

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-118.001	Purpose
14-118.002	Definitions
14-118.003	Project Eligibility and Funding
14-118.004	Application and Award Procedures

PURPOSE AND EFFECT: Rule Chapter 14-118, F.A.C., is being promulgated to implement and administer the Intermodal Logistics Center Infrastructure Support Program.

SUBJECT AREA TO BE ADDRESSED: These rules address the Program's procedures and eligibility requirements for funding roads, rail facilities, and other means for the conveyance or shipment of goods through a seaport.

RULEMAKING AUTHORITY: 311.101(8) FS.

LAW IMPLEMENTED: 311.101 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458, susan.schwartz@dot.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-118.001 Purpose.

The purpose of the Intermodal Logistics Center Infrastructure Support Program is to provide funds for roads, rail facilities, or other means for the conveyance or shipment of goods through a seaport. The law establishes extensive criteria for the purpose of project evaluation. This rule chapter shall be liberally construed by the Department to effectuate the purposes of the statute. It is the intent of the Department that these rules permit maximum flexibility within the limits of the statute, yet define procedures consistent with sound public fund management principles and consistent with the need to apprise potential applicants, fund recipients and the public of the Department's policy governing administration of the Program. The amount of funds available from the State Transportation Trust Fund shall be up to \$5M per fiscal year, and subject to annual appropriation. Funding for the Program is based on the State Fiscal Year, from July 1 of each year through June 30th of the following year.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History–New _____.

14-118.002 Definitions.

(1) "Applicant" means a public or private entity with the authority to approve the development of, or construct, an Intermodal Logistics Center.

(2) "Department" means the Florida Department of Transportation.

(3) "Eligible seaport" means a seaport listed in Section 311.09, F.S.

(4) "Eligible project" or "Project" means a transportation facility for the conveyance or shipment of goods, to or from an ILC, through one or more eligible seaports.

(5) "Intermodal Logistics Center" (ILC) means as defined in Section 311.101, F.S.

(6) "Program" means the Intermodal Logistics Center Infrastructure Support Program, as defined in Section 311.101, F.S.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History–New _____.

14-118.003 Project Eligibility and Funding.

(1) A project will not be considered eligible if business at the ILC is relocating from one Florida community to another, unless the applicant demonstrates to the Department and the Department of Economic Opportunity (DEO) that without relocation the business will move outside the state, or that the business has a compelling economic reason and the relocation will create additional jobs.

(2) The transportation project must be designed in a manner that provides the most efficient access route to the business site.

(3) The amount of funds being requested for any project cannot exceed \$3 million.

(4) Projects will be funded for design and construction phases. Funds spent on planning, preliminary engineering, and environmental permitting may be considered as part of the required local match to be contributed by the applicant or associated local partners to the total project cost.

(5) The Secretary of Transportation will determine which eligible projects receive funding support in accordance with the provisions of this rule chapter. When the required documentation is provided in an application, the Department will consider the project for an award of Program funds.

(6) The Department is responsible for constructing any eligible projects consisting of improvements to state or federal highways. However, in cases where the applicant will be constructing the project, an appropriate local agreement, such as a Local Area Program or a Joint Participation Agreement will be executed by the Department and the applicant when the funds are awarded.

(7) The Department will attempt to distribute all of the funds available in the current State of Florida fiscal year. Funds not distributed in the current fiscal year will be distributed in a subsequent fiscal year.

(8) Public or private entities awarded funds by this Program shall comply with the following provisions:

(a) Chapter 287, Florida Statutes, Procurement of Personal Property and Services;

(b) Chapter 119, Florida Statutes, Public Records; and

(c) Chapter 3A-40, Florida Administrative Code, Rules of the Bureau of Auditing.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History—New _____.

14-118.004 Application and Award Procedures.

(1) The Intermodal Logistics Center Infrastructure Support Program Application, DOT Form-725-085-01, Rev. 12/12, incorporate herein by reference, is an electronic application available on the Department's website at www.dot.state.fl.us/seaport. There are no deadlines for submitting applications. The Department will accept an application as long as there are funds available within a given fiscal year. Any unused funds will be requested to carryover to the subsequent fiscal year.

(2) Applications shall include all information requested on the Intermodal Logistics Center Infrastructure Support Program Application.

(3) Applications must address the following:

(a) Eligible projects shall be consistent, to the maximum extent feasible, with local Metropolitan Planning Organization plans and local government comprehensive plans.

(b) Preliminary engineering reports shall comply with the Project Development and Environmental Manual: Part I, Chapter 9, incorporated herein by reference, including exceptions that can be presented for consideration in an Application.

(c) Production of engineering plans, and the use of personnel/consultants shall conform to the relevant sections as set forth in Rule 14-75.003, F.A.C.

(d) For right-of-way, if the acquisition and construction of the eligible project is the sole responsibility of the applicant, the applicant may utilize its own acquisition policies and procedures in accordance with applicable law. Right-of-Way maps should conform to the requirements of Rule Chapter 61G-17, F.A.C., Board of Professional Surveyors and Mappers, pursuant to Section 472.027, F.S.

(e) Construction may be completed using appropriate local specifications as defined in the Application, subject to Department review and approval. Appropriate standards will take into consideration similar transportation systems in the geographic area of the eligible project. In the absence of local construction specifications acceptable to the Department, refer

to the Standard Specification for Road and Bridge Construction and Standard Index in the Department's Plans Preparation and Design Manual.

(4) Project cost estimates for the eligible project must be current (within six months of the Application) and certified by the Department's project cost estimating system, or a nationally recognized firm of consulting engineers, for all eligible projects. Contingency amounts must be included to help ensure that the eligible project can be fully funded and completed (i.e., a minimum of 10% contingency).

(5) Benefit estimates for the ILC must be current and certified (within six months of the Application) by a nationally recognized consulting firm (i.e., traffic and revenue consultant, Certified Public Accountant, or other consultant for the type of project).

(6) The applicant must present a business plan for the ILC and a finance plan that fully funds the ILC, or the phase of the ILC currently under construction, including all contingencies. Documentation to verify funding sources will be required.

(7) When an Application is submitted to the Department, the Application will be reviewed for eligibility and completeness. If the Department initially finds the Application is not eligible or not complete, it will advise the applicant of any deficiencies. If the Department finds the Application to be complete and the project meets the Program's eligibility requirements, it will be forwarded to the DEO for review. The DEO will provide comments to the Department on how the eligible project meets state economic goals and fits in to the overall goals of supporting the state's ability to promote growth in global trade and logistics.

(8) Applications will be transmitted for review by local and district partners, including the DEO, and the appropriate Department modal, financial, and district staff will be asked to review and provide comments for all applications to the Manager, Seaport and Waterways Office. The Manager, Seaport and Waterways Office will then provide recommendations to the Secretary for consideration and final approval.

(9) Eligible project review and prioritization will include, but not be limited to, consideration of the criteria outlined below:

(a) The ILC and eligible project's contribution to the achievement of state economic goals and policies, and the extent to which the ILC and eligible project contribute to increased state economic activity, including job creation, increased wages and revenues.

(b) The Return on Investment estimated for the ILC and the eligible project, as applicable, demonstrating what will be contributed to regional and/or statewide economic activity.

(c) The positive contribution of the ILC and eligible project to the state transportation system, and the ability of the eligible project to improve the cost effective and efficient movement of goods to and from an eligible seaport. If the Application is submitted by a private entity, the Application

must clearly explain the public benefit from the eligible project, such as how the project provides a benefit to the associated seaport(s), and how the regional and/or statewide transportation of goods is improved with the development of ILC and the project.

(d) Documentation of a 50 percent or more funding match for the eligible project, including what entity is providing the match and how the match will be provided (i.e. cash, donation of land, etc.).

(e) Documentation of current commitments from private sector businesses currently operating at, or that have executed a contract to locate operations at, the ILC.

(f) Documentation of current executed agreement(s) with eligible seaport(s) to convey or ship goods to and from the ILC through the eligible seaport, including an estimate of the percent of cargo expected to be handled at the ILC and conveyed from each appropriate seaport.

(g) Documentation, through the business and financial plans and legal agreements provided, of the investments made, or to be made, by the owner or developer of the existing or proposed ILC.

(h) Documentation from the appropriate local government(s) supporting the ILC and the eligible project, and of the ILC and the eligible project's conformance with all appropriate local land use regulations and requirements.

(10) The Department will evaluate eligible projects by prioritizing applications based on the following information:

(a) Methodologies addressing financial feasibility, for example, by addressing inefficiencies in existing cargo transportation operations/transfers;

(b) Capital budget of all estimated structural materials and equipment, including costs for acquisition of land, site preparation, permits, buildings or building materials;

(c) Financial commitments, i.e. venture capital funds, grants, loans;

(d) State or regional economic benefits reflective of the project's critical role as a driver of economic development in the region and addressing multimodal cargo issues;

(e) Support of local community stakeholders, i.e. local government, chambers of commerce or Economic Development Offices;

(f) Local and/or industry financial commitments (local match);

(g) Availability of on-site or nearby associated manufacturing facilities or value added providers;

(h) Ability of the ILC to begin operations at an earlier date if the eligible project is approved, i.e. shovel-ready projects;

(i) Efficiencies in the transfer of goods, including those where both road and rail are available to facilitate movement of goods, regionally and internationally;

(j) Financial safeguards which include contingency plans with backup sources to complete the project should project funding become unavailable.

(11) The Department will respond to applicants with a final decision on funding after the review of applications is completed, and the Secretary has made project selections. After funding decisions are made, the Department will include the funded project in the work program as expeditiously as possible.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-11.015

Continued Claims for Benefits

PURPOSE AND EFFECT: This amendment will implement the work registration and initial skills review requirements of Chapter 443, F.S.

SUMMARY: This rule will specify the process of claimants to complete the initial skill review and work registration requirements of Section 443.091, FS.

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: This rule will require claimants to complete an initial skills review and register for work. This rule will not impact small businesses or increase regulatory costs.

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

RULEMAKING AUTHORITY: 443.091(1)(a), (c), 443.1317(1)(b), 443.151(2)(b) FS.

LAW IMPLEMENTED: 443.091(1), 443.111(1), 443.151(2) 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: January 9, 2013, 3:00 p.m. – 4:00 p.m.

PLACE: Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Room 110, Tallahassee, Florida 32399-6545

Pursuant to the provisions of 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: Peter Penrod, Assistant General Counsel, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 110, Tallahassee, Florida 32399-4120, (850)245-7150. If you are 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: Peter Penrod, Assistant General Counsel, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 110, Tallahassee, Florida 32399-4120, (850)245-7150

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-11.015 Continued Claims for Benefits.

(1) Method of Filing Continued Claims.

(a) After filing an initial, additional or reopened claim, the claimant will be instructed and required to report bi-weekly for the duration of the unemployment by Internet at www.fluidnow.com.

(b) In the event of a disaster or emergency, or when special assistance or accommodation as defined in paragraphs 73B-11.013(1)(c), F.A.C., is required, claimants may report in the manner set forth in paragraphs 73B-11.013(1)(d) and (e), F.A.C. or by using the AWI Form UCB-60 "Weekly Claim Certification" (Rev. 02/03), which is incorporated by reference in paragraph 73B-11.029(1)(q), F.A.C.

(2) Initial Skills Review. Unless exempted under Section 443.091(1)(b), F.S., or when special assistance or accommodation as defined in paragraphs 73B-11.013(1)(c), F.A.C., is required, the claimant must complete the initial skills review prior to completing his or her first continued claim.

(3) Work Registration. Unless exempted under Section 443.091(1)(b), F.S., or when special assistance or accommodation as defined in paragraphs 73B-11.013(1)(c), F.A.C., is required, the claimant must file a complete work registration on the Employ Florida Marketplace website, which may be accomplished by logging onto <http://www.employflorida.com>.

(a) To complete the work registration, the claimant must:

1. Provide a valid email address assigned to him or her;
2. Complete the Background Wizard; and
3. Create an Online Resume.

(b) The Background Wizard and Online Resume application may require the claimant to provide the following types of information:

1. Education History;

2. Occupational license or certification;

3. Skills and abilities;

4. Valid form of identification as defined in paragraphs 73B-11.013(2)(a), F.A.C.;

5. Employment history; and

6. References.

~~(4)(2)~~ Time Limit for Filing Continued Claims.

(a) Scheduled Reports. Continued claims for benefits must be filed within 14 calendar days following the scheduled report date as shown on the Internet Confirmation Page, or otherwise communicated to the claimant by the Department. The Department will stop providing this notice when the claimant ceases to report, has no additional benefits or weeks to claim, or benefits were denied and no appeal is pending at the end of the appeal period.

(b) Late Reports. If a report is not made within 14 days after the scheduled report date shown on the Internet Confirmation Page, or communicated to the claimant by a Department representative, the claim will be re-opened effective the first day of the week in which a report is filed. Upon request, the claimant will be permitted to file a late report for weeks that were not claimed within the permissible time period and will be granted appeal rights to any resulting determination denying benefits for the weeks in question.

(c) Resubmitted Continued Claim. When a claimant is directed by the Department to resubmit a continued claim for completion or correction, the scheduled report date will be extended to 14 days from the date the Department notifies the claimant that the claim was incomplete or incorrect. If the notification is mailed, the mailing date will be considered the date of notification.

(d) Early Reports. The Department may accept a continued claim certification prior to the scheduled report date provided each claimed week has ended.

(e) Special Reports. At any time during the pendency of any claim for benefits, the Department may make a written request for information or documentation from the claimant regarding any question whose resolution is necessary to ascertain the claimant's entitlement to benefits or the amount of any such benefits. The failure of the claimant to respond will result in a determination made from the available evidence.

Rulemaking Authority 443.091(1)(a) and (c), 443.1317(1)(b), 443.151 (2)(b) FS. Law Implemented 443.091(1), 443.111(1), 443.151(2) FS. History—New 8-25-92, Amended 4-1-96, Formerly 38B-3.015, Amended 8-14-08, 11-27-11, Formerly 60BB-3.015, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Peter Penrod

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Hunting F. Deutsch

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 1, 2012

Section III
Notices of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 4, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and Paragraph 61C-4.010(5), Florida Administrative Code from Building 72B located in Orlando. 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 share the three-compartment sink located within an adjacent business (license 5805767) under the same ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 05, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, Paragraph 61C-4.010(1), Florida Administrative Code, and Paragraph 61C-4.010(6), Florida Administrative Code from Majail Catering located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

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.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.009: Standard of Care for Office Surgery

Notice is hereby given that the Petition for Waiver or Variance filed on behalf of Panhandle Orthopaedics, LLC, from Rule 64B8-9.009, F.A.C., was withdrawn, at the hearing upon request of the Petitioner. The Notice of Petition was published in Vol. 38, No. 37, of the September 14, 2012, issue of the FAW. The person to be contacted regarding this Petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

Section VI
Notices of Meetings, Workshops and Public
Hearings

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 24, 2012, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Mr. Avera Wynne, (727)570-5151, ext. 30.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 17, 2012, 1:30 p.m.

PLACE: Room 219, Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review Committee of the WRWSA will meet to review Statements of Qualifications received in response to a Request for Qualifications to prepare a Regional Water Supply Plan Update. Applications may be short-listed for review with the full WRWSA Board on January 16, 2013.

A copy of the agenda may be obtained by contacting: Nancy H. Smith, WRWSA Administrative Assistant, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461; telephone (352)527-5795.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nancy H. Smith at (352)527-5795. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Nancy H. Smith, WRWSA Administrative Assistant, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461; telephone (352)527-5795.

SPACE FLORIDA

The Space Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 30, 2013, 2:30 p.m. – 4:30 p.m. Eastern Time.

PLACE: Doubletree by Hilton, 101 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: Tuesday, December 18, 2012, 9:00 a.m.

PLACE: Conference Call Number (888)670-3525, conference code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration Cases.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of 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: Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: The Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 or (850)245-4292.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Genetics and Newborn Screening Program Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 25, 2013, 10:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Health, Bureau of Laboratories, Porter Auditorium, 1217 Pearl Street, Jacksonville, FL 32231.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Genetics and Newborn Screening Program Advisory Council is meeting to discuss Florida's Newborn Screening Program.

For more information, or if you plan to attend, please contact: Lois Taylor, (850)245-4670.

*Adjournment time is approximate, depending on completion of the advisory council business.

A copy of the agenda may be obtained by contacting: Lois Taylor, (850)245-4670.

Pursuant to the provisions of 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: Lois Taylor, (850)245-4670. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Substance Abuse Program

The Department of Children and Family announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 2 Conference Room 103; (888)670-3525, Participant Code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC2 – Behavioral Health Training Services: Individual Negotiation Meeting – The purpose of this meeting will be to negotiate with the Respondents for the delivery of services outlined in the solicitation document.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: Adrian_Williams@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: December 20, 2012, 9:00 a.m. – 12:00 noon

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg. 2 Conference Room 103; (888)670-3525, Participant Code 2868250655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #01H12GC2 – Behavioral Health Training Services: Individual Negotiation Meeting – The purpose of this meeting will be to negotiate with the Respondents for the delivery of services outlined in the solicitation document.

A copy of the agenda may be obtained by contacting: Adrian Williams, Procurement Manager; email: Adrian_Williams@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services

The Tallahassee Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 8, 2013, 10:30 a.m. – 12:30 p.m.

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tallahassee Area 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: Theresa Leslie at (850)921-7944 or Taddese Fessehaye at (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: Theresa Leslie at (850)921-7944 or Taddese Fessehaye at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (800) 955-8770 (voice).

For more information, you may contact: Theresa Leslie at (850)921-7944 or Taddese Fessehaye at (407)317-7335.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from David Balke, Petitioner, In re: Tropic Winds Condominium Association, Inc., Docket No. 2012049013 on November 27,

2012. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(c), Florida Statutes, as it applies to the petitioner.

Whether the Tropic Winds Condominium Association board of directors provided notice of board meetings, required by Section 718.112(2)(c), Florida Statutes, for meetings held to discuss a resolution filed with the city in November 2012.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rhonda Ragen, Unit Owner, In Re: Algonquin Association, Inc., Docket No. 2012048061, on 11/16/12. The petition seeks the agency's opinion as to the applicability of Florida Administrative Code Rule 61B-22.002, as it applies to the petitioner.

Whether Algonquin Association, Inc. has maintained accurate accounting records of a unit owner's account under Florida Administrative Code Rule 61B-22.002.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that on November 21, 2012, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received the petition for declaratory statement from Petitioner South Florida Racing

Association, LLC (SFRA) in DBPR Case No. 2012048823 (DS 2012-089). The petition seeks the agency's opinion as to the applicability of Section 550.0745(1), Florida Statutes, as it applies to the petitioner.

The Petition requests the Division of Pari-Mutuel Wagering to state (a.) that Section 550.0745(1), Florida Statutes, as it applies to the SFRA, was not intended to, and does not provide for the Division to issue new summer jai alai permits each time that a permitholder within a county having five or more pari-mutuel permits which has had the smallest play or total pool within the county for two consecutive years (identified by Petitioner as the "Qualifying Permitholder") declines to convert its permit; and (b.) that if new summer jai alai permits are available pursuant to Section 550.0745(1), Florida Statutes, the Qualifying Permitholder has priority over all other permitholders in the county to apply for and receive the new summer jai alai permit. Any person whose substantial interests may be affected by a declaratory statement on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202; (850)921-0342.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed on behalf of Pariksinh Singh, M.D., and Maria Grace Scunziano-Singh, M.D, on October 8, 2012, has been withdrawn. The Notice of Petition for Declaratory Statement was published in Volume 38, No. 47, of the October 10, 2012, issue of the Florida Administrative Register. The person to be contacted with regard to this petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed John Cottam, M.D, on October 23, 2012, has been withdrawn. The Notice of Petition for Declaratory Statement was published in Volume 38, No. 60, of the October 29, 2012, issue of the Florida Administrative Register. The person to be contacted with regard to this petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed on behalf of Stephen Haire, M.D, on October 19, 2012, has been withdrawn. The Notice of Petition for Declaratory Statement was published in Volume 38, No. 56, of the October 23, 2012, issue of the Florida Administrative Register. The person to be contacted with regard to this petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH
Board of Medicine

NOTICE IS HEREBY GIVEN THAT on December 6, 2012, the Board of Medicine issued a Final Order on the petition for declaratory statement filed by Michael Dominic Mozzetti, M.D. The Notice of the Petition was published in Volume 38, No. 36, of the September 7, 2012, issue of the Florida Administrative Weekly. The Board reviewed the Petition at its meeting held on October 12, 2012. The Board’s Final Order finds that under the facts outlined in the Petition, the Petitioner’s continuing medical education (CME) courses in pain management meet the definitions and requirements of the AMA’s Physician’s Recognition Award and continuing medical education credit system, and they meet the “live lecture format” requirement set forth in subsection 64B8-9.0131(7), F.A.C. A copy of the Final Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

CITRUS COUNTY HOSPITAL BOARD OF TRUSTEES
NOTICE

The Citrus County Hospital Board invites interested parties to submit a Request for Proposal for the valuation of Citrus Memorial Hospital and other listed assets. The RFP shall be submitted to the Citrus County Hospital Board on or before December 27, 2012 at 2:00 p.m., pursuant to the RFP.

Scope of Work for RFP

The Citrus County Hospital Board seeks a prospective bidder to address the following requirements, pursuant to F.S. 155.40(5)(c) & (d):

Be a certified public accounting firm or other firm that has substantial expertise in the valuation of hospitals to render an independent valuation of the Citrus Memorial Hospital’s fair market value for sale and or leasing of hospital facilities owned by the board to a not-for-profit or for-profit entity.

Be a certified public accounting firm or other firm “to consider an objective operating comparison between a hospital or health care system operated by the Citrus County Hospital Board and other similarly situated hospitals, both not-for-profit and for-profit, which have similar service mix, in order to determine whether there is a difference in the cost of operation using publicly available data provided by the Agency for Health Care Administration and the quality metrics identified by the Centers for Medicare and Medicaid Services Core Measures. The comparison must determine whether it is more beneficial to taxpayers and the affected community for the hospital to be operated by a governmental entity, or whether the hospital can be operated by a not-for-profit or for-profit entity with similar or better cost-efficiencies or measurable outcomes identified by the Centers for Medicare and Medicaid Services Core Measures. The comparison must also determine whether there is a net benefit to the community to operate the hospital as a not-for-profit or for-profit entity and use the proceeds of the sale or lease for the purposes described [herein].” Florida Statute § 155.40(5)(d).

To acquire the RFP please go to website of the Citrus County Hospital Board at citruscountyhospitalboard.com.

VOTUM CONSTRUCTION, LLC
 FLORIDA A&M UNIVERSITY – PARKING
 STRUCTURE REPAIRS

We request your Lump Sum Proposal for all labor, material, equipment, insurances and taxes necessary to perform your trade work as required in connection with the repairs to the Florida A&M University Parking Garage located at 1546 Wahnish Way, Tallahassee, FL 32307.

Project: Wahnish Way Parking Garage Repairs, 1546 Wahnish Way, Tallahassee, FL 32307

Owner: Florida A&M University Board of Trustees and Florida A&M University, 2400 Wahnish Way, Suite 100, Tallahassee, FL 32307, Attn: Elston Peets, (850)599-3197 Elston.peets@famu.edu

Architect / Engineer: Hoy + Stark Architects, 1350 Mark Street, Suite 209, Tallahassee, FL 32312, Attn: Patrick E Hoy, AIA, (850)893-5971 Phone, (850)893-3419 Fax, pat@hoystark.com

Construction Manager: Votum Construction, LLC, 711 West Amelia Street, Suite 1, Orlando, FL 32805, Attn: Teska Dillard, (407)704-1743, Phone (407)704-2854 Fax, tdillard@votumllc.com

Blueprints and specifications can be obtained from ARC 503 Brookhaven Drive, Orlando, FL 32803, Phone (407)898-3881 or download at no charge from the following links below.

<https://www.dropbox.com/s/j3z8615rvr7v7dc/12.130%20Drawings%20Final%20CDs.pdf>

<https://dl.dropbox.com/u/53629125/12.130%20Specifications%20Project%20Manual.pdf>

In preparation of your proposal, the following instructions should be noted:

1. Proposals Due Friday, December 14, 2012 by 2:00 p.m.
2. The Pre-Bid Meeting and tour will take place at the Parking Garage (Main Entrance) on Wednesday, December 12, 2012 at 2:00 PM. The Pre-Bid Meeting is not mandatory.
3. PROJECT SCHEDULE: Construction starts immediately December 19, 2012 with Substantial Completion by February 26, 2013.
4. Subcontractors will be required to provide evidence of its financial capability to perform the work.
5. Subcontractor may be required to furnish separate performance and payment bonds in the full amount of the contract price, the form and contents of such bonds and the surety or sureties thereon are to be satisfactory to Votum. Bonds may be required for all subcontracts with a value greater than \$100,000. The cost to supply these bonds shall be included as an add to the base proposal.

6. The Owner may elect to utilize their tax exempt status for certain material. Subcontractors will be required to participate in an Owner Direct Purchase program on all purchases over \$10,000 from a single vendor. Sales tax shall be included in your proposal amount. The anticipated sales tax savings is to be identified on the on the Proposal form.
7. Subcontractors are strongly encouraged to submit voluntary cost saving suggestions to reduce the cost of the work without compromising service. Cost saving suggestions must be accompanied by a complete description.
8. Subcontractors are strongly encouraged to utilize MBE/WBE participation on the project in accordance with Votum’s goals to purchase goods and employ the services of MBE/WBE organizations. The project goal is to achieve 20% MBE/WBE participation.
9. Subcontractors shall guarantee their offer for ninety (90) calendar days from the proposal date.
10. All questions regarding this solicitation shall be written and faxed to the attention of Teska Dillard fax # (407)704-2854 or emailed at tdillard@votumllc.com.

Votum reserves the right to reject any or all bids any parts therein and reserves the right to award the Work to the most responsive bidder, at the sole discretion of Votum.

Section XII Miscellaneous

DEPARTMENT OF FINANCIAL SERVICES

Division of Rehabilitation and Liquidation

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AVAHEALTH, INC. dba KEY INSURANCE PLAN

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2012-CA-001400

In Re: The Receivership of AVAHEALTH, INC. dba KEY INSURANCE PLAN, a Florida corporation authorized to transact an insurance business in Florida.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AVAHEALTH, INC. dba KEY INSURANCE PLAN

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 31st day of August, 2012, the Department of Financial Services of the State of Florida was appointed as Receiver of AVAHEALTH, INC. dba KEY INSURANCE PLAN and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of AVAHEALTH, INC. dba KEY INSURANCE PLAN, shall present such claims to the Receiver on or before 11:59:59 p.m. on March 1, 2013, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for AVAHEALTH, INC. dba KEY INSURANCE PLAN, 2020 Capital Circle, SE, Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: www.myfloridacfo.com/receiver.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-12-140
STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 021-2012

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat. (2011), approving land development regulations adopted by Monroe County, Florida, Ordinance No. 021-2012 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on September 21, 2012, and rendered to the Department on October 16, 2012.

3. The Ordinance amends Sections 138-28 and 138-55, Monroe County Code, by revising the existing ROGO (residential rate of growth ordinance) and NROGO (nonresidential rate of growth ordinance) permit allocation scoring systems. It allows the County to assign up to 4 points to applications for new development that include the dedication of parcels that contain undisturbed wetlands or the dedication of vacant, legally platted Tier III-A (Special Protection Area-SPA) lots. The Ordinance also allows the County to assign up to five negative points to applications for new development on Tier III parcels that contain wetlands which require 100% open space and that are adjacent or contiguous to Tier I properties (natural areas). The Ordinance includes new language defining the terms “adjacent” and “contiguous.”

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and (11) and § 380.0552(9), Fla. Stat.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

8. The Ordinance is consistent with Policies 101.5.4 and 101.5.5 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 021-2012 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

J. THOMAS BECK, AICP
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE

PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 6th day of December, 2012.

/s/ _____
 Miriam Snipes, Agency Clerk
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable George Neugent
 Mayor, Monroe County
 500 Whitehead Street
 Key West, FL 33040

Amy Heavilin
 Interim Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, FL 33040

Christine Hurley, Director
 Monroe County Growth Management Division
 2798 Overseas Highway, Suite 400
 Marathon, FL 33050

By Hand Delivery or Interagency Mail:

Rebecca Jetton, ACSC Administrator, DEO Tallahassee

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012.
