmd.gov.ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District’s Service Centers. The addresses and phone numbers of the District’s Service Centers are online at www.sfwmd.gov, “Locations.” Water Use Permit Application, Form No. 0645-W-01, which is incorporated by reference in subsection 40E-2.101(1), F.A.C., shall be filed with the District prior to commencement of any use of water authorized in this chapter. The application for all General Water Use Permits shall contain: ~~with the District.~~

(a) through (d) No change.

(2) Applicants for a Standard General Water Use Permit under subsection 40E-20.302(1), F.A.C., shall submit Form No. 0645-W01, Water Use Permit Application, _____ (date) _____, (hyperlink), and shall include the following forms, if applicable: file the following parts of Form 0645 – Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.

(a) Form No. 0645-G60, Table A Description of Wells, _____ (date) _____, (hyperlink), for permits with wells; ~~Part RC 1A Administrative Information for Water Use Permit Applications, and~~

(b) Form No. 0645-G61-1, Table B Description of Surface Water Pumps, _____ (date) _____, (hyperlink), for permits with pumps; ~~Part RC 1W Application for a Water Use permit (all Standard General Water Use Permits) or Part RC 1G Application for a General Water Use Permit (Standard General Water Use Permits with recommended maximum allocations < 3 million gallons per month);~~

(c) Form No. 0645-G61-2, Table C Description of Culverts, _____ (date) _____, (hyperlink), for permits with irrigation culverts;

(d) Form No. 0645-G65, Table D Crop Information, _____ (date) _____, (hyperlink), for agricultural permits;

(e) Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, _____ (date) _____, (hyperlink), (2) for public water supply permits;

(f) Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, _____ (date) _____, (hyperlink), for public water supply permits;

(g) Form No. 0645-G70, Table H Projected Water Use, _____ (date) _____, (hyperlink), for public water supply permits;

(h) Form No. 0645-G71, Table I Water Treatment Method and Losses, _____ (date) _____, (hyperlink), for public water supply permits;

(i) Form No. 0645-G72, Table J Aquifer Storage and Recovery, (date) _____, (hyperlink), for public water supply permits; and

(j) Form No. 0645-G73, Table K Water Supply System Interconnections, (date) _____, (hyperlink), for public water supply permits.

(3) Applicants for a Dewatering Water Use General Permit under subsection 40E-20.302(2), F.A.C. shall electronically file or file with the District Form 0445, (date) _____, (hyperlink) _____, Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference herein ~~in~~ Rule 40E-1.659, F.A.C.

(4) Applicants are not required to file an application to qualify for a No-Notice Short-Term Dewatering Permit, if the conditions of Rule 40E-20.301 and subsection 40E-20.302(3), F.A.C., are satisfied.

(5) Copies of the forms referenced above are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History--New 8-14-02, Amended 8-31-03(2), 8-31-03(3), _____.

40E-20.301 Conditions for Issuance of General Water Use Permits.

(1)(a) through (h) No change.

(i) Is in accordance with the established minimum flows and levels (MFL) and implementation provisions in Chapter 373, F.S., Chapters 40E-2 and 40E-8, F.A.C.; and

(j) through (k) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.1501, 373.1502, 373.223, 373.229, 373.2295, 373.470 FS. History--New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, 7-2-09, _____.

40E-20.321 Duration of General Water Use Permits.

(1) No change.

(2) The duration of the general water use permit authorized in subsection 40E-20.302(1), F.A.C., shall not exceed the following time periods:

(a) No change.

(b) For uses with a maximum monthly allocation greater than 3 mgm (up to 15 mgm), authorized by a Major Standard General Water Use Permit, ~~the period shall not exceed the basin expiration date as specified in the document described in Rule 40E-20.091, F.A.C., as applicable to the location of the project; or, for Major Standard General Water Use Permits issued, renewed or modified after the applicable basin expiration date,~~ the period shall be based on the provisions in Rule 40E-2.321, F.A.C., and the applicable provisions in the

“Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-20.091, F.A.C.

(3) through (6) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.236 FS. History--New 9-3-81, Formerly 16K-2.031(2)(j), 16K-2.032(2)(d), Amended 7-26-87, 4-20-94, 8-14-02, 8-31-03, 4-23-07, 2-13-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Clemente, Bureau Chief, Water Use Permitting and Compliance

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

| RULE NOS.: | RULE TITLES: |
|--------------|--|
| 61G5-17.006 | General Information and Forms |
| 61G5-17.009 | Meetings and Election of Officers |
| 61G5-17.010 | Notice of Meetings |
| 61G5-17.011 | Agenda |
| 61G5-17.013 | Emergency Meetings |
| 61G5-17.020 | Security and Monitoring Procedures for Licensure Examination |
| 61G5-17.0201 | Licensure Examinations and Examination Procedures for Handicapped Candidates |
| 61G5-17.021 | Designation of Official Reporter |
| 61G5-17.023 | Final Orders |

PURPOSE AND EFFECT: The Board reviewed the rules as required by Executive Order 11-01 and proposes to repeal Rules 61G5-17.006, 61G5-17.023, F.A.C., as they are not statutorily mandated. Rules 61G5-17.009, 61G5-17.010, 61G5-17.011, 61G5-17.013, F.A.C., are being repealed as they are not statutorily mandated and duplicative of Section 120.525, F.S. and Rules 61G5-17.020, 61G5-17.0201, 61G5-17.021, F.A.C., are being repealed as they are not statutorily authorized.

SUMMARY: As required by Executive Order 11-01, the rules were reviewed and Rules 61G5-17.006, 61G5-17.023, F.A.C., are being repealed as they are not statutorily mandated; Rules 61G5-17.009, 61G5-17.010, 61G5-17.011, 61G5-17.013, F.A.C., are being repealed as they are not statutorily mandated and duplicative of Section 120.525, F.S.; Rules 61G5-17.020, 61G5-17.0201, 61G5-17.021, F.A.C., are being repealed as they are not statutorily authorized.

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(1), (2)(b),(c),(4), 120.54(8), 455.217(1)(d), 455.203(5), 477.016 FS.

LAW IMPLEMENTED: 119.07, 120.53(1),(2)(b),(c),(4), 455.205, 455.207, 455.217(1)(d), 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 RULES IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-17.006 General Information and Forms.

Rulemaking Specific Authority 477.016 FS. Law Implemented 455.205, 119.07, 477.0201 FS. History–New 11-2-80, Amended 9-30-85, Formerly 21F-17.06, Amended 11-4-86, 1-10-88, 1-10-90, Formerly 21F-17.006, Amended 10-1-97, Repealed.

61G5-17.009 Meetings and Election of Officers.

Rulemaking Specific Authority 120.53(1) FS. Law Implemented 120.53(1), 455.207 FS. History–New 11-2-80, Formerly 21F-17.09, 21F-17.009, Repealed.

61G5-17.010 Notice of Meetings.

Rulemaking Specific Authority 120.53(1) FS. Law Implemented 120.53(1) FS. History–New 11-2-80, Formerly 21F-17.10, 21F-17.010, Repealed.

61G5-17.011 Agenda.

Rulemaking Specific Authority 120.53(1) FS. Law Implemented 120.53(1) FS. History–New 11-2-80, Formerly 21F-17.11, 21F-17.011, Repealed.

61G5-17.013 Emergency Meetings.

Rulemaking Specific Authority 120.53(1) FS. Law Implemented 120.53(1) FS. History–New 11-2-80, Formerly 21F-17.13, 21F-17.013, Repealed.

61G5-17.020 Security and Monitoring Procedures for Licensure Examination.

Rulemaking Specific Authority 455.217(1)(d), 120.54(8) FS. Law Implemented 455.217(1)(d) FS. History–New 4-6-82, Formerly 21F-17.20, 21F-17.020, Repealed.

61G5-17.0201 Licensure Examinations and Examination Procedures for Handicapped Candidates.

Rulemaking Specific Authority 477.016, 455.203(5) FS. Law Implemented 455.217(1) FS. History–New 1-9-95, Repealed.

61G5-17.021 Designation of Official Reporter.

Rulemaking Specific Authority 120.53(2)(b),(c),(4), 477.016 FS. Law Implemented 120.53(2)(b),(c),(4) FS. History–New 2-26-85, Formerly 21F-17.21, 21F-17.021, Repealed.

61G5-17.023 Final Orders.

Rulemaking Specific Authority 120.53(1), 477.016 FS. Law Implemented 120.53(1) FS. History–New 6-5-88, Formerly 21F-17.023, Repealed.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

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| RULE NOS.: | RULE TITLES: |
| 61G5-18.002 | Manner of Application |
| 61G5-18.005 | Examination Review Procedure |
| 61G5-18.0055 | Supervised Cosmetology Practice Exception |

PURPOSE AND EFFECT: The Board reviewed the rules as required by Executive Order 11-01 and proposes to repeal Rules 61G5-18.002, F.A.C., because it is not statutorily mandated; the proposed repeal of Rule 61G5-18.005, F.A.C., is necessary as it is not statutorily authorized; Rule 61G5-18.005, F.A.C., is being repealed because it is unnecessary and duplicative of Section 477.019, F.S.

SUMMARY: As required by Executive Order 11-01, the rules were reviewed and are being repealed as they are not statutorily mandated; statutorily authorized; or duplicative of Section 477.019, 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: 120.53, 455.217(2), 477.016, 477.019(4),(5) FS.

LAW IMPLEMENTED: 455.217(2), 477.019 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 RULES IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-18.002 Manner of Application.

Rulemaking Specific Authority 120.53, 477.016 FS. Law Implemented 477.019 FS. History–New 11-3-80, Amended 1-17-83, Formerly 21F-18.02, Amended 6-22-87, Formerly 21F-18.002, Amended 7-30-02, Repealed.

61G5-18.005 Examination Review Procedure.

Rulemaking Specific Authority 477.016, 455.217(2) FS. Law Implemented 455.217(2) FS. History–New 11-3-80, Formerly 12F-18.05, Amended 8-20-90, Formerly 21F-18.005, Repealed.

61G5-18.0055 Supervised Cosmetology Practice Exception.

Rulemaking Authority 477.016, 477.019(4) FS. Law Implemented 477.019(4), (5) FS. History–New 11-25-98, Amended 2-25-07, 5-19-09, 5-13-10, Repealed.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-20.006
 RULE TITLE: Transfer of Ownership or Location of a Salon

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule because it is unnecessary and is duplicative of Section 477.019, F.S.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is unnecessary and is duplicative of Section 477.019, 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: 477.016 FS.

LAW IMPLEMENTED: 455.025(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-20.006 Transfer of Ownership or Location of a Salon.

Rulemaking Specific Authority 477.016 FS. Law Implemented 477.025(7) FS. History–New 5-12-81, Amended 10-6-85, Formerly 21F-20.06, 21F-20.006, Amended 10-30-97, Repealed _____.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-22.001 RULE TITLE: Purpose

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is unnecessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is unnecessary.

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: 477.019(2) 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 Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-22.001 Purpose.

Rulemaking Specific Authority 477.016 FS. Law Implemented 477.019(2), FS. History–New 11-2-80, Amended 5-12-81, 10-29-85, Formerly 21F-22.01, Amended 8-20-90, Formerly 21F-22.001, Repealed _____.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NOS.: 61G5-24.001 RULE TITLES: Collection and Payment of Fees
61G5-24.018 Examination Review Fee

PURPOSE AND EFFECT: The Board reviewed the rules as required by Executive Order 11-01 and proposes to repeal the rules as they are unnecessary.

SUMMARY: As required by Executive Order 11-01, the rules were reviewed and are being repealed as they are unnecessary.

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: 455.217(2), 477.016, 477.026 FS.

LAW IMPLEMENTED: 455.217, 477.026 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-24.001 Collection and Payment of Fees.

Rulemaking Specific Authority 477.016, 477.026 FS. Law Implemented 477.026 FS. History--New 11-2-80, Formerly 21F-24.01, 21F-24.001, Repealed.

61G5-24.018 Examination Review Fee.

Rulemaking Specific Authority 455.217(2) FS. Law Implemented 455.217 FS. History--New 1-10-90, Formerly 21F-24.018, Repealed.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NOS.: RULE TITLES:
61G5-25.003 Delinquent Status

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule because it is unnecessary and is duplicative of Section 477.271, F.S.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is unnecessary and is duplicative of Section 477.271, 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: 477.016 FS.

LAW IMPLEMENTED: 455.271, 477.0212 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 Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-25.003 Delinquent Status.

Rulemaking Specific Authority 477.016 FS. Law Implemented 455.271, 477.0212 FS. History--New 2-1-95, Amended 4-5-95, 7-2-00, Repealed.

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: August 31, 2011, F.A.C.,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NOS.: RULE TITLES:
61G5-29.002 Specialty Registration
61G5-29.003 Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Training for Initial Registration

61G5-29.012 Who May Apply

PURPOSE AND EFFECT: The Board reviewed the rules as required by Executive Order 11-01 and proposes to repeal Rule 61G5-29.002, F.A.C., because it is unnecessary and duplicative of Section 477.0201, F.S.; the proposed repeal of Rule 61G5-29.003, F.A.C., is necessary as it is unnecessary and duplicative of Section 455.2228, F.S.; Rule 61G5-29.012, F.A.C., is being repealed because it is not statutorily mandated. **SUMMARY:** As required by Executive Order 11-01, the rules were reviewed and are being repealed as they are unnecessary and duplicative of Section 477.0201, F.S., or Section 455.2228, F.S. and not statutorily mandated.

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: 455.228(5), 477.016 FS.

LAW IMPLEMENTED: 455.228(5), 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 RULES IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-29.002 Specialty Registration.

Rulemaking Specific Authority 477.016 FS. Law Implemented 477.0201 FS. History–New 11-7-85, Amended 3-29-87, 10-26-87, Formerly 21F-29.002, Repealed.

61G5-29.003 Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Training for Initial Registration.

Rulemaking Specific Authority 455.2228(5), 477.016 FS. Law Implemented 455.2228 FS. History–New 11-25-98, Repealed.

61G5-29.012 Who May Apply.

Rulemaking Specific Authority 477.016 FS. Law Implemented 477.0201 FS. History–New 10-26-87, Amended 1-10-90, Formerly 21F-29.012, Repealed.

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: August 31, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NOS.:

RULE TITLES:

61G5-31.002

Hair Braiding, Hair Wrapping, and Body Wrapping; Registration Requirements, Practice Outside of Licensed Salon

61G5-31.003

Hair Braiding, Hair Wrapping, and Body Wrapping Registration

PURPOSE AND EFFECT: The Board reviewed the rules as required by Executive Order 11-01 and proposes to repeal the rules as they are not statutorily mandated and are duplicative of Section 477.0132, F.S.

SUMMARY: As required by Executive Order 11-01, the rules were reviewed and are being repealed as they are not statutorily mandated and are duplicative of Section 477.0132, 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: 477.0132, 477.016, 477.026(1)(f) FS.

LAW IMPLEMENTED: 477.0132, 477.026(1)(f), 477.029 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 RULES IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-31.002 Hair Braiding, Hair Wrapping, and Body Wrapping; Registration Requirements, Practice Outside of Licensed Salon.

Rulemaking Specific Authority 477.0132, 477.016 FS. Law Implemented 477.0132, 477.029 FS. History—New 2-1-95, Amended 11-25-98, 9-6-00, Repealed _____.

61G5-31.003 Hair Braiding, Hair Wrapping, and Body Wrapping Registration.

Rulemaking Specific Authority 477.0132, 477.016, 477.026(1)(f) FS. Law Implemented 477.0132, 477.026(1)(f), 477.029 FS. History—New 2-1-95, Amended 11-25-98, 9-6-00, Repealed _____.

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: August 31, 2011

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.: 69L-3.017
RULE TITLE: Notice of Apportionment of Medical Reimbursement Due to a Pre-Existing Condition(s)

PURPOSE AND EFFECT: The purpose of this proposed new rule is to inform claims administrators of notice requirements to employees when the payment of a compensable medical benefit will be apportioned, pursuant to Section 440.15(5), F.S. The proposed rule clarifies that claims administrators must provide employees with notification of decisions to apply apportionment. The proposed rule provides that compliance with the notice requirements is achieved by mailing Form

DFS-F2-DWC-12 (Notice of Denial), or a letter to the employee explaining its apportionment decision to the employee, as specified. The proposed rule also clarifies that compliance with the notice requirements under proposed Rule 69L-3.017, F.A.C., does not satisfy the notification requirement under subsection 69L-7.602(5), F.A.C.

SUMMARY: The proposed new rule addresses the apportionment of benefits by claims administrators under Section 440.15(5), F.S. The proposed rule clarifies that claims administrators are required to provide employees seeking medical services (for dates of injury on or after 10/1/2003) with notification, in cases where the payment of a medical benefit will be subject to apportionment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that the proposed rule will 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 Statement of Estimated Regulatory Cost (SERC) has been prepared by the agency.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis prepared by the agency estimates the aggregate cost to the subject (418 companies are approved to offer workers' compensation as an authorized line of business in Florida) carrier community to be \$10,450 per year to comply with the sending of the required notices. There is also a one-time cost for each carrier to account for programming costs associated with complying with the new rule. Programming costs are estimated to be \$1,125 per company. Therefore, over a 5-year period, the estimated total aggregate cost of compliance to the subject carrier community is \$522,500.

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

RULEMAKING AUTHORITY: 440.185(5), 440.20(3), 440.591 FS.

LAW IMPLEMENTED: 440.12(2), 440.14, 440.15(5), 440.192(8), 440.20(2), (4), (9), (15)(f), 440.207(2) FS.

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

DATE AND TIME: Friday, August 3, 2012 (Immediately upon conclusion of the hearing for Rule 69L-7.602, F.A.C., if permissible, otherwise 3:00 p.m.)

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1689 or Eric.Lloyd@myfloridacfo.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-3.017 Notice of Apportionment of Medical Reimbursement Due to a Pre-Existing Condition(s).

For dates of injury occurring on or after 10/1/2003, if the claims administrator decides to apportion payment of a medical benefit pursuant to Section 440.15(5), F.S., it shall send Form DFS-F2-DWC-12, Notice of Denial, or a letter to the employee explaining its apportionment decision, no later than three (3) business days after the date the claims administrator notified a health care provider that payment of the medical benefit will be apportioned pursuant to subsection 69L-7.602(5), F.A.C. Compliance with this rule is independent of and does not satisfy the notification requirement pursuant to subsection 69L-7.602(5), F.A.C.

Rulemaking Authority 440.185(5), 440.20(3), 440.591 FS. Law Implemented 440.12(2), 440.14, 440.15(5), 440.192(8), 440.20(2), (4), (9), (15)(f), 440.207(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 20, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

| | |
|-----------|---|
| RULE NO.: | RULE TITLE: |
| 69L-6.019 | Policies and Endorsements Covering Employees Engaged in Work in Florida |

PURPOSE AND EFFECT: The proposed rule allows out-of-state employers with construction projects in Florida with workers' compensation policies listing "Florida" in Item

3.C. of the policy information page, up to two business days from the commencement of an investigation, pursuant to Section 440.107(3), F.S., to endorse the policy to list "Florida" in Item 3.A. and use Florida approved classification codes, rates, and estimated payroll in Item 4. A Stop-Work Order shall be issued to an employer only after the expiration of two business days from the commencement of an investigation on such employer.

SUMMARY: The proposed amendment provides a period of (2) two business-days for out-of-state employers to establish that they have been issued a properly endorsed Florida workers' compensation policy.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis prepared by the Department determined that the proposed rule's potential economic impact did not exceed any of the criteria established in Section 120.541(1), F.S., and is therefore not subject to legislative ratification pursuant to Section 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: 440.107(9), 440.10(1)(g), 440.591 FS.

LAW IMPLEMENTED: 440.10(1)(g) FS.

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

DATE AND TIME: Wednesday, August 8, 2012, 10:00 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Robin Delaney, (850)413-1775 or Robin.Delaney@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.019 Policies and Endorsements Covering Employees Engaged in Work in Florida.

(1) through (3) No change.

(4) A workers' compensation policy that lists "Florida" in Item 3.C. of the policy information page (NCCI form number WC 00 00 01 A) does not meet the requirements of Sections 440.10(1)(g) and 440.38(7), F.S., and is not valid proof of workers' compensation coverage for employees engaged in work in this state.

(a) If the workers' compensation policy lists "Florida" in Item 3.C. of the policy information page, the employer's insurance carrier shall have up to two business days from the commencement of an investigation, pursuant to Section 440.107(3), F.S., to endorse the policy to list "Florida" in Item 3.A. and use Florida approved classification codes, rates, and estimated payroll in Item 4.

(b) If the policy information page does not list "Florida" in Item 3.A. and use Florida approved classification codes, rates, and estimated payroll in Item 4., a Stop-Work Order shall be issued to an employer only after the expiration of two business days from the commencement of an investigation on such employer.

(5) through (6) No change.

Rulemaking Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.10(1)(g), 440.38(7) FS. History--New 6-17-04, Amended 11-21-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 22, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.: 69L-7.501
RULE TITLE: Florida Workers' Compensation Reimbursement Manual for Hospitals

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to amend the rule to adopt by reference the 2012 Edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals, replacing the 2006 Edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals in the existing rule. The 2012 Edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals will incorporate a fee schedule for certain hospital outpatient services within defined geographic areas in Florida utilizing Current Procedural Terminology® (CPT) line level charge data. The methodology for the incorporated fee schedule establishes criteria to evaluate 18 months of hospital outpatient bill data. The 2012 Edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals also makes technical changes to include a new manual format, an expanded table of contents and chapters by topic.

SUMMARY: Rule amendment to adopt the 2012 Edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals. The Manual incorporates a fee schedule reimbursement methodology for certain hospital services based on CPT line level charge data obtained from defined geographic areas in Florida and establishes criteria to evaluate 18 months of hospital outpatient data.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will 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 statement of estimated regulatory costs (SERC) will be prepared by the Department.

Based on its own preliminary analysis, the Department estimates that the proposed rule will result in new costs of \$2000 per carrier or claims administrator for expenses associated with the loading and installation of the proposed outpatient fee schedule into their medical claims payment software. There are 418 subject carriers (as of 9/26/2011) impacted by the proposed rule, thus, the aggregate, one-time cost to the carrier community for updated software is \$836,000. Additionally, an analysis of the proposed revision to the Florida outpatient fee schedule performed by the National Council on Compensation Insurance (NCCI) estimates that implementing the proposed fee schedule for Category 2 and Category 3 hospital services would result in an impact of between -0.5% (\$-14M) and -0.6% (\$-17M) on overall workers' compensation system costs in Florida. The Department has determined that the proposed rule is expected to require legislative ratification based on the statement of estimated regulatory costs, or if no SERC is required, the information expressly relied on and described herein: Based on the preliminary economic analysis conducted by the

Department and the analysis that was prepared by NCCI, the Department has determined that the proposed rule is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in aggregate within 5 years after implementation of the rule.

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

RULEMAKING AUTHORITY: 440.13(12), (14), 440.591 FS.
LAW IMPLEMENTED: 440.13(7), (12), (14) FS.

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

DATE AND TIME: Wednesday, August 8, 2012, 2:00 p.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Lloyd, Office of Medical Services, Program Administrator, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1689 or Eric.Lloyd@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 2012 ~~2006~~ Edition, is adopted by reference as part of this rule. The Hospital Manual contains the Maximum Reimbursement Allowances (MRAs) determined by the Three-Member Panel, pursuant to Section 440.13(12), F.S., and establishes policy, procedures, principles and standards for implementing statutory provisions regarding reimbursement for medically necessary services and supplies provided to injured workers in a hospital setting. The policy, procedures, principles and standards in the Manual are in addition to the requirements established by the Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.602, F.A.C. The Reimbursement Manual for Hospitals is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or may be obtained free of charge by print or download from the Department's website at

<http://www.myfloridacfo.com/wc/publications.html>.

(2) The Florida Workers' Compensation Health Care Provider Reimbursement Manual [HCP RM], 2011 ~~2006~~, incorporated by reference into Rule 69L-7.020, F.A.C.; and the Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.602, F.A.C., are recognized for use in conjunction with the Florida Workers' Compensation Reimbursement Manual for Hospitals, 2012 Edition ~~also incorporated by reference into this rule~~. Both rules and the HCP RM are available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.myfloridacfo.com/wc/publications/html>.

Rulemaking Specific Authority 440.13(12), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, 4L-7.501, Amended 12-4-03, 1-1-04, 7-4-04, 10-1-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Lloyd, Office of Medical Services, Program Administrator, Division of Workers' Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 20, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

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| RULE NO.: | RULE TITLE: |
| 69L-7.602 | Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule |

PURPOSE AND EFFECT: The proposed rule (which applies to dates of injury occurring on or after October 1, 2003) clarifies that an insurer must provide health care providers with prior notification of a decision to apply apportionment in the payment of reimbursement for medical services. The amendment provides that an insurer shall, at the time of authorization or, if the decision to apportion the reimbursement is made after authorization, but prior to the rendering of services, provide each health care provider with written or electronic notification of its decision to apply apportionment in the payment of reimbursement for medical service(s). The proposed rule also deletes subsection (7) of the rule which addresses administrative penalties and fines for untimely payments to health care providers or the disposition of other medical bills. These penalty provisions are transferred to Rule Chapter 69L-24, F.A.C.

SUMMARY: The proposed rule clarifies that insurers are required to provide notification to health care providers in cases where payment of reimbursement for medical services will be subject to apportionment. This proposed change also deletes a penalties provision that has previously been moved to Rule Chapter 24, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that the proposed rule will 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 Statement of Estimated Regulatory Cost (SERC) has been prepared by the agency.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis prepared by the agency estimates that the each carrier will incur programming costs of \$1125 in order to comply with the proposed amendment to Rule 69L-7.602, F.A.C. Multiplied by the 418 carriers with workers' compensation as an authorized line of business in Florida, the estimated aggregate programming costs is \$470,250.

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

RULEMAKING AUTHORITY: 440.13(4), 440.15(3)(b), (d), 440.185(5), 440.525(2), 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.09, 440.13(2)(a), (3), (4), (6), (11), (12), (14), (16), 440.15(3)(b), (d), (5), 440.185(5), (9), 440.20(6), 440.525(2), 440.593 FS.

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

DATE AND TIME: Friday, August 3, 2012, 2:00 p.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1689 or Eric.Lloyd@myfloridacfo.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.602 Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule.

(1) through (4) No changes.

(5) Insurer Responsibilities.

(a) No change.

(b) At the time of authorization for medical service(s) or upon receipt of notification of emergency care, an insurer shall notify each health care provider, in writing, of data elements or supporting documentation that are necessary for reimbursement determinations that are in addition to the requirements of this rule and the applicable reimbursement manual.

2. This subparagraph applies to dates of injury occurring on or after October 1, 2003. At the time of authorization for medical service(s), or upon receipt of notification of emergency care, an insurer shall issue a written or electronic notice to each health care provider stating whether the insurer will, when paying reimbursement for the medical service(s) for a compensable injury, apportion out the percentage of need for the care attributable to a pre-existing condition pursuant to Section 440.15(5), F.S. If the insurer decides to apportion out the percentage of need for the care attributable to the pre-existing condition after authorization, the insurer shall issue a written or electronic notice to each health care provider stating that it will apply such apportionment, pursuant to Section 440.15(5), F.S., to the reimbursement for the authorized medical service(s). Compliance with this subparagraph is independent of and does not satisfy the notification requirement pursuant to Rule 69L-3.017, F.A.C.

(c) through (v) No change.

(6) No change.

~~(7) Insurer Administrative Penalties and Administrative Fines for Untimely Health Care Provider Payment or Disposition of Medical Bills.~~

~~(a) The Department shall impose insurer administrative penalties for failure to comply with the payment, adjustment, disallowance or denial requirements pursuant to Section 440.20(6)(b), F.S. Timely performance standards for timely payments, adjustments and payments, disallowances or denials, reported on Forms DFS-F5-DWC-9, DFS-F5-DWC-10, DFS-F5-DWC-11 and DFS-F5-DWC-90, shall be calculated and applied on a monthly basis for each separate form category that was received within a specific calendar month. Such insurer penalties shall be determined according to the penalty schedule in paragraph (7)(b) of this rule.~~

~~(b) Pursuant to Section 440.185(9), F.S., the Department shall impose insurer administrative fines for failure to comply with the submission, filing or reporting requirements of this rule. Insurer administrative fines shall be applied as follows:~~

~~1. Calculated on a monthly basis for each separate form category (Forms DFS F5-DWC-9, DFS F5-DWC-10, DFS F5-DWC-11 and DFS F5-DWC-90) received and accepted by the Division within a specific calendar month; and~~

~~2. Insurers are required to report all medical reports timely pursuant to paragraph (5)(e) of this rule. Insurers that fail to submit a minimum of 95% of all medical reports timely are subject to an administrative fine. Each untimely filed medical report which falls below the 95% requirement is subject to the following penalty schedule:~~

- ~~a. 1—30 calendar days late \$5.00;~~
- ~~b. 31—60 calendar days late \$10.00;~~
- ~~c. 61—90 calendar days late \$25.00;~~
- ~~d. 91 or greater calendar days late \$100.00.~~

~~3. Each medical report that does not pass the electronic reporting edits shall be rejected by the Division and considered not filed pursuant to paragraph (5)(e) of this rule. If the medical report remains rejected and not corrected, resubmitted and accepted by the Division for greater than 90 days, an administrative fine shall be assessed in the amount of \$100.00 for each such medical report. Rejected and not resubmitted medical reports will not be included in the 95% timely reporting requirement.~~

~~4. Untimely filed medical reports for a given month will be excluded from the administrative fine set forth in subparagraph (7)(b)3. above as falling within the performance standard between 100% and 95% in the following order:~~

- ~~a. Medical Reports filed 1—30 calendar days late; then~~
- ~~b. Medical Reports filed 31—60 calendar days late; then~~
- ~~c. Medical Reports filed 61—90 calendar days late; then~~
- ~~d. Medical Reports filed 91+ calendar days late.~~

Rulemaking Authority 440.13(4), 440.15(3)(b), (d), 440.185(5), 440.525(2), 440.591, 440.593(5) FS. Law Implemented 440.09, 440.13(2)(a), (3), (4), (6), (11), (12), (14), (16), 440.15(3)(b), (d), 440.185(5), (9), 440.20(6), 440.525(2), 440.593 FS. History—New 1-23-95, Formerly 38F-7.602, 4L-7.602, Amended 7-4-04, 10-20-05, 6-25-06, 3-8-07, 1-12-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers’ Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 20, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

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| RULE NOS.: 69L-29.001 69L-29.002 69L-29.003 69L-29.004 69L-29.005 69L-29.006 69L-29.007 69L-29.008 69L-29.009 69L-29.010 69L-29.011 | RULE TITLES: Definitions Eligibility Requirements for Certification Certification Time Frames Occasional Health Care Providers Revocation of Certification Status Decertification Process Recertification Process Verification of Determining Certification Status Carrier Responsibilities Certified Provider Responsibilities Workers’ Compensation Certification Training Courses |
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PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the current rule chapter to revise the process by which health care providers meet the minimum criteria for certification pursuant to Section 440.13(3)(a), F.S. The proposed amendment also introduces the “Florida Workers’ Compensation Health Care Provider Certification Tutorial”, a no-cost, on-line resource that implements an electronic certification process for health care providers that will improve the efficiencies in the certification process. The tutorial ensures participation only by statutorily defined providers and provides a learning tool that allows providers to progress at their own pace and to create and maintain their provider profile. The tutorial consists of an overview of the Florida Workers’ Compensation System and the general administrative policies with which a health care provider must become familiar to be certified and successfully participate under the system. The proposed rule amendment also deletes existing Rule(s) 69L-29.004, 69L-29.006, 69L-29.007, 69L-29.009 and 69L-29.011, F.A.C.

SUMMARY: The proposed amendment, a significant rewrite of the existing rule chapter, introduces an electronic certification process that allows health care providers an efficient and flexible means to obtain, manage and maintain their requisite certifications. The amended rule chapter also includes an on-line, no-cost tutorial to assist providers seeking to gain familiarity with the certification process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase, directly or indirectly, regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule.

A SERC has been prepared by the agency.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: a preliminary analysis performed by the agency indicates that the proposed amendment imposes no significant costs on health care providers subject to the certification process. The on-line certification process and tutorial introduced by the amendment are provided at no cost to providers. There are no significant costs to the agency, as the proposed changes are not anticipated to require additional employees or an increase in other expenditures to administer. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 440.13(3)(a), 440.591 FS.

LAW IMPLEMENTED: 440.13(3), (13) FS.

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

DATE AND TIME: Friday, August 3, 2012, 10:00 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1689, Eric.Lloyd@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

69L-29.001 Definitions.

~~(1) "Application" means form DFS Form 3160 0020 required by this rule chapter to be submitted by health care providers to the Department. The DFS Form 3160 0020 application form is incorporated into this rule chapter by reference in subsection 69L-29.002(1), F.A.C.~~

~~(2) "Certification training course" is a training and education course approved by the Department to satisfy the minimum five hour course required by Section 440.13(3)(a), F.S.~~

~~(1)(3) "Certified health care provider" or "certified provider" is as defined in Section 440.13(1)(d), F.S.~~

~~(2)(4) "Certification" is the process through which a health care provider is approved as eligible to receive reimbursement for services rendered under Chapter 440, F.S., upon completion~~

of the Division's Health Care Provider Certification Tutorial by correctly answering 95% of the tutorial review questions. "Certify" is the process through which the Department grants or denies certification status to a health care provider.

~~(3) "Deemed certified" is the status of a health care provider not required to complete the Health Care Provider Tutorial pursuant to this rule chapter.~~

~~(4) "Division" is defined in Section 440.02(14), F.S.~~

~~(5) "Decertification" means Department revocation of certification.~~

~~(6) "Department" is defined in Section 440.02(12), F.S.~~

~~(5)(7) "Emergency services and care" is as defined in Section 440.13(1)(f), F.S.~~

~~(6)(8) "Health care facility" is as defined in Section 440.13(1)(g), F.S.~~

~~(7)(9) "Health care provider" or "provider" is as defined in Section 440.13(1)(h), F.S.~~

~~(8) "Health Care Provider Certification List" or "Certification List" is the Division's electronic database of providers certified pursuant to this Rule Chapter.~~

~~(9) "Health Care Provider Certification Tutorial" or "HCP Tutorial", hereby incorporated by reference in this rule chapter, is the electronic tool used by the Division to educate providers on Chapter 440, F.S., and applicable administrative rules that govern the provision of medical treatment and services under the Florida Workers' Compensation health care delivery system. The HCP Tutorial is also the tool by which the Division documents a provider's familiarity with applicable provisions of the statute and administrative rules for certification pursuant to this rule chapter.~~

~~(10) "Non-physician health care provider" means a health care provider licensed pursuant to the Florida Statutes who is not a physician as defined in Section 440.13(1)(q), F.S., and who bills for services rendered on form DFS-F5-DWC-9 pursuant to Rule 69L-7.602, F.A.C.~~

~~(11) "Occasional provider" means a health care provider who treats twelve (12) or fewer injured employees in one calendar year.~~

~~(10)(12) "Physician" is as defined in Section 440.13(1)(q), F.S.~~

~~(11) "Recognized practitioner" is a non-physician health care provider licensed by the Department of Health (hereinafter "DOH") who works under the protocol of a physician or who, upon referral from a physician, can render direct billable services independent of the supervision of a physician.~~

~~(12)(13) "Revocation" "Suspension" means Department's action to remove a provider's name from the Certification List bar for a specified period of time a health care provider's eligibility to receive reimbursement for services rendered under Chapter 440, F.S.~~

(13) “Nursing Home Facility” is a health care facility licensed under Chapter 400, F.S.

(14) “Home Health Agency” is a health care facility licensed under Chapter 400, F.S.

(15) “Home Medical Equipment Provider” or “HME Provider” is a health care facility licensed under Chapter 400, F.S.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History—New 3-14-95, Formerly 38F-53.001, 59A-29.001, Amended _____.

69L-29.002 Eligibility Requirements for Certification.

(1) A Provider who correctly answers 95% of the HCP Tutorial review questions shall qualify for certification if the Provider is: The Department shall certify health care providers who meet the following requirements:

(a) A physician that The health care provider holds a clear active valid license issued by the Department of Health (hereinafter “DOH”) or a Florida medical school teaching or faculty certificate issued pursuant to Sections 458.3145, 459.0077, 463.0057 or 466.002, F.S., or a chiropractic medicine faculty certificate pursuant to Section 460.4062, F.S., or a temporary certificate in an area of critical need pursuant to Section 458.315, F.S.; or

(b) A recognized practitioner that holds a clear active license issued by DOH. The health care provider has submitted a signed, typed, and completed application form DFS Form 3160-0020 to the Division of Workers’ Compensation, Office of Medical Services, c/o Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232. Illegible or unsigned applications shall be returned. The DFS Form 3160-0020 application form is incorporated by reference into Chapter 69L-29, F.A.C. The version of the form required to be submitted to the Department shall bear the date October 15, 1994. A copy of the application form DFS Form 3160-0020 may be obtained from the Department.

(c) Physicians shall enroll in and complete a minimum 5 hour Department approved training course, pursuant to Section 440.13(3)(a), F.S. The Department shall not credit a physician for completion of any training course to meet the requirements of Section 440.13(3)(a), F.S., prior to the date the Department approves the training course for credit.

(2) A health care facility with an unencumbered license issued by the Agency for Health Care Administration (hereinafter “AHCA”) is deemed certified. The Department shall not certify a health care provider when:

(a) The Agency for Health Care Administration has entered an adverse final order imposing an administrative penalty, which revokes or suspends the health care provider’s license, or places the health care provider on probation, or the health care provider agrees to such an administrative penalty, within twelve months preceding the date of filing of the application form DFS Form 3160-0020; or

(b) The Department has entered an adverse final order imposing an administrative penalty or fine against the health care provider within twelve months preceding the date of filing of the application form DFS Form 3160-0020; or

(c) The health care provider has been suspended three times pursuant to subsection 69L-29.006(5), F.A.C.

(3) A provider under contract with a licensed managed care organization is deemed certified. The following are not required to be certified in order to provide services pursuant to Section 440.13, F.S.:

(a) Health care providers rendering emergency services and care;

(b) Pharmacists licensed under Chapter 465, F.S.

(c) Medical suppliers who bill on the DFS F5-DWC-10.

(d) Health care providers of medical services rendered outside the State of Florida;

(e) Federal health care providers;

(f) Health care facilities, except that physicians and non-physician health care providers employed as health care providers must be certified under this rule as a condition to eligibility for payment under Chapter 440, F.S.

(4) A pharmacist licensed under Chapter 456, F.S. is deemed certified.

(5) A provider shall not be eligible for reimbursement of services pursuant to Section 440.13, F.S., until such time as the certification requirements under this rule are met.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History—New 3-14-95, Formerly 38F-53.002, 59A-29.002, Amended _____.

69L-29.003 Certification Time Frames.

The Department shall certify health care providers within the following time frames:

(1) Upon correctly answering 95% of the HCP Tutorial review questions, the provider shall receive an electronically generated Division of Workers’ Compensation Approval of Provider Certification and Eligibility for Reimbursement Notification (hereinafter “DWC Provider Certification Notice”). Upon the effective date of this rule, the Department shall accept applications for certification from physicians. Within 90 days of receipt of an application for certification, the Department shall return to the physician a notice of approval or denial of certification, or shall request additional required information not previously submitted, and shall state the reasons for denial of certification. The Department shall maintain the original application form DFS Form 3160-0020 in its files. Physicians, as a condition to eligibility for payment under Chapter 440, F.S., shall be certified within 12 months of the effective date of this rule.

(2) The DWC Provider Certification Notice shall include the effective date on which a provider may begin to receive reimbursement for medical treatment and services rendered to injured employees under Chapter 440, F.S. Beginning 12

~~months following the effective date of this rule, the Department shall accept applications for certification from non-physician health care providers. Within 90 days of receipt of an application for certification, the Department shall return to the non-physician health care provider a notice of approval or denial of certification, and shall request additional required information not previously submitted, or shall state the reasons for denial of certification. The Department shall maintain the original application form DFS Form 3160-0020 in its files. Non-physician health care providers, as a condition to eligibility for payment under Chapter 440, F.S., shall be certified within 24 months of the effective date of this rule.~~

(3) A provider's certification remains in effect unless voluntarily withdrawn by the provider or revoked by the Department pursuant to Rule 69L-29.005, F.A.C.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History-New 3-14-95, Formerly 38F-53.002, 59A-29.003, Amended.

69L-29.004 Occasional Health Care Providers.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History-New 3-14-95, Formerly 38F-53.004, 59A-29.004, Repealed.

69L-29.005 Revocation ~~Decertification~~ of Certification Status a Health Care Provider.

~~(1) The Department shall revoke a provider's certification and shall issue a final order removing a certified provider's name from the Certification List when any one of the following conditions occurs: Pursuant to Section 440.13(13), F.S., the Department shall suspend and remove health care providers from its database of certified health care providers, upon the following:~~

(a) The Department determines that a provider is in violation of Chapter 440, F.S., or the administrative rules adopted by the Department pursuant to Chapter 440, F.S.; or When the Department enters an adverse final order against the health care provider imposing an administrative fine or penalty upon the health care provider for violations of Chapter 440, F.S., or the administrative rules adopted by the Department;

(b) DOH changes the physician's or recognized practitioner's license to a status other than clear active; or When the Department of Health has entered an adverse final order imposing an administrative penalty, which revokes or suspends the health care provider's license, or places the health care provider on probation, or the health care provider agrees to such an administrative penalty;

(c) AHCA revokes the facility's license; or

(d) The certified provider fails to renew or voluntarily surrenders the applicable license issued by DOH or AHCA; or

(e) The certified provider no longer meets the eligibility requirements for being certified or deemed certified pursuant to this Rule Chapter.

(2) The provider whose certification is revoked pursuant to this section shall not be eligible for reimbursement under Chapter 440, F.S. When a health care provider is suspended or decertified, the health care provider shall notify each carrier from whom he/she has received authorization to treat an injured employee. The carrier shall transfer the care of the injured employee to another certified health care provider.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History-New 3-14-95, Formerly 38F-53.005, 59A-29.005, Amended.

69L-29.006 Decertification Process.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (8), (13) FS. History-New 3-14-95, Formerly 38F-53.006, 59A-29.006, Repealed.

69L-29.007 Recertification Process.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History-New 3-14-95, Formerly 38F-53.007, 59A-29.007, Repealed.

69L-29.008 Verification of ~~Determining~~ Certification Status.

(1) Upon issuance of the DWC Provider Certification Notice, the following information will be recorded on the Certification List: When a carrier or an agent of the carrier requests the certification status of a health care provider, the health care provider shall provide proof of current certification before being authorized to render care. A copy of the notice of approval of certification issued by the Department to the health care provider may be used as proof of current certification.

(a) Provider's First and Last Name;

(b) Provider's DOH or AHCA license number;

(c) Provider's place of business name, address(es) and telephone number(s);

(d) Provider's specialty board affiliation(s) and sub-specialty(ies).

(2) The certification status of a provider may be verified by accessing the Certification List at <http://www.myfloridacfo.com/WC/index.htm> under the "Databases" link. The Department shall maintain on a quarterly basis a list of health care providers suspended or decertified and the duration of suspension.

(3) A provider who, pursuant to this rule chapter, is deemed certified may elect to be listed on the Certification List by completing the HCP Tutorial Pre-Screening Assessment at: [taps://apps.fldfs.com/provider/HCPSearch.asp](https://apps.fldfs.com/provider/HCPSearch.asp).

The Department shall respond to written requests for certification status within sixty days of receipt of the request. The request shall provide the full name, license number, and mailing address of each health care provider for whom certification status is being requested. No request for certification status shall be answered over the telephone or accepted by facsimile transmission.

(4) A provider who, pursuant to this rule chapter, is deemed certified and elects not to be listed on the Certification List, shall provide proof of current licenser or contract with a licensed managed care organization upon which certification status is deemed when requested in writing by an insurer, including electronic written requests, within ten (10) days of the request.

(5) Providers are responsible for maintaining and updating their provider profile to reflect any changes in the information identified in subsection (1).

Rulemaking Specific Authority 440.13(3)(a), 440.591 F.S. Law Implemented 440.13(3), (13) FS. History–New 3-14-95, Formerly 38F-53.008, 59A-29.008, Amended _____.

69L-29.009 Carrier Responsibilities.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History–New 3-14-95, Formerly 38F-53.009, 59A-29.009, Repealed _____.

69L-29.010 Certified Health—Care Provider Responsibilities.

(1) A certified provider Health-care providers shall be responsible for notifying the Division Department in writing of any change in the status of the that health-care provider’s license or contract with a licensed managed care organization; or mailing address within 30 10 days of such change. Such notifications changes shall be sent to: Division of Workers’ Compensation, Office of Medical Services, c/o Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida, 32399-4232 or workers.compmedservice@myfloridacfo.com.

(2) A certified provider shall ensure the information recorded on the Certification List is current and accurate by updating his, her or its provider record maintained in the Division’s Provider Database, accessible on the Division’s website at <https://apps.fldfs.com/provider/HCPSearch.aspx>.

(3) Failure to comply with this rule shall result in forfeiture of any remedy pursuant to Section 440.13(7), F.S., for services rendered on or subsequent to the change in the provider’s certification status.

Rulemaking Specific Authority 440.13(3)(a), 440.591 F.S. Law Implemented 440.13(3), (13) FS. History–New 3-14-95, Formerly 38F-53.010, 59A-29.010, Amended _____.

69L-29.011 Workers’ Compensation Certification Training Courses.

Rulemaking Specific Authority 440.13(3)(a), 440.591 FS. Law Implemented 440.13(3), (13) FS. History–New 3-14-95, Formerly 38F-53.011, 59A-29.011, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Lloyd, Office of Medical Services, Program Administrator, Division of Workers’ Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2011

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NO.: 69U-100.964
 RULE TITLE: Transactions Relating to Iran or Terrorism

PURPOSE, EFFECT AND SUMMARY: The proposed new rule adopts federal standards set by the U.S. Treasury Department, Office of Foreign Assets Control, in 31 C.F.R. Part 561 to establish the minimum standards for due diligence policies, procedures, and controls for Florida state chartered financial institutions that maintain certain accounts with foreign financial institutions, to reasonably detect whether the foreign financial institution engages in certain activities facilitating the development of weapons of mass destruction by the Government of Iran, provides support for certain foreign terrorist organizations, or participates in other related activities.

RULEMAKING AUTHORITY: 655.012, 120.54(1)(f) FS., Ch. 2012-201, Laws of Fla.

LAW IMPLEMENTED: Ch. 2012-201, Laws of Fla.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Jeffrey Jones, Office of Financial Regulation, jeffrey.jones@flofr.com.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-100.964 Transactions Relating to Iran or Terrorism. Florida state-chartered financial institutions shall comply with the federal standards set out by the U.S. Treasury Department, Office of Foreign Assets Control, in 31 C.F.R. Part 561, Subparts B, C, and D, which are adopted and incorporated by reference, as the minimum standards for due diligence policies, procedures, and controls as required by Chapter 2012-201, Laws of Florida.

Rulemaking Authority 655.012, 120.54(1)(f) FS., Ch. 2012-201, Laws of Fla. Law Implemented Ch. 2012-201, Laws of Fla. History–New _____.

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NO.: 69U-105.206
 RULE TITLE: Regulatory Standards for Evaluating Applications

PURPOSE AND EFFECT: The proposed rule amendment updates the rule to reflect changes in initial capital amounts in Section 658.21, Florida Statutes. Chapter 2008-75, Laws of Florida, increased minimum initial capital amounts to \$8 million for banks and \$3 million for trust companies.

SUMMARY: The proposed rule amendment updates the rule to reflect changes in initial capital amounts in Section 658.21, Florida Statutes. Chapter 2008-75, Laws of Florida, increased minimum initial capital amounts to \$8 million for banks and \$3 million for trust companies.

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 a SERC was triggered under Section 120.541(1), F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 655.012(2), 658.26(2)(a) FS.

LAW IMPLEMENTED: 517.051(5), 517.301, 517.311, 655.001(2)(c), (d), 655.0322, 655.037, 655.0385, 655.0386, 655.057(6), 658.19, 658.20, 658.21, 658.25, 658.26, 658.33, 665.013, 667.003 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: Jeffrey Jones, Office of Financial Regulation, jeffrey.jones@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-105.206 Regulatory Standards for Evaluating Applications.

(1) No change.

(2) Standards. In making its determination OFR shall consider the following statutory criteria:

(a) No change.

(b) Capital structure.

1. Capital should be adequate to enable the new state financial institution to provide necessary services for state financial institutions, including loans of sufficient size, to meet the needs of prospective customers.

2. Capital should be sufficient to purchase, build, or lease a suitable permanent facility complete with equipment.

3. The initial capital accounts, at opening, for a new bank or association shall not be less than ~~\$8.0 million~~ ~~\$2.0 million in non-metropolitan areas~~ and ~~\$4.0 million in metropolitan areas~~. OFR may determine that higher amounts are necessary based on local market conditions or the operating plans of the organizing group. A higher amount may not be required where the applicant is proposed as a subsidiary of a registered financial institution holding company upon a finding by OFR that the financial institution holding company and its affiliated financial institutions have demonstrated satisfactory performance records of meeting OFR requirements.

4. The initial capital accounts, at opening, for a new trust company shall not be less than ~~\$3.0~~ ~~\$2.0~~ million.

5. The capital referred to above shall be allocated among capital stock, paid-in surplus, and undivided profits in the ratios set forth in subsection (3) of Section 658.21, F.S.

6. With respect to all classes and series of voting stock, the voting rights, right to receive payment of dividends, right to receive payment in the event of liquidation, and any other rights or benefits of ownership shall be proportional to the amount of capital contributed in exchange for such shares.

(c) through (d) No change.

(3) through (5) No change.

Rulemaking Specific Authority 655.012(2) 655.012(3), 658.26(2)(a) FS. Law Implemented 517.051(5), 517.301, 517.311, 655.001(2)(c), (d), 655.0322, 655.037, 655.0385, 655.0386, 655.057(6), 658.19, 658.20, 658.21, 658.25, 658.26, 658.33, 665.013, 667.003 FS. History–New 5-24-78, Amended 6-9-81, Formerly 3C-10.051, Amended 6-20-90, Formerly 3C-10.0051, Amended 8-14-94, 4-15-98, Formerly 3C-105.206, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert Hayes, Chief, Bureau of Bank Regulation, District I

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

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|-------------|----------------------------|
| RULE NOS.: | RULE TITLES: |
| 69U-110.005 | Application and Filing Fee |
| 69U-110.031 | Powers |

PURPOSE AND EFFECT: Rule 69U-110.005, F.A.C., is proposed for amendment to strike the requirement that application forms be filed in triplicate to reduce regulatory burdens. Rule 69U-110.031, F.A.C., is proposed for amendment to delete subparagraph (2)(a)2., to comport with changes to federal rules.

SUMMARY: Rule 69U-110.005, F.A.C., is proposed for amendment to strike the requirement that application forms be filed in triplicate to reduce regulatory burdens. Rule 69U-110.031, F.A.C., is proposed for amendment to delete subparagraph (2)(a)2., to comport with changes to federal rules.

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 655.012(2) FS.

LAW IMPLEMENTED: 657.005, 655.061, 657.031, 657.042 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 RULES IS: Jeffrey Jones, Office of Financial Regulation, jeffrey.jones@loft.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69U-110.005 Application and Filing Fee.

Application for authority to organize and operate a credit union shall be made to OFR per Rule 69U-105.001 and Chapter 69U-105, Part I, F.A.C., and as follows:

(1) The organizers of the proposed credit union shall complete and file Form OFR-U-60, Application for Authority to Organize and Operate a Credit Union (revised 10/2006), which is hereby incorporated by reference, ~~in triplicate~~ and proposed bylaws on Form OFR-U-61, Model Credit Union Bylaws (revised 10/2006), which is hereby incorporated by reference, ~~in triplicate~~. The original shall be submitted to OFR with a nonrefundable filing fee of \$250. A copy of such documents shall be submitted to the National Credit Union Administration and a copy shall be retained by the organizers.

(2) Each proposed director, member of the supervisory committee, member of the credit committee, and executive officer shall complete the biographical report section only of Form OFR-U-10, Interagency Biographical and Financial Report (revised 6/2006) and Form OFR-U-10-A, Addendum to Form OFR-U-10 (revised 6/2006), which are hereby incorporated by reference, ~~in triplicate~~. The original shall be submitted to OFR, a copy of such documents shall be submitted to the National Credit Union Administration, and a copy shall be retained by the organizers.

(3) through (4) No change.

Rulemaking Specific Authority 655.012(2) FS. Law Implemented 657.005 FS. History—New 10-21-75, Amended 3-21-77, 10-13-81, Formerly 3C-30.02, 3C-30.002, Amended 10-8-95, Formerly 3C-110.005, Amended 3-6-07, _____.

69U-110.031 Powers.

(1) No change.

(2) General Powers Activities. Credit unions are authorized to engage in those general powers activities to provide financial services and benefits to their members without prior approval of the OFR, unless such approval is otherwise specifically required by law or is necessary to achieve competitive equality per Section 655.061, F.S. The following general powers activities are so authorized for competitive equality:

(a) Credit unions exempted from significant events reporting per Section 655.948(4)(a), F.S., and meeting the net worth and Capital, Asset, Management, Earnings and Liquidity (CAMEL) rating eligibility criteria for the National Credit Union Administration’s Regulatory Flexibility Program, as specified in 12 C.F.R Part 742 (2006), which is hereby incorporated by reference, may:

1. Establish and maintain Federal public unit and nonmember accounts in accordance with National Credit Union Administration (NCUA) Rule 701.32 (codified at 12 C.F.R. § 701.32 (2006)), which is hereby incorporated by reference, and the exemption of NCUA Rule 742.4(a) (codified at 12 C.F.R. § 742.4(a)(2006)), which is incorporated by reference in paragraph (a), consistent with the limitations of Chapter 280, F.S.;

~~2. Invest in real estate and equipment for the credit union as provided in Section 657.042(5), F.S., that may exceed five percent of the capital of the credit union, without prior notice or approval of the OFR; and~~

~~2.3. Invest in commercial mortgage related securities as may be permitted by NCUA Rule 703.16 (codified at 12 C.F.R. § 703.16 (2006)), which is hereby incorporated by reference, and the exemption, limitations and restrictions of NCUA Rule 742.4(b) (codified at 12 C.F.R. § 742.4(b) (2006)), which is incorporated by reference in paragraph (a).~~

(b) No change.

(3) No change.

Rulemaking Specific Authority 655.012(2) FS. Law Implemented 655.061, 657.031, 657.042 FS. History—New 3-6-07, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert Hayes, Chief, Bureau of Bank Regulation, District I
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

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| RULE NOS.: | RULE TITLES: |
| 69U-120.004 | Loans Secured by Secondary Liens on Real Estate |
| 69U-120.009 | Securities Purchasable by Banks; Investment Characteristics |

PURPOSE AND EFFECT: Rule 69U-120.004, F.A.C., is proposed for amendment to remove language nullified by the repeal of certain statutory language in Section 658.48, Florida Statutes, as a result of Chapter 2011-194, Laws of Fla. (2011). Rule 69U-120.009, F.A.C., is proposed for amendment to conform the rule to statutory revisions to Section 658.67, F.S., as a result of Chapter 2011-194, Laws of Fla. (2011).

SUMMARY: Rule 69U-120.004, F.A.C., is proposed for amendment to remove language nullified by the repeal of certain statutory language in Section 658.48, Florida Statutes, as a result of Chapter 2011-194, Laws of Fla. (2011). Rule 69U-120.009, F.A.C., is proposed for amendment to conform the rule to statutory revisions to Section 658.67, F.S., as a result of Chapter 2011-194, Laws of Fla. (2011).

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 655.012(2) FS.

LAW IMPLEMENTED: 658.48, 658.67 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 RULES IS: Jeffrey Jones, Office of Financial Regulation, jeffrey.jones@flofr.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69U-120.004 Loans Secured by Secondary Liens on Real Estate.

~~(1) As provided by subparagraph 658.48(5)(c)5., F.S., state banks may make loans based on the security of secondary real estate mortgages in an amount not to exceed 10 percent of capital accounts to any one borrower.~~

~~(2)~~ For computation of total loans to any one borrower, loans secured by secondary liens will be considered unsecured unless the following criteria are met:

~~(1)(a)~~ The position of the state bank’s mortgage shall be documented. Acceptable forms of documentation shall include an attorney’s title opinion, or title insurance, or a written memorandum of title search prepared by the bank’s own employee or agent. A written notation made by the person preparing the documentation that prior mortgages contain no future advance provisions is required. If prior liens do contain future advance provisions, an estoppel letter from prior mortgages must be obtained.

~~(2)(b)~~ Appropriate records shall be maintained to fully establish the bank’s equity in their mortgage at the time the loan is made.

~~(3)(e)~~ Any loan with a maturity in excess of 5 years from origination will be subject to principal reduction through a regular schedule of payments. At least one such payment is required annually.

~~(4)(d)~~ Any loan due on demand shall not be carried on the books of a state bank in excess of 5 years, however, it may be converted to an amortized loan with a stated maturity and thereby permissibly extended beyond 5 years.

~~Rulemaking Specific Authority 655.012(2) 655.012(3), 655.06 FS. Law Implemented 658.48 FS. (See also 12 U. S. C. 371) History—New 6-13-77, Amended 4-23-78, 6-30-81, Formerly 3C-11.17, 3C-11.017, 3C-120.004, Amended _____.~~

69U-120.009 Securities Purchasable by Banks; Investment Characteristics.

(1) Securities of political subdivisions of the states are not eligible for investment unless current as to all payments of principal and interest and otherwise supported as to investment quality and marketability by a credit rating file compiled and maintained in current status by the purchasing bank or trust company rated at least Baa or BAA by established investment services (such as Standard and Poor’s Corporation, Moody’s Investors Service, and The Fitch Publishing Company, Inc.) are eligible bank investments. It is understood that the compiled and current credit rating file will indicate such ratings indicate the presence of protection for both principal and interest through satisfactory basic credit factors as follows:

(a) For general obligations – assessed valuations; tax rates; tax collections; receipts and disbursements; long-term debt record; direct debt-overlapping debt; budget controls; operating results; economic status of political subdivision including population trend; and, political subdivision management record.

(b) For revenue obligations – assessed valuations; tax rates; tax collections; specific pledged revenues, with projections if available; operating expenses chargeable to revenues; net revenues available for debt service; nature of revenue lien; restrictions against excessive additional revenue bonds; necessity of project; competitive facilities; legal authority for the revenue issue; economic status of political subdivision; and population, including growth trend.

~~(2) Absence of a rating shall not of itself render a security ineligible. Non-rated general obligations and revenue issues of quality but limited in size which possess the factors present in rated issues to a satisfactory and equivalent degree shall be regarded as eligible.~~

~~(2)(3)~~ Corporate obligations listed upon a recognized exchange, and new corporate issues for which listing applications are pending, which are current as to all payments of principal and interest and otherwise supported as to investment quality and marketability by a credit file compiled and maintained in current status by the purchasing bank or trust company rated at least Baa or BAA by established statistical services shall be considered eligible bank investments, except as follows:

(a) Equipment trust issues shall not be subject to the listing requirement.

(b) Securities convertible into stock at the option of the holder or with stock purchase warrants attached shall be prohibited if the price paid is in excess of the comparative investment value considered independently of the conversion or purchase warrant features.

(c) Securities convertible into stock at the option of the issuer are predominantly speculative and shall be ineligible.

~~(3)(4)~~ Marketability, which is considered as present in listed corporate issues and in new corporate issues for which listing applications are pending, shall be accepted as present in securities of political subdivisions if they shall be salable under ordinary circumstances with reasonable promptness at a fair value.

~~Rulemaking Specific Authority 655.012(2) 655.012(3) FS. Law Implemented 658.67 FS. History—New 7-18-74, Amended 6-30-81, Formerly 3-1.04, 3C-11.04, 3C-11.004, 3C-120.009, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hayes, Chief, Bureau of Bank Regulation, District I
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

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| RULE NOS.: | RULE TITLES: |
| 69U-140.008 | Permissible Activities for an Agency |
| 69U-140.015 | Capital Equivalency or Asset Maintenance |

PURPOSE AND EFFECT: Rule 69U-140.008, F.A.C., is proposed for amendment to clarify and make the rule consistent with the actual activities that an international agency may engage in Rule 69U-140.015, F.A.C., is proposed for amendment to conform the rule to statutory revisions in Section 658.67, F.S. enacted by Chapter 2011-194, Laws of Fla. (2011).

SUMMARY: Rule 69U-140.008, F.A.C., is proposed for amendment to clarify and make the rule consistent with the actual activities that an international agency may engage in Rule 69U-140.015, F.A.C., is proposed for amendment to conform the rule to statutory revisions in Section 658.67, F.S. enacted by Chapter 2011-194, Laws of Fla. (2011).

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 655.012(2), 663.061(3), 663.13 FS.

LAW IMPLEMENTED: 663.061, 663.07(1), (3), (5), (7), (9), 663.12(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 RULES IS: Jeffrey Jones, Office of Financial Regulation, jeffrey.jones@flofr.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69U-140.008 Permissible Activities for an Agency.

(1) ~~An international banking corporation is authorized to transact only such limited business in Florida as is clearly related to and usual in international or foreign business and financing international commerce.~~ Generally, permissible activities shall include those activities permissible for corporations engaged in international banking or financial operations under the Edge Act, 12 U.S.C. sections 611-631, except such of those activities that are contrary to or inconsistent with any of the provisions of Chapter 663, F.S., or these rules.

(2) through (4) No change.

(5) Lending. ~~An No international banking corporation shall make loans from its agency office in Florida unless such loans are clearly related to and usual in international or foreign business and financing international commerce.~~ Thus, an agency may provide financing and banking services to foreign businesses and foreign individuals in their foreign operations, and also in their operations in the United States or elsewhere, where such operations are in the stream of international business and commerce. An agency may also provide financing and banking services to United States businesses and customers in their foreign operations and in their operations in

Florida and elsewhere that are clearly related to international commerce, such as operations directly connected with the production, storage, transportation and sale of goods for export or import if the importation or exportation of the goods is financed by the banking agency. ~~Real estate loans, automobile loans, retail installment contract financing, loans for the purchase of securities and other essentially domestic loans will not fall within the category of permissible activities.~~

(6) Deposits.

(a) An international bank agency licensed by this state may accept, pursuant to Section ~~663.061~~ 663.06, F.S., only the following deposits:

1. through 4. No change.

(b) No change.

(7) No change.

~~Rulemaking Specific Authority 655.012(2) 655.012(3), 663.061(3), 663.13 FS. Law Implemented 663.061 FS. History—New 5-4-78, Amended 2-24-80, 7-21-81, 12-2-85, Formerly 3C-15.03, Amended 5-27-87, 5-18-88, Formerly 3C-15.003, Amended 11-5-97, Formerly 3C-140.008, Amended _____.~~

69U-140.015 Capital Equivalency or Asset Maintenance.

(1) through (5) No change.

(6) Notwithstanding the limitations of Section 658.67, F.S., an international bank agency or international branch is authorized to use securities issued by foreign governments, or foreign government sponsored entities, for the purpose of satisfying the capital equivalency or asset maintenance requirements of Section 663.07, F.S., provided that:

(a) The bonds or other obligations used for this purpose are current as to all payments of principal and interest and otherwise supported as to investment quality and marketability by a credit rating file compiled and maintained in current status are rated in one of the four highest classifications;

(b) through (c) No change.

(7) through (11) No change.

~~Rulemaking Specific Authority 655.012(2) 655.012(3), 663.13 FS. Law Implemented 663.07(1), (3), (5), (7), (9), 663.12(4) FS. History—New 3-10-82, Amended 11-21-85, Formerly 3C-15.10, Amended 10-5-89, Formerly 3C-15.010, Amended 8-24-93, Formerly 3C-140.007, 3C-140.015, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hayes, Chief, Bureau of Bank Regulation, District I

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Finance

69V-160.025 Property Insurance on Loans
 PURPOSE AND EFFECT: Rule 69V-160.025, F.A.C., is recommended for amendment to strike subsection (11). The Office lacks statutory authority to require licensees under the act to display the rules governing insurance on household goods and appliances.

SUMMARY: Rule 69V-160.025, F.A.C., is recommended for amendment to strike subsection (11). The Office lacks statutory authority to require licensees under the act to display the rules governing insurance on household goods and appliances.

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 20.05(5), 516.22(1) FS.

LAW IMPLEMENTED: 516.031(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: Andy Grosmaire, Chief, Bureau of Finance Enforcement, (850)410-9848, andy.grosmaire@fiofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-160.025 Property Insurance on Loans.

(1) through (10) No change.

~~(11) Rules to be displayed. The licensee shall display in a conspicuous place in the office of the lending institution the rules contained herein governing insurance on household goods and appliances. Upon request of the borrower, the licensee shall explain clearly to the borrower his rights and limitations as set forth in said rules.~~

(12) No change.

Rulemaking Specific Authority 20.05(5), 516.22(1) FS. Law Implemented ~~516.20(4)~~, 516.031(3) FS. History-New 9-1-75, Amended 8-16-83, Formerly 3D-160.25, 3D-160.025, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory Oaks, Director, Division of Finance

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-560.802
 RULE TITLE: Minimum Disclosure

PURPOSE AND EFFECT: Rule 69V-560.802, F.A.C., is to be amended to remove deferred presentment providers from the requirement to post a schedule of fees, as there is no specific statutory authority as applied to deferred presentment providers.

SUMMARY: Rule 69V-560.802, F.A.C., is to be amended to remove deferred presentment providers from the requirement to post a schedule of fees, as there is no specific statutory authority as applied to deferred presentment providers.

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 560.105, 560.404(23) FS.

LAW IMPLEMENTED: 560.309 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: Andy Grosmaire, Chief, Bureau of Finance Enforcement, (850)410-9848, andy.grosmaire@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.802 Minimum Disclosure.

(1) Every check casher ~~and deferred presentation provider~~ must continuously post in a conspicuous place a clearly legible schedule of fees charged in every location and mobile unit.

(2) The term “conspicuous place” is defined herein as a place which is reasonably calculated to impart the information to the public.

Rulemaking Specific Authority 560.105, 560.404(23) FS. Law Implemented 560.309 FS. History--New 9-24-97, Amended 12-30-98, 12-17-01, Formerly 3C-560.802, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Gregory Oaks, Director, Division of Finance

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Securities

| RULE NOS.: | RULE TITLES: |
|-------------|---|
| 69W-500.004 | Computation of Number of Purchasers for Purposes of Section 517.061(11), F.S. |
| 69W-500.007 | General Solicitation or General Advertising in Connection with an Offering Exempted Under Section 517.061(11), F.S. |
| 69W-500.013 | Exemption/Mobile Home Parks/Limited Purpose Stock Offering |

PURPOSE AND EFFECT: Rule 69W-500.004, F.A.C., is proposed for amendment to strike subparagraphs (1)(a), (b) and (c), which are redundant of Section 517.061(11), F.S. Rule 69W-500.007, F.A.C., is recommended for amendment to update definitions for general solicitation or general advertising to include electronic media other than television or radio. Rule 69W-500.013, F.A.C., is recommended for amendment to strike subsection (5) as this provision conflicts with Section 517.061, F.S.

SUMMARY: Rule 69W-500.004, F.A.C., is proposed for amendment to strike paragraphs (1)(a), (b) and (c), which are redundant of Section 517.061(11), F.S. Rule 69W-500.007, F.A.C., is recommended for amendment to update definitions

for general solicitation or general advertising to include electronic media other than television or radio. Rule 69W-500.013, F.A.C., is recommended for amendment to strike subsection (5) as this provision conflicts with Section 517.061, 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: 1) No requirement for a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.061 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 RULES IS: John Kim, Assistant General Counsel, (850)410-9781, john.kim@flofr.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69W-500.004 Computation of Number of Purchasers for Purposes of Section 517.061(11), F.S.

(1) The following purchasers shall be excluded in computing the number of purchasers for purposes of Section 517.061(11), F.S.:

~~(a) Any relative or spouse of a purchaser and any relative of such spouse, who shares the same principal residence as such purchaser;~~

~~(b) Any trust or estate in which a purchaser or any of the persons related to him as specified in paragraph (1)(a) or (c) of this rule collectively owns more than 50% of the beneficial interest in such trust or estate (excluding contingent interests); and~~

~~(e) Any corporation or other organization of which a purchaser or any of the persons related to him as specified in paragraphs (1)(a) and (b) of this rule, collectively, are the beneficial owners of more than 50% of the equity securities (excluding directors' qualifying shares) or equity interest;~~

~~(a)(d)~~ The issuer, including any promoter of that issuer;

~~(b)(e)~~ Any General Partner of a Limited Partnership, regardless of the types of interest in the Limited Partnership purchased or held by the General Partner;

~~(c)(f)~~ Any purchaser with whom the transaction was consummated outside the State of Florida.

(2) No change.

Rulemaking Specific Authority 517.03 FS. Law Implemented 517.061(11) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-500.04, Amended 7-31-91, Formerly 3E-500.004, Amended 5-15-07, _____.

69W-500.007 General Solicitation or General Advertising in Connection with an Offering Exempted Under Section 517.061(11), F.S.

(1) No change.

(2) For purposes of Section 517.061(11)(a)2., F.S., general solicitation or general advertising, shall be deemed to include, but not be limited to, the following:

(a) Any advertisement, article, notice or other communication published in any newspaper, magazine or similar medium, or broadcast over the television or radio, or transmitted through electronic media; or

(b) Any seminar, meeting, letter, circular, notice or other written communication.

(3) No change.

Rulemaking Specific Authority 517.03 FS. Law Implemented 517.061(11) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-500.07, Amended 7-31-91, Formerly 3E-500.007, Amended _____.

69W-500.013 Exemption/Mobile Home Parks/Limited Purpose Stock Offering.

Transactions which involve the offer or sale of stock, bonds, or other instruments deemed to be securities as defined in Section 517.021(21), F.S., offered or sold by or on behalf of a non-profit corporation consisting solely of property owners of a singular mobile home park, where the securities evidence shares of the corporation, are hereby exempted from the registration requirements of Section 517.07, F.S., provided that such securities meet and comply with all of the following criteria:

(1) through (4) No change.

~~(5) That the Office of Financial Regulation is provided with reasonable notice of the issuance of said securities prior to or contemporaneous with their offer and sale.~~

Rulemaking Authority 517.03 FS. Law Implemented 517.061(18) FS. History—New 1-8-86, Amended 7-31-91, Formerly 3E-500.013, Amended 9-30-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Epting, Director, Division of Securities

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.:
69W-600.001

RULE TITLES:
Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser

69W-600.004

Registration of Issuer/Dealers, Principals and Branch Offices

69W-600.008

Termination of Registration as Dealer, Investment Adviser, Branch Office, Principal or Agent

PURPOSE AND EFFECT: Rule 69W-600.001, F.A.C., is recommended for amendment to strike subparagraph (1)(b)6., as this provision is redundant of existing books and records requirements, and to add a requirement for control persons and/or owners to provide fingerprint cards in support of the application, pursuant to Section 517.12(7), F.S. Rule 69W-600.004, F.A.C., is recommended for amendment to strike subparagraph (3)(b)4., relating to evidence of current registration with the Secretary of State, as there is no specific statutory authority for this requirement. Rule 69W-600.008, F.A.C., is recommended to be amended to change the number of days for notice in subparagraph (1) from 20 to 30 for consistency with other amendment provisions, and to correct a cross-reference typographical error in subparagraph (1) from 59W to 69W.

SUMMARY: Rule 69W-600.001, F.A.C., is recommended for amendment to strike subparagraph (1)(b)6., which requires proof of clearing agreements when requested by the Office, and to add a requirement for control persons and/or owners to provide fingerprint cards in support of the application, pursuant to Section 517.12(7), F.S. Rule 69W-600.004, F.A.C., is recommended for amendment to strike subparagraph (3)(b)4., relating to evidence of current registration with the Secretary of State, as there is no specific statutory authority for this requirement. Rule 69W-600.008, F.A.C., is recommended to be amended to change the number of days for notice in subsection (1) from 20 to 30 for consistency with other amendment provisions, and to correct a cross-reference typographical error in subparagraph (1) from 59W to 69W.

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 517.03(1), 517.12(6) FS.

LAW IMPLEMENTED: 517.12, 517.1205, 517.161(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 RULES IS: John Kim, Assistant General Counsel, (850)410-9781, john.kim@flofr.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69W-600.001 Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser.

(1)(a) No change.

(b) A complete application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. through 5. No change.

6. Any direct or indirect owner or control person required to be reported on Form BD, Uniform Application for Broker-Dealer Registration, or Form ADV, Uniform Application for Investment Adviser Registration, pursuant to Section 517.12(7), F.S., who is not currently registered in Florida with the firm they are seeking to join or act as a direct or indirect owner or control person shall submit to the Office fingerprint cards in accordance with subsection 69W-600.006(3), F.A.C. A fully disclosed dealer shall furnish proof of clearing agreements when requested by the Office of Financial Regulation;

7. through 9. No change.

(2) through (3) No change.

Rulemaking Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6), (7), 517.1205 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.01, Amended 7-29-90, 8-1-91, 6-16-92, 1-11-93, 11-14-93, 4-30-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, Formerly 3E-600.001, Amended 3-16-06, 5-15-07, 11-22-10,_____.

69W-600.004 Registration of Issuer/Dealers, Principals and Branch Offices.

(1) through (2) No change.

(3)(a) No change.

(b) A complete application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. Form BR, which is incorporated by reference under subsection 69W-301.002(7), F.A.C.

2. Statutory fee in the amount required by Section 517.12(10), F.S.

3. Manager and resident agent as appropriate in this rule must be registered as set forth in Rule 69W-600.002, F.A.C.

~~4. Evidence of current registration or exemption from the registration requirements of the Florida Secretary of State.~~

(c) through (d) No change.

Rulemaking Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(5), (6), (10) FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.04, Amended 10-14-90, 6-16-92, 1-11-93, 11-7-93, 11-14-93, 12-29-96, 10-20-97, 6-10-99, 8-19-99, 5-27-01, 7-31-02, Formerly 3E-600.004, Amended 3-16-06, 5-15-07, 11-22-10,_____.

69W-600.008 Termination of Registration as Dealer, Investment Adviser, Branch Office, Principal or Agent.

(1) Where a registrant withdraws, cancels, or otherwise terminates registration, or is terminated for any reason, notice of such fact shall be filed with the Office of Financial Regulation on the forms prescribed by the Financial Services Commission, in accordance with subsection 69W-301.002(7) 59W-301.002(7), F.A.C., within thirty (30) twenty-(20) calendar days of the date of termination. Such forms shall be filed electronically in accordance with Rules 69W-301.002, 69W-600.0091, 69W-600.0092 and 69W-600.0093, F.A.C.

(2) through (6) No change.

Rulemaking Authority 517.03(1) FS. Law Implemented 517.12(12)(b), 517.161(5) FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.08, Amended 7-29-90, 8-1-91, 6-16-92, 1-11-93, 6-22-98, 6-10-99, 5-10-00, 5-27-01, Formerly 3E-600.008, Amended 3-16-06, 11-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Epting, Director, Division of Securities

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.: 69W-700.019
RULE TITLE: Submission of Sales Reports

PURPOSE AND EFFECT: Rule 69W-700.019, F.A.C., is recommended for amendment to change the requirement of mandatory submission of sales reports to only require submission of sales reports upon request by the Office pursuant to Section 517.081(3), F.S., to reduce regulatory burdens. Also, an amendment is proposed to clarify the requirement of notice of consummated sales/discontinued offerings in subsection (3) by replacing language containing “should” to “shall.”

SUMMARY: Rule 69W-700.019, F.A.C., is recommended for amendment to change the requirement of mandatory submission of sales reports to only require submission of sales reports upon request by the Office, to reduce regulatory burdens. Also, an amendment is proposed to clarify the requirement of notice of consummated sales/discontinued offerings in subsection (3) by replacing language containing “should” to “shall.”

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.081(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: John Kim, Assistant General Counsel, (850)410-9781, john.kim@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69W-700.019 Submission of Sales Reports.

(1) Sales reports shall be submitted upon request to the Office of Financial Regulation for securities registered pursuant to Section 517.081, F.S. The Office of Financial Regulation will require sales reports to be submitted for securities registered pursuant to Section 517.081, F.S., as follows:

~~(1) In the case of a firm commitment by an underwriter, within one hundred and twenty (120) days after distribution of securities:~~

~~(2) In a “best efforts” underwriting, every thirty (30) days until the offering is completed.~~

(2)(3) When all sales have been consummated or it is the desire to discontinue an offering, notice shall be given to the Office of Financial Regulation should be notified so that it may close its files on this registration.

Rulemaking Specific Authority 517.03(1) FS. Law Implemented 517.081(3) FS. History—(Formerly 3E-20.18) New 9-20-82, Formerly 3E-700.19, Amended 12-8-87, 7-31-91, Formerly 3E-700.019, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Epting, Director, Division of Securities

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.: 69W-800.001
RULE TITLE: Filing – Notification Registration Including Shelf Filings

PURPOSE AND EFFECT: Rule 69W-800.001, F.A.C., is recommended for amendment to change the word “telegraphic” in subsection (4) to “electronic” to reflect other forms of electronic delivery.

SUMMARY: Rule 69W-800.001, F.A.C., is recommended for amendment to change the word “telegraphic” in subsection (4) to “electronic” to reflect other forms of electronic delivery.

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 a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.082 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: John Kim, Assistant General Counsel, (850)410-9781, john.kim@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69W-800.001 Filing – Notification Registration Including Shelf Filings.

(1) through (3) No change.

(4) ~~Electronic Telegraphic~~ notification of effective registration with the SEC shall be filed within ten (10) business days from the date federal registration is granted if such registration was pending with the SEC at the time the notification application was filed.

(5) through (6) No change.

Rulemaking Authority 517.03(1) FS. Law Implemented 517.082 FS. History—New 10-15-86, Amended 12-8-87, 7-31-91, 10-1-96, 10-20-97, Formerly 3E-800.001, Amended 11-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Epting, Director, Division of Securities

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-8.005
RULE TITLE: Adjustments to Reflect Consumer Price Index

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as established in Sections 120.541(2)(a)1., 2., and 3., F.S.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.095
RULE TITLE: Site Determined Baccalaureate Access

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. 25, June 22, 2012 issue of the Florida Administrative Weekly.

Form BAAC-01, Baccalaureate Proposal Approval Application is being amended to remove reference to Section 1007.33(6), Florida Statutes, deleted by HB 7135 during the 2012 legislative session.

EVALUATION CRITERIA

A. PLANNING PROCESS

- 1. Internal Process and Meetings (*Limit 800 words*)
- 2. External Process and Meetings (*Limit 1200 words*)

The college must engage in discussions and coordination with public universities and regionally accredited private postsecondary institutions, as outlined in ~~the~~ section 1007.33, Florida Statutes (5)(a). ~~of statute below~~. The proposal must provide evidence of these discussions and coordination.

~~Section 1007.33, Florida Statutes (6)(e) requires that prior to developing or proposing a new baccalaureate degree program, all Florida colleges...shall:~~

~~1. Engage in need, demand, and impact discussions with the state university in their service district and other local and regional, accredited postsecondary providers in their region.~~

~~2. Send documentation, data, and other information from the discussions regarding program need, demand, and impact to the college's board of trustees, the Division of Florida Colleges, and the Chancellor of the State University System.~~

~~3. Base board of trustees approval of the new program upon the documentation, data, and other information described in this paragraph.~~

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|-------------------------------|
| 53-12.001 | Statement of Policy |
| 53-12.002 | Definitions |
| 53-12.003 | Class Specifications |
| 53-12.004 | Job Descriptions |
| 53-12.005 | Personnel Administration Unit |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------------------|
| 53-13.002 | Increases to Base Rate of Pay |
| 53-13.003 | Salary Additives |
| 53-13.004 | Reduction in Pay |
| 53-13.005 | Downward Salary Range Adjustments |
| 53-13.006 | Computation of Hourly Rate |
| 53-13.007 | Overlap in Position |
| 53-13.010 | Processing of Pay Changes |
| 53-13.011 | Budgetary Limitations |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------------------|
| 53-14.001 | Recruitment |
| 53-14.002 | Position Vacancy Announcement |
| 53-14.003 | Accepting Employment Applications |
| 53-14.004 | Eligibility Determination |
| 53-14.005 | Selection |
| 53-14.006 | Documentation |
| 53-14.007 | Employee Security Checks |
| 53-14.009 | Benefits |
| 53-14.010 | Employee Records |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------|
| 53-15.001 | Anniversary Dates |
| 53-15.002 | Original Appointments |
| 53-15.003 | Separations |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 53-16.001 | Recordkeeping |
| 53-16.002 | Continuous and Creditable Service |
| 53-16.003 | Hours of Work |
| 53-16.005 | Holidays and Other Authorized Activities |
| 53-16.006 | Annual Leave for Administrative and Support Employees |
| 53-16.007 | Sick Leave |
| 53-16.008 | Disability Leave |
| 53-16.009 | Administrative Leave |
| 53-16.010 | Military Leave |
| 53-16.011 | Leave of Absence Without Pay |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|----------------------|
| 53-18.001 | Disciplinary Actions |
| 53-18.002 | Grievances |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|---------------------------------|
| 53-19.001 | Scope and Purpose |
| 53-19.002 | Statement of Policy |
| 53-19.003 | Procedures |
| 53-19.004: | Authorized Political Activities |
| 53-19.005 | Dual Employment |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------------|
| 53-20.001 | General Provisions |
| 53-20.002 | Classification and Pay Plan |
| 53-20.003 | Recruitment |
| 53-20.004 | Appointment |
| 53-20.005 | Attendance and Leave |
| 53-20.006 | Benefits |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| | |
|------------|-------------------------|
| RULE NOS.: | RULE TITLES: |
| 53-21.001 | Scope and Purpose |
| 53-21.002 | General Provisions |
| 53-21.003 | Compensation Procedures |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF THE LOTTERY

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 53-25.001 | Scope and Purpose |
| 53-25.002 | Definitions |
| 53-25.003 | Administration |
| 53-25.004 | Employee Assistance Coordinator’s Responsibilities |
| 53-25.005 | District Coordinator’s Responsibilities |
| 53-25.006 | Employee Rights and Confidentiality |
| 53-25.007 | Management and Supervisory Responsibilities |
| 53-25.008 | Employee Responsibilities |
| 53-25.009 | Voluntary Submission to the Employee Assistance Program |
| 53-25.010 | Work Status During Rehabilitation |
| 53-25.011 | Diagnostic Evaluation |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

| | |
|------------|---|
| RULE NO.: | RULE TITLE: |
| 59G-13.086 | Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards |

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. 8, February 24, 2012 issue of the Florida Administrative Weekly.

The following changes were made to the Notice of Proposed Rule.

PURPOSE AND EFFECT: The purpose is to adopt Rule 59G-13.086, F.A.C., that will incorporate by reference the Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule, July 1, 2013, and Minimum Quality Standards, July 1, 2013.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.086 Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards.

(1) No change.

(2) All Developmental Disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule, July 1, 2013, and Minimum Quality Standards, July 1, 2013, which are incorporated by reference. The Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards are available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New_____.

The following change has been made to the Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards.

The effective date has been changed to July 1, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

| | |
|-----------|----------------|
| RULE NO.: | RULE TITLE: |
| 61A-2.019 | Approved Forms |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 61A-4.030 | Deliveries to Vendors |
| 61A-4.061 | Malt Beverages; Exclusive Sales Territories |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on June 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of Rule 11B-35.0024(2)(b), F.A.C., from Manatee Technical Institute Law Enforcement Academy. Paragraph 11B-35.0024(2)(b), F.A.C., requires students taking the Vehicle Operation Instructor Course to pass the course without remediation. Five students from the March 31, 2008, through April 4, 2008, Vehicle Operations Instructor course at Manatee Technical Institute Law Enforcement Academy were remediated. The petition supports the requested waiver by stating that the students would suffer a substantial hardship, as would the many students that these five have trained, by having their training nullified. The petition further states that such an outcome would violate principles of fairness.

A copy of the Petition for Variance or Waiver may be obtained by contacting: A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN that on June 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of Rule 11B-18.005, F.A.C., from Region XV on behalf of the Region XV Training Council. Rule 11B-18.005, F.A.C., requires the Region XV Training Council to have members from agencies which no longer have law enforcement functions, or which no longer exist. The petition supports the requested waiver by stating that the agencies which no longer have law enforcement functions or which no longer exist should be permanently removed from the council and the Supreme Court Marshal's Office should be added, because that office performs law enforcement functions.

Petitioner states that the council will suffer a substantial hardship the waiver is not granted, because it has members which no longer engage in law enforcement duties and which no longer exist. These members are voting members without which the council cannot conduct its business. The council

further states that it would also violate principles of fairness to exclude the Supreme Court Marshal's Office from representations on the council.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (SFWMD) hereby gives notice that on June 26, 2012, a request for withdrawal of a Petition for Variance (Application 120514-20) was received from Minnie Grubbe (Grubbe Residence), 775 Milan Court, Marco Island, FL 34145. The property is located in Collier County, Section 8, Township 52 South, Range 26 East. The petition for variance was received by the SFWMD on May 14, 2012. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Weekly, Vol. 38, No. 25, on June 22, 2012. No public comment was received.

A copy of the Order or additional information may be obtained by contacting: The Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search.

The South Florida Water Management District (SFWMD) hereby gives notice that on June 26, 2012, a request for withdrawal of a Petition for Variance (Application 120514-22) was received from Ellen McKinney (McKinney-Kuhn Residence), 1660 Galleon Court, Marco Island, FL 34145. The property is located in Collier County, Section 16, Township 52 South, Range 26 East. The petition for variance was received by the SFWMD on May 14, 2012. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Weekly, Vol. 38, No. 25, on June 22, 2012. No public comment was received.

A copy of the Order or additional information may be obtained by contacting: The Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search.

The South Florida Water Management District (SFWMD) hereby gives notice that on June 26, 2012, a request for withdrawal of a Petition for Variance (Application 120514-23)

was received from James and Sheryl Pepicello (Pepicello Residence), 12540 Oak Bend Drive, Ft. Myers, FL 33905. The property is located in Lee County, Section 31, Township 43 South, Range 26 East. The petition for variance was received by the SFWMD on May 14, 2012. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Weekly, Vol. 38, No. 25, on June 22, 2012. No public comment was received.

A copy of the Order or additional information may be obtained by contacting: The Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search.

The South Florida Water Management District (SFWMD) hereby gives notice that on June 26, 2012, a request for withdrawal of a Petition for Variance (Application 120514-21) was received from Carl Thieme (Thieme Residence), 459 Nassau Court, Marco Island, FL 34145. The property is located in Collier County, Section 16, Township 52 South, Range 26 East. The petition for variance was received by the SFWMD on May 14, 2012. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Weekly, Vol. 38, No. 25, on June 22, 2012. No public comment was received.

A copy of the Order or additional information may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov; or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search.

NOTICE IS HEREBY GIVEN that on June 21, 2012, the South Florida Water Management District, received a petition for Variance (Application No. 120621-4) from the Florida Department of Transportation, 719 S Woodland Blvd., Deland, Florida 32720, for a project known as SR 600 Roadway Improvements from Portage Street to Vine Street, located in Osceola County, Sections 16,21,28, Township 25 South, Range 29 East. The petition seeks relief from Section 7.4(d) of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, effective May 20, 2012, which is incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C., pertaining to side slopes for wet retention/detention and attenuation areas.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through

Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page. 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, West Palm Beach, Florida 33401, Attn: District Clerk.

For additional information, contact: Jose Gomez, (407)858-6100, ext. 3812 or e-mail: jgomez@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on May 18, 2012, the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida, received a petition for Lost Tree Club, Inc., for a Petition for Variance from, or Waiver, Variance Waiver Number VW 2012-151. Requests that the Department of Business and Professional Regulations, Division of Alcoholic Beverages waive the strict requirements of subsections 61A-2.014(6) and (7) and 61A-3.019(11), Florida Administrative Code. The petitioners implies that the rule imposes a substantial hardship on the Club, because the Club rotates three new officers into its Board of Governors every year.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Agency Clerk for Variance Waiver Number VW 2012-151, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments: Michael Ross, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that on June 27, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Adventist HQ Bldg. 2 at 910 Hope Way, Altamonte Springs, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2 as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes, wedge shackles to secure the steel ropes and grooved sheaves of a minimum pitch diameter 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 2012-203).

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.

NOTICE IS HEREBY GIVEN that on June 26, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Enclave Hotel & Suites. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-202).

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.

NOTICE IS HEREBY GIVEN that on June 21, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake Worth Towers. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and A17.1, Section 8.11.2.1.1(c) and 8.11.2.1.4(b) 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, door restrictors, inspection requirements inside car (operating control devices), and outside hoistway (hoistway doors) 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 2012-198).

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 June 21, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 115 River Drive Condo Assoc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, 2.2.3, 3.9.1, and 3.10.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations, door restrictors, lighting, normal terminal stopping devices, and electrical protective devices 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 2012-199).

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 June 22, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Compson Financial Center. Petitioner seeks a variance of the requirements of ASME A17.3, or 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, that requires upgrading the elevators 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 2012-200).

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 June 26, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Surfwalk Condo, filed March 14, 2012, and advertised in Vol. 38, No. 13, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(u) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators emergency stop switch because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-086).

A copy of the Order or additional information 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 June 26, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Citadel LTD Partnership, filed May 23, 2012, and advertised in Vol. 38, No. 23, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final

Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-158).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 26, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Palm Beach Prof. Plaza, LLC, filed May 22, 2012, and advertised in Vol. 38, No 23, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators platform guards because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-157).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN that on June 25, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Longboat Yacht and Tennis Club. Petitioner seeks a variance of the requirements of ASME A17.3, (or 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, that requires upgrading the elevator 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 2012-201).

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 Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 25, 2012, the Division issued an

order. The Final Order was in response to a Petition for a Variance from Tower Plaza, filed January 6, 2012, and advertised in Vol. 38, No. 5, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-005).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 25, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Safety Harbor Resort and Spa, filed June 8, 2012, and advertised in Vol. 38, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until July 15, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-190).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 25, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Kings Avenue Parking Garage, filed May 16, 2012, and advertised in Vol. 38, No 22 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.27.1, ASME A17.1b, 2009 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for car emergency signaling devices operations because petitioner did not explain the hardship, nor means of meeting intent of the code, the Petitioner has not demonstrated

that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-149).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 22, 2012, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Twin Palms located in Boca Raton, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment at the same location and under the same ownership.

The Petition for this variance was published in Vol. 38, No. 23 on June 1, 2012. The Order for this Petition was signed on June 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 dishwashing area located within Main Kitchen/Employee Cafeteria (SEA6006822) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Main Kitchen/Employee Cafeteria (SEA6006822) changes, the division must be notified immediately and a written agreement provided.

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 June 25, 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 Pelican Marsh Golf Club Snack Bar located in Naples, 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 Pelican Marsh Golf Club main kitchen (SEA2102324).

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 June 1, 2012, the Construction Industry Licensing Board, file by Jeremy Hauff, received a petition for a permanent waiver or variance of Rule 61G4-16.005, F.A.C., limiting the period a passing grade is valid for purposes of certification to 4 years.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

The Board of Professional Engineers hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Mukesh Joshi, filed on December 21, 2011. The Notice of Petition for Variance or Waiver was published in Vol. 38, No. 3, of the January 20, 2012, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting by telephone conference held on February 16, 2012. The Petitioner was seeking the Variance or Waiver from paragraph 61G15-20.007(1)(b), F.A.C., with respect to the requirement that each applicant for a Florida engineers license must demonstrate the completion of a substantial equivalency for the general education course requirements.

The Board's Order, filed on April 25, 2012, denies the Petition for Variance or Waiver. The Board found that the Petitioner did not demonstrate a substantial hardship and has not demonstrated that principles of fairness have been violated in the application of the rule to the Petitioner as opposed to other similarly situated persons.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303.

The Board of Professional Engineers hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Alan Pang, filed on October 21, 2011. The Notice of Petition for Variance or Waiver was published in Vol. 37, No. 47, of the November 23, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting by telephone conference held on December 7,

2011. The Petitioner was seeking a Variance or Waiver from subsection 61G15-20.007(1), F.A.C., with respect to the requirement that each applicant for a Florida Engineers license must demonstrate the completion of a substantial equivalency for the general education course requirements.

The Board's Order, filed on December 27, 2011, denies the Petition for Variance or Waiver. The Board found that the Petitioner did not demonstrate a substantial hardship and has not demonstrated that principles of fairness have been violated as required by Section 120.542, Florida Statutes.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303.

NOTICE IS HEREBY GIVEN that on June 19, 2012, the Board of Accountancy, received a petition for Rosanne Pelfrey, 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: Voloria 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 May 25, 2012, the Florida Real Estate Appraisal Board, filed by Lawrence P. Finn, received a petition for Variance or Waiver. The Petitioner is seeking that his disciplinary violation be deemed a minor violation pursuant to Rule 61J1-8.003, F.A.C., pursuant with the Final Order issued by the Florida Real Estate Appraisal Board on February 7, 2006.

Comments on this petition should be filed with the Florida Real Estate Appraisal Board, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on June 25, 2012, the Board of Osteopathic Medicine, received a petition for waiver or variance filed on behalf of Bodo Pyko, D.O., from Rule 64B15-14.0051, F.A.C., with regard to the requirement for 3 years of documented full-time practice for practice in a pain

management clinic. Comments on this petition should be filed with the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3056, 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, Board of Osteopathic Medicine, at the above address, or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN that on June 18, 2012, the Board of Physical Therapy Practice, received a petition for a variance or waiver, filed by Seok Hun Kim, PT, PhD, of sub-subparagraph 64B17-3.001(3)(a)1.d., F.A.C., which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Department of Health hereby gives notice on June 20, 2012, the Department of Health issued an order in response to a petition for a variance filed on April 5, 2012, by Gary S. Duren, representing Highland Tank, regarding "protected steel grease interceptors." Petitioner sought a variance from paragraphs 64E-6.013(1)(d), (1)(f) and (7)(d), Florida Administrative Code, which requires testing to be conducted in the presence of a Florida Licensed Engineer or a department employee; traffic lids to be designed in accordance with ASTM C 890-91; and the maximum volume of any grease interceptor chamber to be 1250 gallons. Notice of the petition was published in the April 20, 2012, edition of the Florida Administrative Weekly.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

The Department of Health, Bureau of Radiation Control hereby gives notice that on June 19, 2012, pursuant to Section 120.542, F.S., the Bureau of Radiation Control has issued an order. The Order grants and denies, in part, the petition for

variance. The Order grants a variance from subsection 64E-5.426(1), F.A.C., for Lockheed Martin Missiles and Fire Control (Ocala Operations). The petition for a variance was received by the Department on March 26, 2012. Notice of receipt of the petition was published in the Florida Administrative Weekly, on April 13, 2012. Subsection 64E-5.426(1), F.A.C., requires the industrial radiography registrant to maintain enough calibrated radiation survey instruments capable of measuring radiation fields ranging from 2 millirem to 1 rem per hour, for making radiation surveys as required by the regulations. The Lockheed Martin Missiles and Fire Control, Ocala Operations has been granted a variance to subsection 64E-5.426(1), F.A.C., allowing them to use a survey instrument able to measure from 2 mrem per hour to 200 mrem per hour for industrial cabinet systems only and under the condition the survey instrument does not display 0 when it over ranges. The requested variances to Rule 64E-5.428, subsections 64E-5.430(2), 64E-5.433(1), F.A.C., do not demonstrate the substantial hardship requirements specified in Section 28.104.002(g), F.S. Paragraph 64E-5.426(2)(a), subsections 64E-5.429(2), and 64E-5.429(3), F.A.C. do not apply to industrial cabinet systems. Subsection 64E-5.434(5), F.A.C., does not specify the method of instruction required, only the content of the instruction. No variance is needed to use computer based training or to allow instruction to be presented in various formats.

A copy of the Order or additional information may be obtained by contacting: Philip Thoma, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, FL 32073, (904)278-5730.

DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE IS HEREBY GIVEN that on June 20, 2012, the Department of Economic Opportunity, received a petition for waiver from the City of Chiefland. It has been assigned the case number DEO-12-081.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$650,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on June 20, 2012, the Department of Economic Development, received a petition for waiver from the City of Fellsmere. It has been assigned the Case Number: DEO-12-080.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, FL 32399.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 19, 2012, 2:00 p.m. – until conclusion

PLACE: Pensacola Historic Village, Museum of Commerce, 120 East Church Street, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Department of State representatives, partners and participants of Viva Florida 500, will present information about Florida's history and detail their activities in anticipation of the 500-year anniversary of the landing of European explorer Juan Ponce de León in 2013. Agenda will be posted on www.fl500.com from July 12, 2012.

A copy of the agenda may be obtained by contacting: Rachel Basan Porter, Special Programs Coordinator, email: rachel.porter@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: Rachel Basan Porter, Special Programs Coordinator, rachel.porter@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).

For more information, you may contact: Rachel Basan Porter, Special Programs Coordinator, email: rachel.porter@dos.myflorida.com.

The **Friends of Mission San Luis** announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 2012, 6:00 p.m.

PLACE: 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss fundraising, financials and other Friends business.

A copy of the agenda may be obtained by contacting: Cookie Stevens, (850)245-6388 or Cookie.Stevens@dos.myflorida.com.

The **Bureau of Historic Preservation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 23, 2012, 10:00 a.m. – Conclusion

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting in which members of the Florida Historical Commission will review and recommend funding for Certified Local Government (CLG) grant training projects.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants Staff by phone: 1(800)847-7278 or by mail: Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250.

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: Historic Preservation Grants Staff (see contact information 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: Historic Preservation Grants Staff (see contact information above).

The **Friends of the Museums of Florida History** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2012, 9:00 a.m. – conclusion

PLACE: R.A. Gray Building, 1st Floor, 500 S. Bronough St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fundraising for Forever Changed exhibit.

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History, (850)245-6413.

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: Elyse Cornelison, Museum of Florida History,

(850)245-6413. 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: Elyse Cornelison, Museum of Florida History, (850)245-6413.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority**, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2012, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: New and Old Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

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: Sonia Velez, (813)627-4221. 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: Sonia Velez, (813)627-4221.

The **Long Range Plan Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2012, 1:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

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: Sonia Velez, (813)627-4221. 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: Sonia Velez, (813)627-4221.

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

DATE AND TIME: Tuesday, July 19, 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).

DEPARTMENT OF EDUCATION

The **Florida Education Foundation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 12, 2012, 8:30 a.m. – 2:00 p.m. (EDT) or until adjournment

PLACE: Grand Bohemian Hotel, 325 South Orange Ave., Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Foundation issues including but not limited to approval of minutes from the April 25, 2012 meeting, Commissioner's report, executive director's report, financial report, program updates and general discussion of Foundation business.

A copy of the agenda may be obtained by contacting: Deb Schroeder, (850)245-9671.

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: Deb Schroeder, (850)245-9671. 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 RE-ADVERTISEMENT – The **Florida Rehabilitation Council**, Public Forum announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2012, 10:45 a.m. – 12:00 Noon

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any interested parties that need further information may contact: The FRC, (850)245-3397.

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 at: 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: FRC, Council's address, 2002 Old St. Augustine Rd., Building A, Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: 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: 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).

For more information, you may contact: FRC, (850)245-3397.

The **Florida Rehabilitation Council** (RE-POST/PUBLIC FORUM) announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2012, 10:45 a.m. – 12:00 Noon

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any interested parties that need further information may contact: The FRC, (850)245-3397.

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 at: 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 to the Council at 2002 Old St. Augustine Rd., Building A, Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: FRC, (850)245-3320.

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: FRC, (850)245-3320. 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: FRC, (850)245-3320.

The **State Board of Education** announces a workshop to which all persons are invited.

DATE AND TIME: July 16, 2012, 2:30 p.m.

PLACE: Broward College, Downtown Campus, 111 East Las Olas Blvd., Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss the development of the Department's legislative budget request in relation to the needs of the education sectors in Florida.

A copy of the agenda may be obtained by contacting: Lynn Abbott, lynn.abbott@fldoe.org or by visiting the Departments' website: <http://www.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 7 days before the workshop/meeting by contacting: Lynn Abbott, lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1520, Tallahassee, Florida 32399-0400, email: lynn.abbott@fldoe.org.

The **State Board of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2012, 8:00 a.m.

PLACE: Broward College, Downtown Campus, 111 East Las Olas Blvd., Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meetings held February 28, 2012; March 27, 2012, May 9-10, 2012; May 15, 2012, and updates on various reports and status of education initiatives by the Commissioner. Commissioner of Agriculture Adam Putnam will be recognized to discuss the status of the school food service program under the Department of Agriculture. Items for consideration include action relating to the following: Amendment to Rule 6A-1.09412, F.A.C., Course Requirements – Grades K-12 Basic and Adult Secondary Program; Amendment to Rule 6A-1.09414, F.A.C., Course Requirements Grades PK-12 Exceptional Student Education; Amendment to Rule 6A-1.09441, F.A.C., Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation; New Rule 6A-1.099826, F.A.C., Voluntary Prekindergarten (VPK) Staff Development Plan for Providers on Probation; New Rule 6A-1.099827, F.A.C., Charter School Corrective Action and School Improvement Plans; Amendment to Rule 6A-4.0021, F.A.C., Florida Teacher Certification Examinations; New Rule 6A-6.03033, F.A.C., Specialized Instructional Services for

Children with Disabilities in the Voluntary Prekindergarten Education Program; Amendment to Rule 6A-6.03024, F.A.C., Provision of Occupational or Physical Therapy to Exceptional Students as a Related Service; Repeal of Rule 6A-6.03025, F.A.C., Special Programs for Exceptional Students who Require Occupational Therapy; Amendment to Rule 6A-6.0573, F.A.C., Industry Certification Process; Amendment to Rule 6A-6.0905, F.A.C., Requirements for the District English Language Learners Plan; Amendment to Rule 6A-10.0315, F.A.C., College Preparatory Testing, Placement, and Instruction; and Amendment to Rule 6A-14.095, F.A.C., Site Determined Baccalaureate Access. Other items for consideration include: Approval of Budget Guidelines for Development of 2013-2014 Legislative Budget Request; Approval of the 2012 Strategic Plan; Approval of the Digital Learning Plan; Approval of Baccalaureate Proposal as requested by Florida State College at Jacksonville for a BS in Financial Services; Approval of Baccalaureate Proposal as requested by Polk State College for a BS in Criminal Justice; Approval of Good Cause Exemptions for VPK Providers; Adoption of a Resolution of the State Board of Education Requesting the Issuance and Sale of Not Exceeding \$115,000,000 State of Florida, State Board of Education Lottery Revenue Bonds, (Series to be Determined); Charter School Appeals: Mater Virtual Academy Charter School vs. School Board of Dade County; Mater Virtual Academy Charter Middle High School vs. School Board of Dade County; Somerset Virtual Academy Charter Middle High School vs. School Board of Dade County; Champs Charter School of Royal Palm Beach vs. School Board of Palm Beach County; Champs Charter School of Wellington vs. School Board of Palm Beach County; Online Academy Charter School vs. School Board of Palm Beach County; The South Florida Virtual Charter School Board, Inc., and the Florida Virtual Academy at Palm Beach County vs. the School Board of Palm Beach County; Palm Beach Academy of Science & Technology vs. School Board of Palm Beach County; International Language Academy vs. School Board of Palm Beach County; and Threefold Charter School vs. School Board of Sarasota County; Approval of Designation of Academically High-Performing School Districts; Approval of the 2012-2013 Dual Enrollment Course High School Subject Area Equivalency List; Approval of College Reach Out Program 2012-2013 Funding Recommendations; Approval of Reappointments to the Education Practices Commission: Pamela Melvin Bondurant, Teacher; David C. Lee, Law Enforcement; Bernard J. Presha, Law Enforcement; and David R. Thompson, Law Enforcement. Updates will be provided by President Joe Pickens on behalf of the Council of Presidents to include an update on Continuing Contracts and by a Representative of the Florida Association of District School Superintendents.

A copy of the agenda may be obtained by contacting: Lynn Abbott, (850)245-9661, email: lynn.abbott@fldoe.org or by visiting the Department's website: <http://www.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 7 days before the workshop/meeting by contacting: Lynn Abbott, (850)245-9661, email: lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott, (850)245-9661 or email: lynn.abbott@fldoe.org.

DEPARTMENT OF LAW ENFORCEMENT

The **Region XIV Trust Fund Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2012, 10:00 a.m.

PLACE: Miami Dade College, North Campus, Room 9118, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV Reports and other Region XIV business matters.

A copy of the agenda may be obtained by contacting: Maevis Manoly, Interim Region XIV Secretary O., (305)237-1327, email: mmanoly1@mdc.edu.

DEPARTMENT OF REVENUE

The Florida **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 25, 2012, 9:00 a.m. – 4:00 p.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. The public can also participate in this meeting through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx, and conference calling technology. The requirements to participate are access to the Internet and a telephone. The public can participate in this electronic workshop by accessing the broadcast from their home or office. Specific information about how to participate in this electronic meeting from your home or office will be included in the Agenda for this meeting posted on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 12 of Chapter 2012-70, Laws of Florida, creates a Communications Services Tax Working Group. The purpose of the working group is to study and report on tax issues related to the sale of communications services. A report of the working group is due to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2013. The working group held its first meeting on June 11,

2012. The working group will continue to meet over the next several months to gather information to provide to policymakers for use in making important tax law decisions. The working group is tasked with the responsibility to: a) Review national and state tax policies relating to the communications industry; b) Review the historical amount of tax revenue that has been generated by the communications services taxes imposed or administered under Chapter 202, Florida Statutes, for the purposes of determining the effect that laws passed in the past 5 years have had on declining revenues; c) Review the extent to which this revenue has been relied on to secure bonded indebtedness; d) Review the fairness of the state's communications tax laws and the administrative burdens it contains, including whether the applicability of the tax laws is reasonably clear to communications services providers, retailers, customers, local government entities and state administrators; e) Identify options for streamlining the administrative system; and f) Identify options that remove competitive advantages within the industry as it relates to the state's tax structure without unduly reducing revenue to local governments.

A copy of the agenda may be obtained by contacting: Andrea Moreland, Director of Legislative and Cabinet Services, (850)617-8324 or morelana@dor.state.fl.us. A copy of the agenda will be published on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/ and also <http://dor.myflorida.com/dor/opengovt/meetings.html>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, (850)617-8324. 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: Andrea Moreland, Director of Legislative and Cabinet Services, (850)617-8324, morelana@dor.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Children and Youth Cabinet, Human Trafficking Workgroup** announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Florida Department of Juvenile Justice, 2737 Centerview Drive, Secretary's Conference Room, Tallahassee, Florida 32399-3100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup will meet to continue their work on the Human Trafficking Summit and other projects.

A copy of the agenda may be obtained by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261, email: Frenchie.Yon@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 7 days before the workshop/meeting by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or email: Frenchie.Yon@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: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or Frenchie.Yon@eog.myflorida.com.

The **Division of Emergency Management** announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 2012, 9:00 a.m.

PLACE: Florida Division of Emergency Management, Randall Kelly Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Hurricane Loss Mitigation Advisory Council (RCMP) meeting pursuant to Section 215.559, Florida Statutes.

A copy of the agenda may be obtained by contacting: Howard Douglas, Community Assistance Consultant, (850)413-9817.

REGIONAL PLANNING COUNCILS

The Florida District 1, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2012, 10:00 a.m. (CDT)

PLACE: Ocean City-Wright Fire Control District, 2 Racetrack Road, N.E., Ft. Walton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Nominations Subcommittee will meet prior to the General meeting, 9:00 a.m. Other subcommittees will meet via teleconference on July 16-17, 2012.

A copy of the agenda may be obtained online: <http://www.wfrpc.org/lepc> or by contacting: Kathy Ahlen, 1(800)226-8914, ext. 210.

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: Kathy Ahlen, 1(800)226-8914, ext. 210 or email: kathy.ahlen@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).

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

DATE AND TIME: July 17, 2012, 2:00 p.m.

PLACE: Charles F. Justice Conference Room, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: July 17, 2012, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N.W. 67th Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Withlacoochee Regional Planning Council** announces Conference Call public meeting to which all persons are invited.

WRPC Budget Committee Meeting

DATE AND TIME: Wednesday, July 11, 2012, 10:00 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2012-2013.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323, (352)732-1315.

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 District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIMES: Training Subcommittee, Wednesday, July 18, 2012, 9:30 a.m.; Local Emergency Planning Committee, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

A copy of the agenda may be obtained by contacting: Michael Arnold, (352)732-1315, ext. 228.

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 **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

WRPC Board of Directors

DATE AND TIME: Thursday, July 19, 2012, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRPC Board of Directors will meet to conduct the regular business of the Council, including the 2012/2013 budget.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323.

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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2012, 10:00 a.m.

PLACE: 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, FL 32701 (Visit www.ecfrpc.org for map and directions)

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

A copy of the agenda may be obtained by contacting: Tuesday Brunsonbyrd-Bowden, (407)262-7772, tbyrd@ecfrpc.org or visit: www.ecfrpc.org.

For more information, you may contact: Tuesday Brunsonbyrd-Bowden, (407)262-7772 or tbyrd@ecfrpc.org.

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

DATE AND TIME: July 25, 2012, 1:30 p.m.

PLACE: Okeechobee County Emergency Operations Center, 707 N.W. 6th Street, Okeechobee, FL 33972

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the Transportation Disadvantaged Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: Marcia Staszko, (863)534-7130, ext. 103 or mstaszko@cfrc.org.

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

DATE AND TIME: Thursday, July 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 board meeting of the Southwest Florida Regional Planning Council.

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: The SWFRPC's Office, (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may visit the Council'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, July 30, 2012, 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416. 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.

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, July 26, 2012, Staff Directors's Advisory Committee, 12:00 Noon – 3:00 p.m.; Governing Board, 3:30 p.m. – 6:00 p.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, (850)414-4037, email: brigitte.messina@mpoac.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: Brigitte Messina, (850)414-4037 or by email: brigitte.messina@mpoac.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: Brigitte Messina, (850)414-4037 or by email: brigitte.messina@mpoac.org.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 9, 2012, 6:00 p.m.

PLACE: Thomas C. Kelly Administration, Council Chambers, Second Floor, Room 204-207, 123 West Indiana Avenue, DeLand, FL 32720

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District will hold a public meeting to discuss a lands assessment process currently under way to evaluate District-owned property to examine the need for conservation purposes. The evaluation will determine if any properties, or portions of these tracts, should be identified as surplus lands, or if portions of any properties should be considered for alternative uses. An evaluation matrix will be used to rank properties on their resource values, such as floodplains, strategic habitat, corridors and natural communities. The properties also are being examined for their use as project sites, for recreation/public use and for their manageability. Public input on the lands assessment process will be welcomed at the meeting. All interested persons are invited to attend. NOTE: One or more District Governing Board members may attend the meeting and participate in the discussion.

A copy of the agenda may be obtained by contacting: Marji Hightower, 4049 Reid Street, Palatka, Florida 32177, (386)329-4435 or mhightower@sjrwm.com.

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

agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marji Hightower, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4435 or email: mhightower@sjrwmd.com.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, July 17-20, 2012, 8:00 a.m.

PLACE: Marco Island Marriott Resort, 400 S. Collier Blvd., Marco Island, FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: 26th Annual Environmental Permitting Summer School. SWFWMD Governing Board members may attend.

A copy of the agenda may be obtained by contacting: www.floridaenet.com, or Lou.Kavouras@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0219).

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

DATE AND TIME: Wednesday, July 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; Orlando Service Center, 1707 Orlando Central Parkway Suite 200, Orlando, FL 32809.

The meeting will also be webcast.

Agenda's are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website: 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 to 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: The Information line, (561)682-6207 or Florida toll-free 1(800)432-2045, ext. 6207.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, in consultation with the **Agency for Health Care Administration**, the **Department of Children and Families**, and the **Department of Health** announces a revised schedule of negotiated rulemaking committee meetings concerning assisted living facility regulation. The schedule hours for the last two meeting dates have been extended. All persons are invited to observe the meetings of the committee at the following dates, times, and locations:

DATE AND TIME: July 26, 2012, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Children and Families, Southeast Region, 1400 W. Commercial Blvd., Room 203, Ft. Lauderdale, FL 33309

DATE AND TIME: August 7, 2012, 9:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room A, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject and scope of the rules to be developed through negotiated rulemaking will address the following areas: Chapter 58A-5, F.A.C., Educational Requirements, Training, and Competency Exams for Administrators and Managers; Training for Staff; Core Trainers; Training Accessibility; Data Collection; Medication practices; Emergency management; Licensing and services provided for limited nursing services, limited mental health, and extended congregate care designations; Deletion of duplicative rules; and, Revision of rules as needed based on legislative changes.

A copy of the agenda may be obtained by contacting: Ashley Marshall, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2113, email: Marshall@elderaffairs.org or by accessing this webpage: http://elderaffairs.state.fl.us/doea/alf_rulemaking.php.

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: Demetria Ross, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2114, email: RossD@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, Alzheimer's Disease Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: July 27, 2012, 1:30 p.m. – 3:30 p.m. (EST)

PLACE: Orlando Health Foundation, Foundation Multi-Purpose Rooms (MPR) 1 & 2, 3160 Southgate Commerce Boulevard, Suite #50, Orlando, Florida 32806

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Alzheimer's Disease Committee Initiatives.

A copy of the agenda may be obtained by contacting: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: griffithkb@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: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2000, email: griffithkb@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Karen Griffith, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATES AND TIME: July 19, 2012; October 18, 2012, 10:00 a.m. – 11:00 a.m. (EST/EDT)

PLACE: Conference Call: 1(888)670-3525, Conference Code: 780-930-7873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pasco & North Pinellas 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 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: 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.

DATES AND TIME: July 18, 2012; September 19, 2012; November 21, 2012, 9:30 a.m. – 11:00 a.m. (EST/EDT)

PLACE: Conference Call: 1(888)670-3525, Conference Code: 780-930-7873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panhandle 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 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: 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.

DATES AND TIME: August 9, 2012; November 8, 2012, 2:00 p.m. – 3:00 p.m. (EST/EDT)

PLACE: Conference Call: 1(888)670-3525, Conference Code: 780-930-7873

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

The **Statewide Public Guardianship Office** announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2012, 6:00 p.m. (EST)

PLACE: Vinoy Renaissance St. Petersburg Resort & Golf Club, 501 5th Avenue, N.E., St. Petersburg, Florida 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2381; email: runyana@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: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: runyana@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Angela Runyan, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2381; email: runyana@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2012, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Children's Services Council of Broward County, 6600 West Commercial Boulevard, Lauderdale, Florida 33319; Conference Call: 1(866)338-0153, Passcode: 142-780-45#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this meeting is to have a dialogue between the Medicaid managed care plans and behavioral health providers.

The purpose of the discussion will be to identify ways to enhance behavioral health service provision to Medicaid recipients. Please take note that this meeting is not affiliated with the Statewide Medicaid Managed Care implementation.

A copy of the agenda may be obtained by contacting: Danielle Pigott, email: Danielle.Pigott@ahca.myflorida.com.

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

For more information, you may contact: Danielle Pigott, email: Danielle.Pigott@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2012, 9:00 a.m. – 1:00 p.m.

PLACE: Reedy Creek Improvement District, Building & Safety, 1900 Hotel Plaza Blvd., Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: doug.melvin@dbpr.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: doug.melvin@dbpr.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: doug.melvin@dbpr.state.fl.us.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: July 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 Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 25, 2012, 9:00 a.m.

PLACE: Conference Call: 1(888)670-3525, Conference Code: 2966335023

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting, portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399. 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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

The **Florida Building Commission**, “The Commission”, Mechanical Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 23, 2012, 9:00 a.m. – until Completion

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call and Webinar. Audio portion of this meeting is provided by teleconference only. Conference Call: 1(888)808-6959, Code: 2059360213, Webinar Access:

1. Go to: <https://suncom.webex.com/suncom/j.php?ED=198496527&UID=1451813757&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click “Join”.

Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make recommendations to the Commission regarding a Declaratory Statement(s) and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ann Stanton, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, “The Commission”, Structural Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 23, 2012, 2:00 p.m. – until Completion

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call and Webinar. Audio portion of this meeting is provided by teleconference only. Conference Call: 1(888)808-6959, Code: 2059360213; Webinar Access:

1. Go to: <https://suncom.webex.com/suncom/j.php?ED=198496657&UID=1451815212&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click “Join”.

Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and provide comments to the Commission regarding the Screen Enclosure Rule 61G20-1.002, F.A.C., and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, "The Commission", Swimming Pool Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2012, 10:00 a.m. – until Completion

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call and Webinar. Audio portion of this meeting is provided by teleconference only. Conference Call: 1(888)808-6959, Code: 2059360213; Webinar Access:

1. Go to: <https://suncom.webex.com/suncom/j.php?ED=198496972&UID=1451815487&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and provide comments to the work shop regarding proposed changes as per Rule 61G20-1.004, F.A.C., and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, "The Commission", Accessibility Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 25, 2012, 2:00 p.m. – until Completion

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call and Webinar. Audio portion of this meeting is provided by teleconference only. Conference Call: 1(888)808-6959, Code: 2059360213; Webinar Access:

1. Go to: <https://suncom.webex.com/suncom/j.php?ED=198497302&UID=1451816942&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and provide recommendations to the Commission regarding requests for waivers (as listed below) and other business for the Commission.

Adams Street Advocates, LLC

205 Adams Street, Tallahassee, Florida 32301

JTG of Vero Beach, LLC

1940 58th Avenue, Vero Beach, Florida 32966

Xtreme Pool Challenge

161 N. Atlantic Avenue, Cocoa Beach, Florida 32931

Medical Offices for Prevecare

123 North Krome Avenue, Homestead, Florida 33030

Indian River Networks, LLC
 200 Ocean Avenue, Suite 201, Melbourne Beach, Florida 32951

A copy of the agenda may be obtained by contacting: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Florida Building Commission, “The Commission” announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2012, 2:30 p.m. – until Completion

Product Approval/Manufactured Buildings Program Oversight Committee (POC)

PLACE: Meeting to be conducted using Communications Media Technology, Conference Call and Webinar. Audio portion of this meeting is provided by teleconference only. <https://suncom.webex.com/suncom/j.php?ED=198328212&UID=1450894027&RT=MIMxMQ%3D%3D>.

Conference Call: 1(888)808-6959, Code: 2059360213; Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and decide upon the approval of products, product approval entities, and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Suzanne Davis, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824.

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

agency at least 10 days before the workshop/meeting by contacting: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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. Suzanne Davis, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Florida Real Estate Commission announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2012, 8:30 a.m. or as soonest thereafter as possible

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss possible amendments to Rule 61J2-14.008.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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 Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: July 19, 2012, 1:30 p.m.

PLACE: Sylvan Lake Park, Conference Room, 845 Lake Markham Rd., Sanford, Florida 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Public meeting to discuss issues related to the Lake Jesup Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Lake Jesup Nutrient Total Maximum Daily Loads (TMDLs). The primary topic of discussion during this meeting will be the BMAP annual update.

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, (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).

For more information, you may contact: Samantha Fillmore, (850)245-8418.

The Florida **Department of Environmental Protection** announces a public workshop to which all persons are invited.

DATE AND TIME: July 23, 2012, 1:00 p.m. (CDT)

PLACE: Camp Helen State Park, The Lodge, 23937 Panama City Beach Parkway, Panama City Beach, Florida 32413

DATE AND TIME: July 24, 2012, 1:30 p.m. (EDT)

PLACE: Florida Department of Environmental Protection, Carr Building, Room 170 (M&L) Training Room, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399-3000

DATE AND TIME: July 25, 2012, 1:30 p.m. (EDT)

PLACE: Daytona Beach Regional Library, 105 E. Magnolia Avenue, Daytona Beach, Florida 32114

DATE AND TIME: July 26, 2012, 1:30 p.m. (EDT)

PLACE: Hugh Taylor Birch State Park, Garden Center, 3109 E. Sunrise Boulevard, Fort Lauderdale, Florida 33304

DATE AND TIME: July 27, 2012, 1:00 p.m. (EDT)

PLACE: Southwest Florida Water Management District, Sarasota Service Office, Governing Board Room, 6750 Fruitville Road, Sarasota, FL 34240-9711

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public workshops are for the Department to present the draft statewide total maximum daily load (TMDL) of mercury to the public and obtain feedback from interested stakeholders. A revised draft TMDL document (including the main report and appendices) will be placed on the Department's TMDL website: <http://www.dep.state.fl.us/water/tmdl/> by Friday, July 6, 2012, and will be provided upon request to interested parties by mail or via email distribution. The Department will accept written comments on the TMDL through August 27th, 2012. Written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station #3555, 2600 Blair Stone Road, Tallahassee, FL 32399-2400 or email: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Evaluation and TMDL Section, MS #3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.

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. Pat Waters, (850)245-8449. 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 Environmental Protection**, Bureau of Assessment and Restoration Support, announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2012, 9:00 a.m. (CDT)

PLACE: Florida Department of Environmental Protection, Northwest District Office, 160 W. Governmental Street, Suite 308, Room 502, Pensacola, Florida

DATE AND TIME: Wednesday, July 25, 2012, 9:00 a.m. (CDT)

PLACE: Gulf Coast State College, Gibson Lecture Hall, 5230 West US Highway 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule development will address estuary-specific numeric nutrient standards for total nitrogen and total phosphorus for the following Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrews Bay, St. Joseph's Bay, and Apalachicola Bay. The Pensacola workshop will cover the Perdido Bay, Pensacola Bay (including Escambia Bay) and Choctawhatchee Bay estuaries. The Panama City workshop will cover the St. Andrews Bay, St. Joseph's Bay, and Apalachicola Bay estuaries. These public workshops were previously scheduled for June 26 and 27, 2012, but were postponed due to Tropical Storm Debby.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or email: eric.shaw@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw, (850)245-8429. 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 Environmental Protection, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: July 26, 2012, 10:00 a.m. (ET)

PLACE: This is the first of three workshops that will be broadcast via webinars. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://www2.gotomeeting.com/register/853186642>. Alternatively, persons may view the webinar at the following locations where staff also will be available to accept comments

Department of Environmental Protection, Bob Martinez Bldg., Room 609, 2600 Blair Stone Rd., Tallahassee, FL 32399

Department of Environmental Protection, Northwest Florida District Office, Room 502, 5th Floor, 160 West Government St., Pensacola, FL 32502

Suwannee River Water Management District, Santa Fe Room 137, 9225 CR 49, Live Oak, FL 32060

St. Johns River Water Management District, District Headquarters, Governing Board Room, 4049 Reid St., Palatka, FL 32177

Southwest Florida Water Management District, Brooksville Governing Board Room, 2379 Broad St., Brooksville, FL 34604

Bartow Governing Board Room, 170 Century Blvd., Bartow, FL 33830

Sarasota Governing Board Room, 6750 Fruitville Rd., Sarasota, FL 34240

Tampa Governing Board Room, 7601 Hwy. 301 N. Tampa, FL 33637

South Florida Water Management District, District Headquarters, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

Lower West Coast Service Center, 1st Floor, Conference Room, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 7, 2012, 10:00 a.m. (ET)

PLACE: This is the second of three workshops that will be broadcast via webinars. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://www2.gotomeeting.com/register/678645322>. Alternatively, persons may view the webinar at the following locations where staff also will be available to accept comments.

Department of Environmental Protection, Bob Martinez Bldg., Room 609, 2600 Blair Stone Rd., Tallahassee, FL 32399

Department of Environmental Protection, Northwest Florida District Office, Room 502, 5th Floor, 160 West Government St., Pensacola, FL 32502

Suwannee River Water Management District, Santa Fe Room 137, 9225 CR 49, Live Oak, FL 32060

St. Johns River Water Management District, District Headquarters, Governing Board Room, 4049 Reid St., Palatka, FL 32177

Southwest Florida Water Management District, Brooksville Governing Board Room, 2379 Broad St., Brooksville, FL 34604

Bartow Governing Board Room, 170 Century Blvd., Bartow, FL 33830

Sarasota Governing Board Room, 6750 Fruitville Rd., Sarasota, FL 34240

Tampa Laurel Oak Conference Room, 7601 Hwy. 301 N. Tampa, FL 33637

South Florida Water Management District, District Headquarters, Building B-1, Storch Room, 3301 Gun Club Rd., West Palm Beach, FL 33406

Lower West Coast Service Center, 1st Floor, Conference Room, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 16, 2012, 10:00 a.m. (ET)

PLACE: This is the third of three workshops that will be broadcast via webinars. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via: <https://www2.gotomeeting.com/register/952961026>. Alternatively, persons may view the webinar at the following locations where staff also will be available to accept comments.

Department of Environmental Protection, Bob Martinez Bldg., Room 609, 2600 Blair Stone Rd., Tallahassee, FL 32399

Department of Environmental Protection, Northwest Florida District Office, Room 502, 5th Floor, 160 West Government St., Pensacola, FL 32502

Suwannee River Water Management District, Santa Fe Room 137, 9225 CR 49, Live Oak, FL 32060

St. Johns River Water Management District, District Headquarters, Governing Board Room, 4049 Reid St., Palatka, FL 32177

Southwest Florida Water Management District, Brooksville Governing Board Room, 2379 Broad St., Brooksville, FL 34604

Bartow Governing Board Room, 170 Century Blvd., Bartow, FL 33830

Sarasota Governing Board Room, 6750 Fruitville Rd., Sarasota, FL 34240

Tampa Laurel Oak Conference Room, 7601 Hwy 301 N. Tampa, FL 33637

South Florida Water Management District, District Headquarters, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

Lower West Coast Service Center, 1st Floor, Conference Room, 2301 McGregor Blvd., Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 373.4131, Florida Statutes (F.S.), as created by Chapter 2012-94, Laws of Florida (House Bill 7003), effective July 1, 2012, the Department of Environmental Protection (DEP), in coordination with the five Water Management Districts (WMDs), is required to develop statewide environmental resource permitting (ERP) rules governing the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works or works, or combinations thereof, to implement Part IV of Chapter 373, F.S. This rulemaking will rely primarily upon existing rules of DEP and WMDs, revised as necessary to achieve a more consistent, effective, and streamlined approach to implement the ERP program. Comments will be solicited to amend Chapter 62-330, F.A.C., an existing rule of DEP that currently incorporates by reference the rules of the WMDs used by DEP to implement its responsibilities under the ERP program. The chapter will be substantially revised to become the statewide environmental resource permitting rules.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, at 2600 Blair Stone Rd., MS #2500, Tallahassee, FL 32399-2400, (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. The agenda and workshop information also are on the DEP Public Notice Calendar: http://www.dep.state.fl.us/public_notices/default.htm. (OGC #12-1058).

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: Mary VanTassel, (850)245-8486. 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 questions about the webinars: Jennifer Butler, (850)245-8485. DEP has established an Internet site: <http://www.dep.state.fl.us/water/wetlands/swerp/index.htm> to provide information about the rulemaking, including a link to a forum page to accept comments from the public. A link to that site also exists on the draft rules site at http://www.dep.state.fl.us/water/rules_dr.htm#erp.

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

DATE AND TIME: July 27, 2012, 9:30 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rule development workshop to discuss proposed changes to Chapters 62-716 and 62-722, F.A.C., in order to implement the 75% recycling goal created in Chapter 2010-143, Laws of Florida. The public may attend this meeting

in person or via webinar. To join the webinar, register: <https://www2.gotomeeting.com/register/964527570>. After registering you will receive a confirmation email containing information about joining the webinar. A draft of the proposed rule will be available at: http://www.dep.state.fl.us/waste/categories/solid_waste/pages/rulemaking_62-716.htm.

A copy of the agenda may be obtained by contacting: Suzanne Boroff, Department of Environmental Protection, MS #4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8718 or email: Suzanne.Boroff@dep.state.fl.us.

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

The Department of Environmental Protection, Bureau of Assessment and Restoration Support announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

DATE AND TIME: Wednesday, August 1, 2012, 9:00 a.m.

PLACE: City of Leesburg Community Center, 109 E. Dixie Avenue, Leesburg, Florida

DATE AND TIME: Thursday, August 2, 2012, 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Conference Room, 2301 McGregor Boulevard, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present information and receive public comments on proposed revisions to Chapters 62-302, 62-303, and 62-4, F.A.C., under the Triennial Review of state surface water quality standards. These public workshops are a follow up to public workshops held on May 15-17, 2012. Proposed changes include revisions to human health-based surface water quality criteria, revisions to the dissolved oxygen criteria (both fresh and marine waters), and other issues discussed at the May public workshops. All surface water quality standards are open for review and comment.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or email: eric.shaw@dep.state.fl.us. Additional information about the rulemaking may be obtained from the Department's web site: <http://www.dep.state.fl.us/water/wqssp/index.htm>.

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: Eric Shaw, (850)245-8429. 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 Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: August 8, 2012, 10:00 a.m.

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present the Department's recommendations and to receive public comment on the Intended Use Plan (IUP) for Fiscal Year 2013 Federal and State Safe Drinking Water Act appropriations. Funds will be used to finance drinking water preconstruction and construction projects through the State Revolving Fund program Rule, Chapter 62-552, Florida Administrative Code. Workshop topics will include project eligibility, project prioritization, type of assistance available, objectives of the program, program requirements, use of set-aside funds, and the proposed project list. A copy of the proposed IUP will be available after August 1, 2012 on the Department's website.

A copy of the agenda may be obtained by contacting: Paul Brandl, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, (850)245-8373 or by e-mail: Paul.Brandl@dep.state.fl.us.

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

For more information, you may contact: Paul Brandl, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, FL 32399-2400, (850)245-8373 or by e-mail: Paul.Brandl@dep.state.fl.us.

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

DATE AND TIME: August 8, 2012, 2:00 p.m.

PLACE: Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on proposed modifications to the Fiscal Year 2013 Drinking Water State Revolving Fund priority list. Action will be taken

under Chapter 62-552, F.A.C., to move projects on the contingency list to the fundable portion of the priority list. Also, new construction projects that submitted planning documents, plans, specifications, and permits by July 1, 2012, and pre-construction projects that submitted a complete Request for Inclusion on the priority list by July 1, 2012, will be added to the contingency or fundable portion of the priority list based on availability of funds. Projects shall be subject to a segment cap limit. The draft priority list will be available after August 1, 2012 on the Department's website.

The Department may adopt, modify, or deny the proposed actions at the hearing. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding any proposed actions. After the hearing, the Department will file the Notice of Final Agency Action. A copy of the Notice of Final Agency Action will be sent to local governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or filed with the Department's Bureau of Water Facilities Funding no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting: Paul Brandl, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, (850)245-8373 or by e-mail: Paul.Brandl@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paul Brandl, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, FL 32399-2400, (850)245-8373 or by e-mail: Paul.Brandl@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paul Brandl, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, FL 32399-2400, (850)245-8373 or by e-mail: Paul.Brandl@dep.state.fl.us.

The **Department of Environmental Protection**, Bureau of Beaches and Coastal Systems announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2012, 9:00 a.m.

PLACE: John E. Rovensky Administrative Building, 2 Four Arts Plaza, Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will hold the third of six Stakeholder Meetings to discuss the Proposed Palm Beach Island Beach Management Agreement (BMA). The BMA is intended to coordinate and facilitate flexible permitting for beach sand management projects and to achieve a net environmental benefit and related public objectives for Palm Beach Island. The agenda will

include a working session in the morning, where participants will break out into three focus groups: Biological, Physical/Engineering, and Administrative/Policy, to initiate discussions on specific subject matters that will be included in the BMA. In the afternoon session, the participants will join together to listen to the findings from each of the three morning focus groups and discuss the next steps. More information about the Palm Beach Island BMA can be found at: <http://www.dep.state.fl.us/beaches/pb-bma/index.htm>.

A copy of the agenda may be obtained by contacting: Tori Deal, tori.deal@dep.state.fl.us, (850)488-7808.

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: Tori Deal, email: tori.deal@dep.state.fl.us, (850)413-7808. 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 Greenways and Trails Council**, Florida Greenways and Trails System Map Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 24, 2012, 10:00 a.m.

PLACE: Conference Call: 1(888)670-3525, Participant Code: 7320976066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee members will discuss the Florida Greenways and Trails System Trail Opportunity Map updates and Priority Trails Map. In addition to participating by conference call, the public may participate via webinar. To join the webinar, go to <https://www2.gotomeeting.com/join/514707818> and follow the prompts. Webinar participants will still need to dial into the conference call to receive audio.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cindy Radford, (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Greenways and Trails Council**, Florida Greenways and Trails System Plan Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 24, 2012, 2:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Participant Code: 7320976066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee members will discuss the framework for the update of the Florida Greenways and Trails System Plan. In addition to participating by conference call, the public may participate via webinar. To join the webinar, go to: <https://www2.gotomeeting.com/join/514707818> and follow the prompts. Webinar participants will still need to dial into the conference call to receive audio.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cindy Radford, (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Clinical Laboratory Personnel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2012, 9:00 a.m.,

PLACE: Conference Call: 1(888)670-3525, Participant Password: 9238150597; Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or access the web site: www.doh.state.fl.us/mqa/clinlab/index.html.

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

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

The Florida **Department of Health, Division of Health Access and Tobacco** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 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, F.S. 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 FAMILIES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2012, 11:00 a.m. – 12:30 p.m.

PLACE: Human Services Building, 1000 W. Tharpe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Department of Children and Families' Community Alliance and Whole Child Leon to provide a forum for providers and the community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Liberty, Leon and Wakulla Counties.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2, Development Community Director, (850)921-8269.

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: Jeanna Olson, Circuit 2, Development Community Director, (850)921-8269. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2, Development Community Director, (850)921-8269.

The **Department of Children and Families, Substance Abuse and Mental Health Program** announces a public meeting to which all persons are invited.

DATES AND TIME: July 30, 2012; August 21, 2012; September 18, 2012; October 24, 2012, 2:00 p.m. – 6:00 p.m.

PLACE: Winewood Blvd., Bldg. 6, Second Floor, Conference Room A, Room 299, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administrative Cost Definition Workgroup will discuss a unified definition of administrative costs applicable to the purchase and provision of substance abuse and mental health services.

A copy of the agenda may be obtained by contacting: Jimmers Micallef, jimmers_micallef@dcf.state.fl.us, (850)717-4294.

The **Broward Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 19, 2012, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Broward Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario, (561)837-5022, Taddese Fessehay, (407)317-7335.

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: Miriam Rosario, (561)837-5022 or Taddese Fessehay, (407)317-7335. 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: Miriam Rosario, (561)837-5022 or Taddese Fessehay, (407)317-7335.

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 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)670-3525, Participant Code: 3082681153

GENERAL SUBJECT MATTER TO BE CONSIDERED: The debriefing meeting of the Department Evaluators for the Request for Proposals for Integration Assistance Services for Refugees and Entrants in Broward and Palm Beach Counties (RFP #04K12BS1), as provided for in Section 1.9 of the RFP published on the Vendor Bid System (VBS) on May 15, 2012. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>.

A copy of the agenda may be obtained by contacting: Holly Merrick, Holly_Merrick@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, email: 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 **Palm Beach Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 20, 2012, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario, (561)837-5022, Taddese Fessehay, (407)317-7335.

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: Miriam Rosario, (561)837-5022 or Taddese Fessehay, (407)317-7335. 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: Miriam Rosario, (561)837-5022 or Taddese Fessehay, (407)317-7335.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2012, 7:00 p.m.

PLACE: Tax Deeds Building, Building F, 107 N. 6th St., Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead managed portion of Caravelle Ranch Wildlife Management Area (CRWMA).

This hearing is designed exclusively for discussion of the draft management plan. A Management Prospectus for the FWC, Lead managed portion of Caravelle Ranch WMA is available upon request from: Florida Fish and Wildlife Conservation Commission, Conservation Planning Group, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)487-9982 or (850)487-9767, by e-mail: Rebecca.Shelton@MyFWC.com.

DEPARTMENT OF FINANCIAL SERVICES

The **Board of Funeral, Cemetery and Consumer Services**, Probable Cause Panel A announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 16, 2012, 10:00 a.m.

PLACE: 111 West Madison Street, Claude Denson Pepper Building, Room 336J, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider the following disciplinary cases with prior findings of probable cause: Coney Brothers Funeral Home, Case No.: 122513-12-FC and Sonji Coney Ford, Case No.: 122517-12-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker, (850)413-3039, email: LaTonya.Bryant-Parker@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: LaTonya Bryant-Parker, (850)413-3039. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Florida Health Insurance Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 2012, 1:00 p.m.

PLACE: Room 401, Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will conduct the regular and general business of the organization.

A copy of the agenda may be obtained by contacting: Michelle Newell, e-mail: michelle.newell@iedgec.com, by phone: (850)421-3343.

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: michelle.newell@iedgec.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: Michelle Newell, e-mail: michelle.newell@iedgec.com or (850)421-3343.

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: July 25, 2012, 9:00 a.m.

PLACE: Jim King Committee Room (401 Senate Office Building), Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Farm Florida Insurance Company has requested a 58.0% overall rate increase for its rental dwelling line of coverage. The proposed rate increase would be effective December 1, 2012 for new business and January 15, 2013 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@floi.com; the subject line of your e-mail should read "State Farm Florida."

A copy of the agenda may be obtained by contacting: Stephen Thomas, Assistant General Counsel, (850)413-4142 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 or e-mail: cindy.walden@floi.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: Stephen Thomas, Assistant General Counsel, (850)413-4142 and Cindy Walden, (850)413-2616.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The **Area Agency on Aging of Pasco-Pinellas** announces a hearing to which all persons are invited.

DATE AND TIME: Pinellas County, Thursday, August 2, 2012, 9:30 a.m.

PLACE: Pinellas County, Sunshine Multi-purpose Senior Center, 330 Fifth Street, North, St. Petersburg, FL 33701; Guest Speaker: Representative Jim Frishe

DATE AND TIME: Pasco County, Friday, August 3, 2012, 9:30 a.m.

PLACE: Pasco County, Galen Wilson Dining Center-Pasco County Elderly Nutrition, 8600 Galen Wilson Blvd., Port Richey, FL 34668: Representative Richard Corcoran

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Area Agency on Aging of Pasco-Pinellas, Inc. for Planning and Service Area 5 of the Florida Department of Elder Affairs, will present its 2013 Area Plan for the distribution of funds under the federal Older Americans Act of 1965, as amended, to projects providing services to the elderly residents of Pasco and Pinellas counties.

The following Older Americans Act Services are out to bid for Contract Year 2013: In Pinellas County: Title III B Counseling, Title III B Emergency Alert Response, Title III EG Grandparents, Title III D Disease Prevention and Health Promotion.

In Pasco County: Title III B Emergency Alert Response, Title III EG Grandparents, Title III D Disease Prevention and Health Promotion.

The AAAPP proposes to provide the following services directly in Pasco and Pinellas counties: Title III B Intake Services and Title III E Family Caregiver Support Program – Screening and Assessment Services.

A copy of the agenda may be obtained by contacting: Marilyn Rupp, (727)570-9696, ext. 230.

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: Marilyn Rupp, (727)570-9696, ext. 230. 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: Marilyn Rupp, (727)570-9696, ext. 230.

WEST CENTRAL FLORIDA AREA AGENCY ON AGING, INC.

The **West Central Florida Area Agency on Aging, Inc.** announces a hearing to which all persons are invited.

DATE AND TIME: July 18, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Town & Country Senior Center, 7606 Paula Drive, Tampa, FL 33615

GENERAL SUBJECT MATTER TO BE CONSIDERED: The West Central Florida Area Agency on Aging (WCFAAA) is holding a Public hearing for residents of Hillsborough & Manatee Counties. We invite the community to comment on how local services will be funded in 2013 and voice their opinions on what older adults need – now and in the future. These hearings are intended to present an opportunity for stakeholders to provide input on the development of the agency's annual Area Plan.

For 2013 WCFAAA proposes to directly provide Health & Wellness Evidence-Based Programs funded through the Older Americans Act Title IIID in Hardee, Highlands, Hillsborough, Manatee and Polk Counties.

These events are free and open to the public but space is limited and reservations are required. Please contact: Paula Nelson, (813)676-5583, email: paula.nelson@agingflorida.com to make your reservation.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Nelson, paula.nelson@agingflorida.com or by calling: (813)676-5583. 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: Paula Nelson, paula.nelson@agingflorida.com or by calling: (813)676-5583.

The **West Central Florida Area Agency on Aging, Inc.** announces a hearing to which all persons are invited.

DATE AND TIME: July 23, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Lakeland Public Library, 100 Lake Morton Drive, Lakeland, FL 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The West Central Florida Area Agency on Aging (WCFAAA) is holding a Public hearing for residents of Polk, Highlands and Hardee Counties. We invite the community to comment on how local services will be funded in 2013 and voice their opinions on what older adults need – now and in the future.

These hearings are intended to present an opportunity for stakeholders to provide input on the development of the agency's annual Area Plan.

For 2013 WCFAAA proposes to directly provide Health & Wellness Evidence-Based Programs funded through the Older Americans Act Title IIID in Hardee, Highlands, Hillsborough, Manatee and Polk Counties.

These events are free and open to the public but space is limited and reservations are required. Please contact Paula Nelson, (813)676-5583 or via email: paula.nelson@agingflorida.com to make your reservation.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Nelson, paula.nelson@agingflorida.com or by phone: (813)676-5583. 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: Paula Nelson, paula.nelson@agingflorida.com or by phone: (813)676-5583.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2012, 3:30 p.m.

PLACE: Hammock Beach Resort, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2012, 4:00 p.m.

PLACE: Hammock Beach Resort, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 25, 2012, 9:00 a.m.

PLACE: Hammock Beach Resort, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, Audit Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center** working in Coordination with the Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2012, 10:00 a.m. – 11:30 a.m.

PLACE: Conference Call: 1(888)670-3535, Participant Code: 8338-4113-99#

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCRAB Goal II Prevention – Monthly Conference Call.

A copy of the agenda may be obtained by contacting: Laura.Lenhart@moffitt.org.

DISABILITY SOLUTIONS FOR INDEPENDENT LIVING, INC.

The **disAbility Solutions for Independent Living, Inc.** announces a public meeting to which all persons are invited.

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

PLACE: 119 S. Palmetto Ave., Suite 180, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Personnel Policy Review Committee of the board of Directors, will be reviewing the Employment Manual for DSIL and making additions and/or changes to the policies.

A copy of the agenda may be obtained by contacting: Kristine@dsil.org or by calling: (386)255-1812, TTY: (386)252-6222.

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: Kristine@dsil.org or by calling: (386)255-1812,

TTY: (386)252-6222. 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).

SCRIPPS FLORIDA FUNDING CORPORATION

The Audit Committee of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Florida Statutes (2003).

DATE AND TIME: Thursday, July 19, 2012, 2:00 p.m. (EST)

PLACE: Conference Call: (605)475-3200, Access Code: 255626#

GENERAL SUBJECT MATTER TO BE CONSIDERED: 3/31/2012 TSRI/SF audited financial statements and audit engagement letters.

Contact: scrippscorp@bellsouth.net for further information. The date, time, and/or place are subject to change.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact: scrippscorp@bellsouth.net at least 48 hours in advance of the meeting.

SOIL AND WATER CONSERVATION DISTRICTS

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

DATE AND TIME: Thursday, July 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: Wendy Lobos, (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.

The **Dixie Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: July 10, 2012; August 14, 2012; September 11, 2012; October 9, 2012; November 13, 2012; December 11, 2012; January 8, 2013; February 12, 2013; March 12, 2013; April 9, 2013; May 14, 2013; June 11, 2013, 6:30 p.m.

PLACE: All meetings at Cypress Inn Restaurant except March 12, 2013 at Dixie County Public Library

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order.
- II. Adoption of Minutes.
- III. Correspondence.
- IV. Budget Report.
- V. Staff Reports.
- VI. Partner Reports.
- VII. Old Business.
- VIII. New Business.
- IX. Adjourn.

A copy of the agenda may be obtained by contacting: Darlene Smith, (352)486-2672, ext. 3.

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: Darlene Smith, (352)486-2672, ext. 3. 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: Darlene Smith, (352)486-2672, ext. 3.

The **Gilchrist Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 17, 2012, 7:00 p.m.; August 21, 2012, 7:00 p.m.; September 18, 2012, 7:00 p.m.; October 16, 2012, 6:30 p.m.; November 20, 2012, 6:30 p.m.; December 18, 2012, 6:30 p.m.; January 15, 2013, 6:30 p.m.; February 19, 2013, 6:30 p.m.; March 19, 2013, 6:30 p.m.; April 16, 2013, 7:00 p.m.; May 21, 2013, 7:00 p.m.; June 18, 2013, 7:00 p.m.

PLACE: All meetings are at Akins BBQ Restaurant, Bell, Florida except for April 16, 2013 at Bell FFA Building, Bell Florida and May 21, 2013 at Otter Springs Lodge, Trenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order.
- II. Adoption of Minutes.
- III. Correspondence.
- IV. Budget Report.
- V. Staff Reports.
- VI. Partner Reports.
- VII. Old Business.
- VIII. New Business.

IX. Adjourn.

A copy of the agenda may be obtained by contacting: Darlene Smith, (352)486-2672, ext. 3.

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: Darlene Smith, (352)486-2672, ext. 3. 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: Darlene Smith, (352)486-2672, ext. 3.

The **Levy Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: July 3, 2012; August 7, 2012; September 4, 2012; October 2, 2012; November 6, 2012; December 4, 2012; January 3, 2013; February 5, 2013; March 5, 2013; April 2, 2013; May 7, 2013; June 4, 2013, 6:30 p.m.

PLACE: All meetings at USDA Service Center, except March 5, 2013 and June 4, 2013 at First Baptist Church

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order.
- II. Adoption of Minutes.
- III. Correspondence.
- IV. Budget Report.
- V. Staff Reports.
- VI. Partner Reports.
- VII. Old Business.
- VIII. New Business.
- IX. Adjourn.

A copy of the agenda may be obtained by contacting: Darlene Smith, (352)486-2672, ext. 3.

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: Darlene Smith, (352)486-2672, ext. 3. 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: Darlene Smith, (352)486-2672, ext. 3.

FLORIDA INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association**, Finance & Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2012, 9:30 a.m.

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet relating to the selection of Trustee and Investment Banking Services providers for the FIAIA.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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: Cathy Irvin, (850)386-9200. 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 WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION, INC.

The **FWCIGA Workgroup** announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2012, 2:00 p.m.

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup will meet to discuss issues and concerns resulting from recent insolvencies, including large deductible policies, collateral and employee leasing policies.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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: Cathy Irvin, (850)386-9200. 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).

STUDY COMMITTEE ON INVESTOR-OWNED WATER AND WASTEWATER UTILITY SYSTEMS

NOTICE OF CANCELLATION – The **Study Committee on Investor-Owned Water and Wastewater Utility Systems** announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation Notice: July 11, 2012, 10:00 a.m. – 5:00 p.m. (EST)

PLACE: Knott Building, Room 116K, 404 S. Monroe Street, Tallahassee, FL 32399-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first meeting of the Study Committee on Investor-Owned Water and Wastewater Utility Systems has been cancelled, and will be rescheduled for July 26, 2012. See Notice of Meeting in this Issue.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850)413-6978 or JChase@psc.state.fl.us.

The **Study Committee on Investor-Owned Water and Wastewater Utility Systems** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 26, 2012, 11:00 a.m. – 5:00 p.m.

PLACE: Knott Building, Room 116K, 404 S. Monroe Street, Tallahassee, FL 32399-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 2 of Chapter 2012-187, Laws of Florida, creates a Study Committee on Investor-Owned Water and Wastewater Utility Systems (Study Committee). The purpose of the Study Committee is to identify issues of concern of investor-owned water and wastewater utility systems, particularly small systems, and their customers and research possible solutions. In addition, the committee shall consider: (a) the ability of a small investor-owned water or wastewater utility to achieve economies of scale when purchasing equipment, commodities, or services; (b) the availability of low interest loans to a small, privately owned water or wastewater utility; (c) any tax incentives or exemptions, temporary or permanent, which are available to a small water or wastewater utility; (d) the impact on customer rates if a utility purchases an existing water or wastewater utility system; (e) the impact on customer rates of a utility providing service through the use of a reseller; and (f) other issues that the committee identifies during its investigation. By February 15, 2013, the Study Commission shall provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing its findings and making specific legislative recommendations, including proposed legislation intended to implement its recommendations. The Study Committee will be meeting over the next several months to accomplish the purposes identified in the legislation.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850)413-6978 or JChase@psc.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: Katherine Pennington, (850)413-6960. 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: JoAnn Chase, (850)413-6978, JChase@psc.state.fl.us.

FLORIDA WORKERS COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA, Board of Governors** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 16, 2012, 2:00 p.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics shall include approval of minutes and an Investment Committee report regarding the investment marketplace, investment portfolio, Investment Policy & investing guidelines.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **FWCJUA, Investment Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 9, 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: Agenda topics may include an investment marketplace overview and reviews of the portfolio, Investment Policy & investing guidelines.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **FWCJUA, Audit Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 15, 2012, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the financial auditor engagement, and the Audit Committee charter procedures checklist.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **FWCJUA, Operations Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 29, 2012, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include the preliminary 2013 Business Plan & Forecast, Travelers' service provider audit results, Policy Administration/Managed Care services engagement, IT audit results, IT auditor engagement, and disaster recovery matters.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

ATKINS – BARTOW

The Florida **Department of Transportation**, District One announces a Dispute Resolution Sub-team meeting to discuss a Cumulative Effects Evaluation (CEE) study, in association with the proposed Interstate 75 interchange at Everglades Boulevard in Collier County. All members of the public are invited to attend.

DATE AND TIME: July 17, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: University of Florida, Architecture Building, Dean's Conference Room, Third Floor, 1480 Inner Road, Gainesville, Florida 32611

A cumulative effects evaluation study looks at changes in an area through time and how these changes affect resources in that area. This study examines how past, present and reasonably foreseeable future changes affect eight protected species found within Southwest Florida. The eight species under study include: Florida panther, Florida black bear, Florida sandhill crane, wood stork, red-cockaded woodpecker, gopher tortoise, eastern indigo snake, and mangrove fox squirrel.

The purpose of this meeting is to present information associated with the Land Use Conflict Identification Strategy (LUCIS) model used in the analysis of potential future actions which may affect the eight protected species.

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 Florida Department of Transportation at least seven days before the meeting by contacting: Ms. Gwen G. Pipkin, Senior Project Manager, (863)519-2375, gwen.pipkin@dot.state.fl.us.

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

For more information, please contact Ms. Gwen Pipkin at the above phone number or email address, or visit the project web site at: www.I-75Everglades.com.

HDR ENGINEERING, INC.

The Florida **Department of Transportation**, District Three and Okaloosa County announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, August 23, 2012, 5:00 p.m. – 7:00 p.m. (Central Time)

PLACE: Crestview Community Center, 1446 Commerce Drive, Crestview, FL 32539

GENERAL SUBJECT MATTER TO BE CONSIDERED: Okaloosa County, in cooperation with the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA), will hold a public hearing regarding the widening of P.J. Adams Parkway/Antioch Road from State Road (S.R.) 85 to US 90 in Okaloosa County, Florida. Two build alternatives are evaluated: widen the existing two-lane P.J. Adams Parkway/Antioch Road to four lanes (a total of 5.3 miles) [Alternative 2]; or widen P.J. Adams/Antioch Road from SR 85 to Arena Road and construct a new four-lane alignment from the intersection of Antioch Road/Arena Road to the intersection of Old Bethel Road/US 90 (a total of 6.9 miles) [Alternative 3A]. Alternative 3A would preserve Antioch Road in its existing condition north of Arena Road. Other improvements include new overpasses at SR 8 (I-10), and at the CSX railroad. The proposed project includes Access Management controls, stormwater ponds, drainage improvements, sidewalks, and bicycle lanes.

An Environmental Assessment (EA) has been prepared for public review. The project is not currently funded for right-of-way acquisition or construction.

The draft Environmental Assessment and other information will be available for review Thursday, July 19, 2012 through Friday, September 7, 2012 at Okaloosa County Public Works at 1759 S. Ferdon Boulevard, Crestview, FL 32536; the Robert L. F. Sikes Public Library at 1445 Commerce Drive, Crestview, Florida 32539; and on-line at: http://www.co.okaloosa.fl.us/cc_public_notices.html.

A copy of the agenda may be obtained by contacting: Jason T. Autrey, P.E., County Engineer, Okaloosa County Public Works, 1759 S. Ferdon Boulevard, Crestview, FL 32536 or at jautrey@co.okaloosa.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jason T. Autrey, P.E., County Engineer, Okaloosa County Public Works, 1759 S. Ferdon Boulevard, Crestview, FL 32536 or at jautrey@co.okaloosa.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: Jason T. Autrey, P.E., County Engineer, Okaloosa County Public Works, 1759 S. Ferdon Boulevard, Crestview, Florida 32536 or email: jautrey@co.okaloosa.fl.us.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Lynn Mylle, BK Sealcoating & Striping, filed on January 3, 2012. The petition seeks the agency's opinion as to the applicability of Section 489.113(3)(a), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks the Board to interpret Section 489.113(3)(a), Florida Statutes, and whether Petitioner is required to obtain a general contractors license for sealcoating asphalt parking lots and/or striping parking lots.

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 Board of Cosmetology has issued an order disposing of the petition for declaratory statement filed by Diana Richardson, LMT on May 3, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 27, of the July 8, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on August 31, 2011. The petition was seeking the Board's interpretation of Chapter 477, Florida Statutes, and whether a massage therapist needs a facial specialty license to perform facial services; a massage therapist needs a specialty salon license to perform facial services; and whether a facial specialist is licensed to massage any part of the body other than the face and scalp. The Board's Order, filed on September 15, 2011 denies the Petition for Declaratory Statement. The petition submitted is not applicable to one person but rather to all licensees similarly situated and is not appropriate for determination by means of a declaratory statement.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

Please refer all comments to: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Alfonso Fernandez-Fraga, P.E. on behalf of Initial Engineers. The petition seeks the agency's opinion as to the applicability of Section 709.1, Florida Building Code, Existing Building Volume (2010), as it applies to the petitioner.

The Petitioner asks for clarification of the ventilation requirements for Level 2 alterations.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 1940 North Monroe Street, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE IS HEREBY GIVEN that the Department of Economic Opportunity has declined to rule on the petition for declaratory statement filed by Habitat for Humanity of Collier County, Inc., on May 9, 2012. The following is a summary of the agency's declination of the petition:

The Petition seeks interpretation of proposed comprehensive plan provisions, which is not a proper subject of a declaratory statement; seeks interpretation of statutory provisions that do not apply to the Petitioner, raises issues which are fact-driven and require an evidentiary hearing to resolve; and seeks a declaration concerning issues which are the subject of a pending proceeding. The Order Denying Petition For Declaratory Statement, No. DEO-12-079, was issued and filed on June 21, 2012.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MS #110, Tallahassee, Florida.

**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

DCPS – Sale of Surplus Real Property – Wesconnett Elementary School No. 57/ITB-005-13/LG

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS-Invitation to Bid – ITB-005-13/LG for the Sale of Surplus Real Property – Wesconnett Elementary School No. 57, 5710 Wesconnett Boulevard, Jacksonville, FL 32244. Publication date is June 29, 2012. 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 recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Administration Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida. **BIDS ARE DUE ON OR BEFORE: August 1, 2012, 2:00 p.m.** The purpose of this Invitation to Bid is to accept firm offers for the sale of surplus Devil County Public Schools real estate located at Wisconsin Elementary School No. 57, 5710 Wesconnett Boulevard, Jacksonville, FL 32244. Open House inspections will be conducted for the property at Wesconnett Elementary School No. 57, 5710 Wesconnett Boulevard, Jacksonville, FL 32244 on the following dates and times: July 17, 2012, 9:00 a.m. – 12:00 Noon and July 24, 2012, 9:00 a.m. – 12:00 Noon. Contract documents for bidding may be obtained on CD electronic media format only at Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207. The DCSB Point of Contact: Tyler Loehnert, Director of Real Estate,

(904)390-2359. The Bid Award Recommendation will be posted at Duval County Public Schools, Purchasing Services Department, Consolidated Services Center, 4880 Bulls Bay Highway, Jacksonville, Florida 32219.

DCPS – Sale of Surplus Real Property – Mary McLeod Bethune Elementary School No. 157/ITB-004-13/LG
DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS – Invitation to Bid – ITB-004-13/LG for the Sale of Surplus Real Property – Mary McLeod Bethune Elementary School No. 157, 4330 Pearce Street, Jacksonville, FL 32209. Publication date is June 29, 2012. 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 recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Administration Building, 5th Floor, Room 513D, 1701 Prudential Drive, Jacksonville, Florida. **BIDS ARE DUE ON OR BEFORE: August 1, 2012, 2:00 p.m.** The purpose of this Invitation to Bid is to accept firm offers for the sale of surplus Duval County Public Schools real estate located at Mary McLeod Bethune Elementary School No. 157, 4330 Pearce Street, Jacksonville, FL 32209. Open House inspections will be conducted for the property at Mary McLeod Bethune Elementary School No. 157, 4330 Pearce Street, Jacksonville, FL 32209, on the following dates and times: July 18, 2012, 9:00 a.m. – 12:00 Noon and July 25, 2012, 9:00 a.m. – 12:00 Noon. Contract documents for bidding may be obtained on CD electronic media format only at Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207. The DCSB Point of Contract: Tyler Loehnert, Director of Real Estate, (904)390-2359. The Bid Award Recommendation will be posted at Duval County Public Schools, Purchasing Services Department, Consolidated Services Center, 4880 Bulls Bay Highway, Jacksonville, Florida 32219.

STATE BOARD OF ADMINISTRATION

Invitation to Negotiate, ITN 12-05, Large Cap Growth Investment Management Services for the Stanley G. Tate Florida Prepaid College

The Florida Prepaid College Board is requesting responses to an Invitation to Negotiate, ITN #12-05, from qualified firms to provide Large Capitalization Growth Domestic Equity for the Stanley G. Tate Florida Prepaid College Program and for the Florida 529 Savings Plan.

The Invitation to Negotiate which includes the timeline of events will be available on or after July 6, 2012, by logging on to: http://www.myflorida.com/apps/vbs/vbs_www.search.crite ria_form.

Please then select the following on the aforementioned website:

Agency: State Board of Administration
 Advertisement Number: ITN#12-05
 Advertisement Type: Competitive Solicitation
 Title: Large Cap Growth Investment Management Services for the Stanley G. Tate Florida Prepaid College Program and Florida 529 Savings Plan

If you have any problems accessing this information, please contact: Robin Hindle, (850)488-8514.

Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations with regard to this ITN is asked to advise this agency at least five (5) days prior to the response deadline. Please fax a written request for same to: Kevin Thompson, Interim Executive Director, Florida Prepaid College Board, (850)488-3555.

DEPARTMENT OF MILITARY AFFAIRS

INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General Contractors and Building Contractors for the following project located at Camp Blanding Joint Training Center (CBJTC), Starke, Florida.

120188 – Convoy Live Fire Entry Control – Re-Bid
FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER June 29, 2012 AT http://vbs.dms.state.fl.us/vbs/main_menu.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

MANDATORY SITE VISIT: As stated on the Vendor Bid System

BID OPENING: As stated on the Vendor Bid System

STATEMENT OF WORK: Project to include the selective widening of, and improvements to, an existing unpaved roadway of approximately twenty mile overall length within Camp Blanding near Starke, Florida. The project contains six targetry objectives consisting of reinforced concrete retaining walls, earthen berms, and heavy timber framework. To include the preparation for the installation of electronic targets. A concrete box culvert at a water crossing to be included. Housing for tracked targetry movers is to be provided by an earth-covered steel bunker. Project includes a pre-engineered metal building. Project also includes a steel-fabricated observation tower, wood-framed guard house, wood-framed machine gun firing bunker, a reinforced split-faced concrete masonry office and storage building, complete with power,

data, HVAC, with a wood truss roof system and standing seam metal roofing. Also included are approximately eighteen roadway barrier gates at random locations throughout Camp Blanding.

The Department reserves the right to either reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office, Contracting Branch, (904)823-0255 or 0256 or e-mail: cfmocontracting@ng.army.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Be sure to visit the above web site on the date mentioned above to view the entire advertisement.

PASCO-PINELLAS AREA AGENCY ON AGING

AREA AGENCY ON AGING OF PASCO-PINELLAS

Notice of Request for Proposal (RFP) and Bidders Conference Contingent upon the availability of funds, the Area Agency on Aging of Pasco-Pinellas, Inc. for Planning and Service Area 5 (Pasco and Pinellas Counties), will be contracting and is soliciting sealed proposals for Older Americans Act services for the period January 1, 2013 – December 31, 2013. Services are to be provided to persons 60 years of age and older. In Pasco County proposals are solicited for Title III B Emergency Alert Response, Title III EG Grandparents and Title III D Disease Prevention and Health Promotion. In Pinellas County proposals are solicited for Title III B Counseling, Title III B Emergency Alert Response, Title III EG Grandparents and Title III D Disease Prevention and Health Promotion. The AAAPP proposes to provide the following services directly in Pasco and Pinellas counties: Title III B Intake Service and Title III E Family Caregiver Support Program – Screening and Assessment Service.

Specifications for proposals may be obtained at the Bidder's Conference on:

August 7, 2012, 1:30 p.m.

Area Agency on Agency of Pasco-Pinellas, Inc.
Conference Room

9887 4th Street North, St. Petersburg, FL 33702

or from the Area Agency on Aging St. Petersburg office beginning August 2nd. The RFP documents will also be available at the AAAPP website: <http://www.agingcarefl.org/notices/OAA-bid>.

Sealed proposals are due by 3:00 p.m., August 24, 2012, with opening immediately following. The Area Agency on Aging reserves the right to reject any and all proposals not complying with specifications and requested information. If you have questions, please call: Jason Martino, (727)570-9696, ext. 272.

FLORIDA SHERIFFS ASSOCIATION

INVITATION TO BID

FLORIDA SHERIFFS ASSOCIATION

P. O. BOX 12519

TALLAHASSEE, FLORIDA 32317-2519

BID NUMBER: 12-20-0905

BID TITLE: PURSUIT, ADMINISTRATIVE, UTILITY VEHICLES, TRUCKS & VANS

ADVERTISEMENT DATES: JUNE 29, 2012 & JULY 6, 2012

MANDATORY VEHICLE CONTRACT/

SPECIFICATION WORKSHOP: JULY 11, 2012, 9:00 a.m.

PRE-BID CONFERENCE: AUGUST 15, 2012, 9:00 a.m.

WORKSHOP & PRE-BID CONFERENCE TO BE HELD AT:

FLORIDA SHERIFFS ASSOCIATION

TRAINING CENTER

2617 MAHAN DRIVE

TALLAHASSEE, FL 32308

REPLIES DUE: SEPTEMBER 5, 2012, 12:00 NOON

BID SUBMITTALS RECEIVED AT:

FLORIDA SHERIFFS ASSOCIATION

COOPERATIVE BID COORDINATOR'S OFFICE

2617 MAHAN DRIVE (32308)

P. O. BOX 12519

TALLAHASSEE, FL 32317-2519

BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH THE FLORIDA SHERIFFS ASSOCIATION'S VEHICLE BID AWARD SYSTEM. SOLICITATION DOCUMENTS AND SPECIFICATIONS CAN BE ACCESSED THROUGH <http://veba.flsheriffs.org>. VENDORS WHO WISH TO PARTICIPATE IN THIS INVITATION TO BID MUST ATTEND THE VEHICLE

CONTRACT/SPECIFICATION WORKSHOP & ARE ENCOURAGED TO ATTEND THE PRE-BID CONFERENCE. YOU WILL BE REQUIRED TO COMPLETE THE "2012 PROSPECTIVE DEALER INFORMATION FORM". THIS FORM IS AN ELECTRONIC DOCUMENT ON THE FSA WEBSITE (www.flsheriffs.org). YOU WILL BE ISSUED A USER NAME AND GENERIC PASSWORD FOR THE VEBA SITE BEFORE TESTING BEGINS.

INVITATION TO BID
 FLORIDA SHERIFFS ASSOCIATION
 P. O. BOX 12519
 TALLAHASSEE, FLORIDA 32317-2519

INVITATION TO BID

BID NUMBER: 12-10-0905
 BID TITLE CAB & CHASSIS TRUCKS & OTHER FLEET EQUIPMENT
 ADVERTISEMENT DATES: JUNE 29, 2012 & JULY 6, 2012
 MANDATORY VEHICLE CONTRACT/
 SPECIFICATION WORKSHOP: JULY 12, 2012 at 9:00 a.m.
 PRE-BID CONFERENCE: AUGUST 16, 2012 at 9:00 a.m.
 WORKSHOP & PRE-BID CONFERENCE TO BE HELD AT:
 FLORIDA SHERIFFS ASSOCIATION
 TRAINING CENTER
 2617 MAHAN DRIVE
 TALLAHASSEE, FL 32308
 REPLIES DUE: SEPTEMBER 5, 2012 at 12:00 NOON
 BID SUBMITTALS RECEIVED AT:
 FLORIDA SHERIFFS ASSOCIATION
 COOPERATIVE BID COORDINATOR'S OFFICE
 2617 MAHAN DRIVE (32308)
 P. O. BOX 12519
 TALLAHASSEE, FL 32317-2519

BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH THE FLORIDA SHERIFFS ASSOCIATION'S VEHICLE BID AWARD SYSTEM. SOLICITATION DOCUMENTS AND SPECIFICATIONS CAN BE ACCESSED THROUGH <http://veba.flsheriffs.org>. VENDORS WHO WISH TO PARTICIPATE IN THIS INVITATION TO BID MUST ATTEND THE VEHICLE CONTRACT/SPECIFICATION WORKSHOP & ARE ENCOURAGED TO ATTEND THE PRE-BID CONFERENCE. YOU WILL BE REQUIRED TO COMPLETE THE "2012 PROSPECTIVE DEALER INFORMATION FORM". THIS FORM IS AN ELECTRONIC DOCUMENT ON THE FSA WEBSITE

(www.flsheriffs.org). YOU WILL BE ISSUED A USER NAME AND GENERIC PASSWORD FOR THE VEBA SITE BEFORE TESTING BEGINS.

EARLY LEARNING COALITION OF DUVAL

REQUEST FOR QUOTES – June 2012 –
 EXTERNAL AUDIT SERVICES – ELCD

Independent Audit of Financial Statements/Single Audit
 The Early Learning Coalition of Duval (the "Coalition"), a Florida not-for-profit organization dedicated to quality early care and education in Duval County – Florida, is seeking Independent Audit / Single Audit services. In order to select a vendor (hereinafter referred to as the Proposer) to deliver these services, the Coalition requests a quote for services based on the specifications listed below. Upon receipt of all the quotes, the Coalition will review and make a decision based on experience with non-profit and governmental audit regulations, cost, and other factors which would be appropriate for a review of quote for the Audit services – example: responsiveness to the Request for Quote, availability of staff with professional qualifications and technical abilities, the result of external quality control reviews, price etc. The selected vendor will be required to enter into an agreement with the Coalition for the services listed below, and to ensure adherence to all applicable federal and / or state laws.

Links to some of the federal and / or state laws:

- Federal:
http://www.whitehouse.gov/omb/financial/fin_single_audit.html
- Federal:
http://www.aicpa.org/audcommctr/toolkitsnpo/Single_Audit_Act.htm
- Florida Single Audit Act: <https://apps.fldfs.com/fsaa/>
- Deadline for Response: Friday, July 20th 2012
- Final Award Decision: Monday, July 30th, 2012

Contract Period: The contract is for a period of 3 years.
 Early Learning Coalition of Duval Financial Statements for the period ending 6/30/2011 can be requested directly by sending an email: Angel Carro – acarro@elcofduval.org
 REQEUST FOR THE COMPLETE BID INFORMATION AND ALL QUESTIONS MUST BE SENT IN WRITING VIA EMAIL.

Early Learning Coalition of Duval Contact Information:
 Angel Carro, Finance Manager
 8301 Cypress Plaza Drive, Suite 201
 Jacksonville, FL 32256
acarro@elcofduval.org

Section XII Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Honey Bee Technical Council Workshop
HONEY BEE TECHNICAL COUNCIL
WORKSHOP AGENDA

Wednesday, August 1st, 2012

Doyle Conner Building Auditorium, 1911 South West 34 Street, Gainesville, Florida 32608

Florida Department of Agriculture and Consumer Services, Division of Plant Industry – Apiary Inspection Section, Bureau of Plant and Apiary Inspection

- 10:30 a.m. – 10:45 a.m. Welcome – David A. Westervelt
Chief Apiarist
Bureau of Plant and Apiary
Inspection, FDACS/DPI
- 10:45 a.m. – 10:50 a.m. Roll Call – Jerry Latner
Chairman, HBTC
- 10:50 a.m. – Adjourn Open Forum – HBTC Board
Members Only
State Policy on depopulation
for feral honeybee colonies
Best Management Practices

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 Peace Power Sports, Inc., intends to allow the establishment of Bayside Motorsports Corp., as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (line-make BASH) at 3304-A West Columbus Drive, Tampa (Hillsborough County), Florida 33607, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Bayside Motorsports Corp. are dealer operator(s): Eddy Didier Rodriguez, 3401 West Ellicott Avenue, Tampa, Florida 33614; principal investor(s): Eddy Didier Rodriguez, 3401 West Ellicott Avenue, Tampa, Florida 33614.

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: Fang Liu, Peace Power Sports Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

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.

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 Peace Power Sports, Inc., intends to allow the establishment of Cycle Pros of Tampa, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd., (line-make BASH) at 7601 North Nebraska Avenue, Tampa (Hillsborough County), Florida 33604, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Pros of Tampa, Inc., are dealer operator(s): Carmen Hayes, 1311 East 29th Avenue, Tampa, Florida 33605; principal investor(s): Carmen Hayes, 1311 East 29th Avenue, Tampa, Florida 33605.

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: Fang Liu, Peace Power Sports, Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

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.

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 SportChassis, LLC, intends to allow the establishment of Land Rover Southpointe, Inc., d/b/a Sarasota SportChassis as a dealership for the sale of heavy duty pickup trucks manufactured by Sportchassis, LLC (line-make FRHT) at 4975 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover Southpointe, Inc., d/b/a Sarasota SportChassis are dealer operator(s): Don Urfer, 5141 Clark Road, Sarasota, Florida 34233; principal investor(s): Don Urfer, 5141 Clark Road, Sarasota, Florida 34233.

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: Brian Aneshansley, Sportchassis, LLC, 2300 South Thirteenth Street, Clinton, Oklahoma 73601.

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.

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 Lotus Cars USA, Inc., intends to allow the establishment of Land Rover Southpointe, Inc., d/b/a Lotus Southpointe as a dealership for the sale of automobiles manufactured by Lotus (line-make LOTU) at 4975 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover Southpointe, Inc., d/b/a Lotus Southpointe are dealer operator(s): Donald R. Urfer, 5141 Clark Road, Sarasota, Florida 34233; principal investor(s): Donald R. Urfer, 5141 Clark Road, Sarasota, Florida 34233.

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: Arnold A. Johnson, Lotus Cars USA, Inc., 2402 Tech Center Parkway, Suite 600, Lawrenceville, Georgia 30043.

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.

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 Peace Power Sports, Inc., intends to allow the establishment of Motor Werks, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (line-make BASH) at 1265 South Highway US 1, Rockledge (Brevard County), Florida 32955, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Motor Werks, LLC, are dealer operator(s): Elena Swiden, 430 Sundoro Court, Merritt Island, Florida 32953 and Kevin Rude, 430 Sundoro Court, Merritt Island, Florida 32953; principal investor(s): Elena Swiden, 430 Sundoro Court, Merritt Island, Florida 32953.

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: Fang Liu, Peace Power Sports, Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 16, 2012:

- County: Lake Service District: 3E
CON # 10143 Decision Date: 6/21/2012 Decision: W
Applicant/Project: Passages Hospice of Central Florida, Inc.
Project Description: Establish a new hospice program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10147 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult lung transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10150 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult heart transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10153 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult kidney transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10155 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult liver transplantation program
Approved Cost: \$.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in

the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION**NOTICE OF AVAILABILITY****FLORIDA CATEGORICAL EXCLUSION NOTIFICATION****City of Carrabelle**

The Florida Department of Environmental Protection has determined that the City of Carrabelle's project to purchase the existing water system owned by Water Management Services, Inc. on St. George Island will not adversely affect the environment. The purchase price is estimated to be \$15,000,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds. A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Paul Brandl, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8373.

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers, P. O. Box 4970, Jacksonville, Florida 32232-0018, (File No. 0307923-002-BV) to establish a maximum allowable turbidity level above background for work within the Nassau River-St. Johns River Marshes Aquatic Preserve and Timucuan Ecological and Historical Preserve OFW, Class III Waters. This variance is associated with the proposed periodic maintenance dredging of the Atlantic Intercoastal Waterway in Sawpit Creek, South Amelia River, and Nassua Sound in Nassua County. (File No. 0307923-001-JC) The variance will allow 15 Nephelometric Turbidity Units above background at the edge of the mixing zone. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Beaches and Coastal Systems, 4870 Capital Circle Northwest, Tallahassee, Florida 32303, Telephone: (850)414-7731.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set

forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraphs 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled

to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.S. Under Sections 120.569(2)(c) and (d), F.S., a petition for

administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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://approd.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 Vacating Emergency Action

On June 22, 2012, the State Surgeon General, issued an Order Vacating Order of Emergency Suspension of License with regard to the license of William Edmund Crain Jr., R.N., License #9312202. The Department orders that the Emergency Suspension of License be vacated.

Notice of Emergency Action

On June 20, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yulexis C. Gonzalez Hernandez, C.N.A., License #CNA 195342. 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.

DEPARTMENT OF FINANCIAL SERVICES

Notice of Publication of Objection Determination Under
Section 120.745(4), F.S.

The Financial Services Commission, Office of Financial Regulation, has published its determination of objections pursuant to Section 120.745(4), F.S. This notice and the

publication were first published on the Office's website on June 21, 2012, and may be accessed at: http://www.flofr.com/2011_Rule_Review.aspx. Inquiries, public comments, and objections pertaining to the publication may be sent to: John Kim, Office of Financial Regulation, 200 E. Gaines St., Suite 660J, Tallahassee, Florida 32399, Fax: (850)410-9748, email: john.kim@flofr.com.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN June 18, 2012
 and June 22, 2012

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./ No. |
|-----------|-----------|----------------|-------------------|-------------------|
| 19-13.003 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-13.004 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-14.001 | 6/22/12 | 7/12/12 | 38/19 | |

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./ No. |
|----------|-----------|----------------|-------------------|-------------------|
|----------|-----------|----------------|-------------------|-------------------|

DEPARTMENT OF EDUCATION

State Board of Education

| | | | | |
|-----------|---------|--------|-------|-------|
| 6A-5.056 | 6/18/12 | 7/8/12 | 38/15 | 38/21 |
| 6A-6.0786 | 6/19/12 | 7/9/12 | 38/15 | 38/21 |

STATE BOARD OF ADMINISTRATION

| | | | | |
|-----------|---------|---------|-------|--|
| 19-9.001 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-11.001 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-11.002 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-11.003 | 6/22/12 | 7/12/12 | 38/19 | |
| 19-11.004 | 6/22/12 | 7/12/12 | 38/19 | |
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| 19-11.009 | 6/22/12 | 7/12/12 | 38/19 | |
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Division of Hotels and Restaurants

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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

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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

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