

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:       RULE TITLE:

1S-2.047        State Campaign Matching Funds Program

PURPOSE AND EFFECT: To reflect recent amendments to Florida Statutes (Ch. 2013-37) that have changed the reporting schedule for campaign finance reports. To clarify the dates for submission of documentation for, and receipt of, matching funds.

SUBJECT AREA TO BE ADDRESSED: State campaign matching fund program.

RULEMAKING AUTHORITY: 20.10(3), 106.33, 106.35(1), (5) FS.

LAW IMPLEMENTED: 106.30-.36 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: November 21, 2013, 1:00 p.m.

PLACE: Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Diane Wint at (850)245-6536 or diane.wint@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ashley Davis at (850)245-6536 or ashley.davis@dos.myflorida.com

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.:       RULE TITLE:

2B-1.0041       Expedited Hearing for False Military Service

PURPOSE AND EFFECT: The Elections Commission intends to promulgate a rule to address the procedure for the investigation and hearing for violations of Section 104.2715, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The process for violations of Section 104.2715, Florida Statutes.

RULEMAKING AUTHORITY: 104.2715 (3) FS.

LAW IMPLEMENTED: 104.2715 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: Amy McKeever Toman, J.D., Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:       RULE TITLE:

64B8-1.007       List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes in the temporary certificate for visiting physicians application form in the rule.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised temporary certificate for visiting physicians application form.

RULEMAKING AUTHORITY: 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:  
64B8-3.002 Application, Certification, Registration, and Licensure Fees

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to implement an initial certification fee for those visiting physicians who want to obtain temporary medical privileges for instructional purposes. SUBJECT AREA TO BE ADDRESSED: Implementation of the initial certification fee for visiting physicians to obtain temporary medical privileges.

RULEMAKING AUTHORITY: 456.013, 456.025, 458.309, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:  
64B8-4.009 Applications

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the temporary certificate for visiting physicians application form.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised temporary certificate for visiting physicians application form.

RULEMAKING AUTHORITY: 456.031, 456.033, 458.309, 458.311, 458.313 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: RULE TITLE:  
1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy

PURPOSE AND EFFECT: This rule is being amended to add section headings, delete an obsolete provision and require that original signatures also be made in ink.

SUMMARY: The amendment makes clarifying changes.

**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 not require legislative ratification pursuant to Section 120.541(3), F.S., because the rule applies only to election-related activities. Based upon past experiences with rules of this nature, this rule will not have an adverse effect on businesses or private-sector economic growth, job-creation, employment or investment; it is not likely to have an adverse impact on business competitiveness nor innovation in excess of the statutory threshold; nor will it increase regulatory costs in excess of the threshold mandating legislative ratification. No other statute requires legislative ratification for this rule.

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(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022 FS.

LAW IMPLEMENTED: 20.05(1)(b), 99.061, 99.095, 103.022, 105.031(1), 105.035 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: December 4, 2013, 1:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Diane Wint at (850)245-6536 or diane.wint@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Davis at (850)245-6536 or ashley.davis@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy.

(1) Designation of Division of Elections as a filing office.

(a) The Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 is hereby designated on behalf of the Department of State as the filing or qualifying office, that is, the official address and the location for candidates seeking to qualify for nomination or election to any federal, state, legislative, multicounty or judicial office with the exception of county court judge. Candidates for the office of county court judge shall qualify with the supervisor of elections for that county.

(b)(2) All qualifying papers required to be filed with the Department of State as the office where the candidate is required to qualify shall be filed with the Division of Elections.

(2) Qualifying papers.

(3)(a) Except as noted herein, any qualifying paper filed with a qualifying office, whether the Division of Elections or a supervisor of elections, must be an original and signatures thereon must also be made in ink.

(b) A facsimile, email, photocopy, scanned copy or any type of electronically transmitted document shall not be accepted as a qualifying paper, except a candidate who has filed a current full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying. A current full and public disclosure or statement of financial interests is one that covers the immediately preceding calendar or tax year. For example, for a qualifying period that occurs in 2014, the current full and public disclosure or statement of financial interests form would be one that covers the 2013 calendar or tax year.

(3)(4) When filing occurs. Qualifying papers shall be deemed filed by the qualifying office upon the date of actual receipt by the qualifying office, except for those qualifying papers accepted and held during the 14-day period before the beginning of the qualifying period to be processed and filed during the qualifying period pursuant to Section 99.061(8), F.S. The qualifying papers that are received and held during the 14-day period before the beginning of the qualifying period shall not be deemed filed until the beginning of the qualifying period.

(4)(5) Forms.

(a) The following qualifying forms for candidates required by Sections 99.061, 103.022, and 105.031, F.S., are hereby incorporated by reference:

1. DS-DE 9 (Rev. 10/10) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00292>), entitled, "Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates."

2. DS-DE 24 (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00293>), entitled, "Candidate Oath – Candidate with Party Affiliation."

3. DS-DE 24A (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00294>), entitled, "Candidate Oath – Write-In Candidate."

4. DS-DE 24B (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00295>), entitled, "Candidate Oath – Candidate with No Party Affiliation."

5. DS-DE 24C (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00296>), entitled, "Candidate Oath – Precinct Committeemen and Committeewomen."

6. DS-DE 24D (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00314>), entitled, "Candidate Oath – District Committeemen and Committeewomen."

7. DS-DE 24E (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00315>), entitled, "Candidate Oath – State Committeemen and Committeewomen."

8. DS-DE 24F (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00316>), entitled, "Candidate Oath – School Board Write-In Candidate."

9. DS-DE 25 (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00297>), entitled, "Candidate Oath – Nonpartisan Office."

10. DS-DE 25A (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00298>), entitled "Candidate Oath – School Board Nonpartisan Office."

11. DS-DE 26 (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00299>), entitled, "Judicial Office Candidate Oath."

12. DS-DE 26A (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00300>), entitled, "Judicial Office Candidate Oath – Write-In Candidate."

13. DS-DE 27 (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00301>), entitled "Federal Candidate Oath – Candidate with Party Affiliation."

14. DS-DE 27A (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00302>), entitled "Federal Candidate Oath – Write-In Candidate."

15. DS-DE 27B (Rev. 5/11) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00303>), entitled "Federal Candidate Oath – Candidate with No Party Affiliation."

16. DS-DE 85 (Rev. 10/10) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00304>), entitled, "Oath of candidate Write-In for President and Vice President."

(b) The forms in paragraph (a) are available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850) 245-6200, or by download from the Division's webpage at: <http://election.dos.state.fl.us/forms/index.shtml>.

(5)(6) Candidate withdrawal. A candidate may withdraw his or her candidacy by submitting a document specifying the candidate's withdrawal from the particular public office he or she seeks to the qualifying office before which he or she qualifies (or has qualified) by mail, facsimile, email, photocopy, scanned copy or other type of electronic transmission that contains the signature of the candidate. The withdrawal is not effective until it is received by the qualifying office.

~~(7) Qualifying papers filed by a candidate with the qualifying office before the effective date of this rule that satisfy the requirements of applicable qualifying statutes, but which are not on the prescribed forms incorporated by reference in this rule, remain valid as qualifying papers after the effective date of the rule.~~

Rulemaking Authority 20.05(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022 FS. Law Implemented 20.05(1)(b), 99.061, 99.095, 103.022, 105.031(1), 105.035 FS. History—New 12-6-84, Formerly 1C-7.001, 1C-7.0001, Amended 2-13-90, 11-7-10, 9-7-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ashley Davis

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth W. Detzner, Secretary of State  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 12, 2013

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.045  
RULE TITLE: Candidate Petition Process

PURPOSE AND EFFECT: To provide for electronic certifications of candidate petitions by supervisors of elections to the Division of Elections. Makes technical changes to incorporated petition form and other updates.

SUMMARY: Provides an electronic process for supervisors of elections to certify candidate petitions to the Division of Elections.

**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 not require legislative ratification pursuant to Section 120.541(3), F.S., because the rule applies only to election-related activities. Based upon past experiences with rules of this nature, this rule will not have an adverse effect on businesses or private-sector economic growth, job-creation, employment or investment; it is not likely to have an adverse impact on business competitiveness nor innovation in excess of the statutory threshold; nor will it increase regulatory costs in excess of the threshold mandating legislative ratification. No other statute requires legislative ratification for this rule.

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: 20.10(3), 97.012(1), 99.095, 99.097(1), 105.035(2) FS.

LAW IMPLEMENTED: 99.095, 99.061, 99.097, 103.021, 105.031, 105.035 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: December 4, 2013, 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Diane Wint at (850)245-6536 or [diane.wint@dos.myflorida.com](mailto:diane.wint@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Davis, Assistant General Counsel at (850)245-6536 or [ashley.davis@dos.myflorida.com](mailto:ashley.davis@dos.myflorida.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.045 Candidate Petition Process.

(1) Qualification by Petition.

(a) A person who seeks to qualify as a candidate for any office and who meets the petition requirements of this rule and Sections 99.095 and 105.035, F.S., is not required to pay the qualifying fee or party assessment required by Chapters 99 and 105, F.S.

(b) Persons who seek to have their names printed on the ballot as candidates for President and Vice President of the United States as no party affiliated candidates and minor political parties that are not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States shall comply with the petition requirements in this rule to have the candidates' names placed on the ballot.

(2) Required Number of Signatures. Except in a year of apportionment as specified in Sections 99.095 and 99.09651, F.S., a candidate shall obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 percent of the total number of registered voters of that geographical area, as shown by the

compilation by the Department of State for the immediately preceding general election. Special district candidates may qualify by obtaining at least 25 signatures of voters in the geographical area represented by the office sought. Except for special district candidates who have not collected contributions and whose only expense is the signature verification fee and federal candidates, signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S.

(3) Format of Petition.

(a) Except for presidential and vice presidential candidates, the format of a candidate petition shall be in accordance with Form DS-DE 104 (effective 09/11), entitled "Candidate Petition" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00623>). The format of a candidate petition for presidential and vice presidential candidates seeking ballot position as no party affiliated candidates shall be in accordance with DS-DE Form 18A (effective 09/11), entitled "President and Vice President Candidate Petition – No Party Affiliation" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00624>), and the format of the candidate petition for a minor political party that is not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States shall be in accordance with Form DS-DE 18B (effective 09/11), entitled "President and Vice President Candidate Petition – Minor Political Party" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00625>). Forms DS-DE 18A, 18B and 104 are hereby incorporated by reference and are available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240, or by download from the Division of Elections' rules webpage or forms webpage at: <http://elections.myflorida.com>.

(b) Forms DS-DE 18A, 18B, and 104 must be reproduced for use by candidates in their exact wording and formats without any changes in their text or formats, except the forms may be reduced or enlarged proportionally in size as a whole document. The forms may not be less than 3 inches by 5 inches and no larger than 8 1/2 inches by 11 inches. Each form must be submitted for verification as a separate card or individual sheet of paper. Candidates may have the forms translated into a minority language if the format of the forms and their blank entries remain the same. If a translated version is made, the forms may be made into a two-sided form with one side in English and the other side in a minority language; however, a voter shall complete only one side of the form. If both sides should be completed, the supervisor of elections to whom the form is submitted shall verify only the signature on the English side of the form.

(c) Except for the signature of the voter and date the voter signs the form, the entries on Forms DS-DE 18A, 18B and 104 may be completed prior to the voter signing and dating the form.

(d) A separate petition form is required for each candidate.

(e) The petition form may be included within a larger advertisement, provided the form is clearly defined by a solid or broken border. If included within a larger advertisement, the petition form may have information from the advertisement on the reverse of the petition form; otherwise, when used as a standalone petition form, it may only have a translation into a minority language on its reverse.

(4) Submission of Petition.

(a) Each Form DS-DE 104 must be submitted before noon of the 28th day preceding the first day of the qualifying period for the office sought to the supervisor of elections of the county in which the signee is registered to vote.

(b) Each Form DS-DE 18A or Form DS-DE 18B must be submitted no later than July 15 of each presidential election year to the supervisor of elections of the county in which the signee is a registered voter.

(c) It is the responsibility of the candidate or minor political party, as applicable, to ensure that the signed petition form is properly filed with, or if misfiled, forwarded to the supervisor of elections of the county in which the signee is a registered voter. If the supervisor of elections determines that the signer of the petition is not a registered voter in his or her county, the supervisor of elections shall notify the candidate or minor political party, as applicable, that the petition has been misfiled. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(5) Verification of Signatures.

(a) Upon receipt of candidate petition forms and payment of applicable signature verification fees, the supervisor of elections shall verify the signatures on each petition form to ensure that each person signing the petition form is a registered voter in the county, district, or other geographical area represented by the office sought, unless otherwise specified in Sections 99.095 and 99.09651, F.S.

(b) Except for special district candidates who have not collected contributions and whose only expense is the signature verification fee and federal candidates, the supervisor of elections shall also verify that the date the voter signed the petition form is on or after the date the candidate filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S., with the appropriate filing officer.

(c) If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation and, if it does not, the signatures are not valid, unless otherwise specified in Sections 99.095 and 99.09651, F.S.

(d) No signature on a candidate petition form shall be counted toward the number of signatures required unless it is on the candidate petition form prescribed by the Division in this rule.

(e) A signature on a candidate petition form shall not be counted toward the number of signatures required if the voter has previously signed a candidate petition form for the same candidate for the same office in the same election that had been verified as valid.

(f) In addition to the above requirements, the supervisor of elections shall not verify as valid signature on a candidate petition form unless all of the following information is contained on the petition form:

1. The voter's name;
2. The voter's address (including city and county);
3. The voter's complete voter registration number or date of birth (to include the month, day, and year) that matches the date of birth on the voter's registration application;
4. The voter's original, ink signature; and
5. The date the voter signed the petition (to include the month, day, and year) as recorded by the voter.

(g) If all other requirements for the petition are met, a signature on a petition shall be verified and counted as valid for a registered voter if, after comparing the signature on the petition and the signature of the registered voter in the voter registration system, the supervisor is able to determine that the petition signer is the same as the registered voter, even if the name on the petition is not in substantially the same form as in the voter registration system.

(h) If a voter signs a petition and lists an address other than the legal residence where the voter is registered, the supervisor shall treat the signature as if the voter had listed the address where the voter is registered.

(i) The following represents a nonexclusive listing of examples based upon the requirements in this rule that will make the candidate petition invalid:

1. The petition is signed and dated before the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S., unless the candidate is a special district candidate who has not collected contributions and whose only expense is the signature verification fee or the candidate is a candidate for federal office.

2. The petition has a different party affiliation or office being sought by the candidate than that listed by the candidate on the current form the candidate has on file for the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S.

3. The petition fails to list a group, seat, or district designation, except when otherwise provided by law.

4. The petition indicates the candidate is running for a non-partisan office or the petition indicates the candidate is running as a no party affiliated candidate and the petition lists the candidate's political party.

5. The petition is signed by a voter who is not a registered voter in the county, district, or other geographical area represented by the office sought, unless otherwise specified in Sections 99.095 and 99.09651, F.S., at both the time of signing and verification of the petition.

6. The petition is dated after the date the petition is submitted to the supervisor of elections.

7. The petition fails to contain the original signature of the voter. (Photocopied, scanned, electronic, or facsimile signatures are not original for purposes of this rule.)

8. The petition is in a different format than the applicable candidate petition form incorporated by reference in this rule.

9. The petition was circulated for a different election than the election for which the candidate is seeking to qualify, unless the candidate seeks to qualify in an intervening special election for the identical office for which the candidate was originally seeking to qualify. (If the candidate does not seek to qualify for the intervening special election, the candidate may continue to use his or her petitions to qualify in the subsequent general election for the office being sought.)

10. The petition has more than one box checked indicating the type of candidate, i.e., nonpartisan, no party affiliation, or party candidate.

(6) Determination of Required Number of Signatures.

(a) Supervisors of elections shall submit the number of valid and invalid signatures on Forms DS-DE 18A, 18B, and 104 by submitting the information via the Supervisor of Elections' Administrative Services website at <https://soesecure.elections.myflorida.com/SOEAdminServices/> by following the instructions contained in Form DS-DE 134, "SOE Handbook on Certifying Candidate Petitions" (eff. 04/2013) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03388>). Form DS-DE 134 is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240, or by download from the Division of Elections' rules webpage or forms webpage at: <http://elections.myflorida.com>.

(b) No later than 5:00 p.m. on the 7th day before the first day of the qualifying period, the supervisor of elections shall submit to the Division of Elections the number of valid and invalid ~~a certificate indicating the number of valid~~ signatures received on Form DS-DE 104 for each candidate for federal, state, multicounty district, or multicounty special district office. ~~Certificates may be submitted to the Division via facsimile or e-mail in order to meet the deadline, followed by an original copy by mail.~~ The Division shall determine whether the required number of signatures has been obtained and shall notify the candidate.

(b) For candidates for county, district or special district office not covered by paragraph (a), the supervisor shall determine whether the required number of signatures has been obtained and shall notify the candidate.

(c) If the required number of signatures has been obtained, the candidate is eligible to qualify pursuant to Section 99.061 or 105.031, F.S., as applicable.

(d) Supervisor of elections shall verify the signatures on Forms DS-DE 18A and 18B and submit to the Division of Elections the number of valid and invalid ~~a certificate indicating the number of valid~~ signatures for each candidate for President and Vice President and minor political party, as applicable, on or before the date of the primary election held in the presidential election year. ~~Certificates may be submitted to the Division via facsimile or e-mail in order to meet the deadline, followed by an original copy by mail.~~ The Division shall determine whether the required number of signatures has been obtained and shall notify the candidate and minor political party, as applicable.

(e) A minor political party that is not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States and that has obtained the requisite number of signatures on DS-DE 18B shall file with the Department of State no later than September 1 of the year in which the election is held a certificate naming its candidates for President and Vice President of the United States and listing the required number of persons to serve as presidential electors.

(7) Effect on Previously Approved Candidate Petition Form. Any candidate petition form which contains the substantive requirements of subsections (3) and (5) and which was approved by the Division of Elections prior to the effective date of this rule may continue to be used and circulated for signature gathering until July 16, 2012.

Rulemaking Authority 20.10(3), 97.012(1), 99.095, 99.097(1), 105.035(2) FS. Law Implemented 99.095, 99.061, 99.097, 103.021, 105.031, 105.035 FS. History—New 10-23-07, Amended 11-7-10, 12-5-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ashley Davis  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth W. Detzner, Secretary of State  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 12, 2013

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.: 2B-1.006  
RULE TITLE: Appeal of Adverse Decision for Contributions from Election Campaign Financing Trust Fund

PURPOSE AND EFFECT: The rule is unnecessary and is being repealed.

SUMMARY: The rule is being repealed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Commission meeting, the Commission, 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: 106.35, 120.53 FS.

LAW IMPLEMENTED: 106.30-.36 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.006 Appeal of Adverse Decision for Contributions from Election Campaign Financing Trust Fund.  
Rulemaking Authority 106.35, 120.53 FS. Law Implemented 106.30-.36 FS. History—New 11-11-88, Formerly 1D-1.006, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NOS.: 2B-2.001, 2B-2.002, 2B-2.003, 2B-2.004  
RULE TITLES: Authority, Purpose, Public Inspection and Duplication, Final Orders Indexed

PURPOSE AND EFFECT: The rules are unnecessary and are being repealed.

SUMMARY: The rules are being repealed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Commission meeting, the Commission, 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: 120.533 FS.

LAW IMPLEMENTED: 120.53(2)-(4) FS.



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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-2.001 Authority.

Rulemaking Specific Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History--New 8-19-92, Formerly 1D-2.001, Repealed.

2B-2.002 Purpose.

Rulemaking Specific Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History--New 8-19-92, Formerly 1D-2.002, Repealed.

2B-2.003 Public Inspection and Duplication.

Rulemaking Specific Authority 120.533 FS. Law Implemented 120.53(2)(a)1.-5. FS. History--New 8-19-92, Formerly 1D-2.003, Repealed.

2B-2.004 Final Orders Indexed.

Rulemaking Specific Authority 120.533 FS. Law Implemented 120.53(2)(a)3., (d) FS. History--New 8-19-92, Formerly 1D-2.004, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NO.: RULE TITLE:

5C-3.001 Definitions

PURPOSE AND EFFECT: The proposed rule will provide consistency for definition of "official individual identification" within Rule 5C-3.001, F.A.C. and 9 C.F.R. § 86.4(a)(1) (2013).

SUMMARY: This rule redefines "official individual identification" for the purpose of importation of cattle and compliance with new federal requirements.

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 revision only mirrors definitions with Rule 5C-4.0015, Chapter 5C-31, F.A.C. and 9 CFR 86.4(a)(1) (2013). Therefore, Rule 5C-3.001, F.A.C., has 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: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.08(2)(a), 585.11(1), (4), 585.145(1), (2), 585.16 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Stephen Monroe, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800, phone: (850)410-0900, fax: (850)410-0929

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-3.001 Definitions.

For the purpose of this chapter, the definitions in Section 585.01, F.S., and the following shall apply:

(1) through (18) No change.

(19) Official Individual Identification. An individual animal identification that uniquely identifies the animal, the owner, the premises where the animal was identified and the state in which the official individual identification was applied and: ~~A unique individual animal identification including:~~

~~(a) For Cattle: Official USDA Eartags. A tamper-resistant/tamper evident eartag, approved by USDA, APHIS, capable of providing a unique identification number for each animal, and capable of being recorded in a central repository. Such eartags must conform to one of the number systems identified in 9 CFR §71.1 (2009);~~

1. Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C-31.005; or

2. Is submitted to and verified by the Department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.

~~(b) For Livestock Other than Cattle: Tattoos and Registered Brands. Ear, tail web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;~~

1. Tattoos and registered brands such as ear, tail-web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;

2.(e) Leg or wing bands for poultry;

3.(d) Color digital images or notarized color photographs of an equine signed by a state-licensed, USDA-accredited veterinarian; or

4.(e) Implanted electronic chip with a unique number recognized as International Organization for Standardization (ISO) compliant or that is accompanied by automated reader capable of capturing and recording the unique animal identification number.

(20) through (35) No change.

(36) The following documents are hereby adopted and incorporated by reference. These documents may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800 and are available online as indicated.

(a) 9 C.F.R. §§ 71.1, 71.7, 71.10-12, 71.20, 145-147, 160-162 (2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03314>.

(b) Federal Meat Inspection Act (21 U.S.C. §§ 601-695 (2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03308>.

(c) Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03301>.

~~Forms and Materials. 9 CFR §§ 71.1, 71.7, 71.10-12, 71.20, 145-147, 160-162 (2009), the Federal Meat Inspection Act (21 U.S.C. §§ 601-695 (2009)) are hereby incorporated by reference. Copies may be obtained from: [www.gpoaccess.gov](http://www.gpoaccess.gov). Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.~~

~~Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.003, 585.08(2)(a), 585.11(1), (4), 585.145(1), (2), 585.16 FS. History—New 6-29-62, Amended 2-5-85, Formerly 5C-3.01, Amended 9-6-89, 3-23-94, 6-4-95, 12-12-04, 5-24-10,\_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. Thomas J. Holt, State Veterinarian, Director, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, Phone: (850)410-0900, Fax: (850)410-0929

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam, Plaza Level 10, The Capitol, 400 South Monroe Street, Tallahassee, FL 32399-0800, (850)488-3022

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 15, 2013

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NO.: RULE TITLE:

5C-4.0015 Definitions

PURPOSE AND EFFECT: The proposed rule is being developed to provide consistency for definition of "official individual identification" within Rule 5C-4.0015, F.A.C. and 9 C.F.R. § 86.4(a)(1)(2013).

SUMMARY: This rule redefines "official individual identification" for the purpose of importation of cattle.

**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 revision only mirrors definitions with Rule 5C-3.0015, Chapter 5C-31, F.A.C. and 9 CFR 86.4(a)(1) (2013). Therefore, Rule 5C-4.001, F.A.C., has 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: 585.002(4), 585.08(2), 585.145(2) FS.

LAW IMPLEMENTED: 585.08(2)(a), 585.145(1), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Stephen Monroe, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800, phone: (850)410-0900, fax: (850)410-0929

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-4.0015 Definitions.

For the purposes of this chapter the following definitions shall apply:

(1) through (9) No change.

(10) Official Individual Identification. An individual animal identification that uniquely identifies the animal, the owner, the premises where the animal was identified and the state in which the official individual identification was applied and: A form of unique individual animal identification including, but not limited to:

(a) ~~For Cattle: Official Eartags. Must be tamper-resistant/tamper evident, approved by APHIS, capable of providing a unique identification number for each animal, and capable of being recorded in a central repository. Such eartags must conform to one of the numbering or tagging systems approved by the USDA, APHIS, VS in 9 C.F.R. § 71.1.~~

1. Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C-31.006, F.A.C.; or

2. Is submitted to and verified by the Department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.

(b) ~~For Livestock Other than Cattle: Ear, tail web or flank tattoos, approved by APHIS; breed registration tattoos when accompanied by breed registration papers; or an official brand when accompanied by a brand registration certificate;~~

1. Tattoos and registered brands such as ear, tail-web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;

2.(e) Official leg or wing bands for poultry;

~~3.(d) Color digital images or notarized color photographs of the animal, signed by a state-licensed, USDA-accredited veterinarian; or~~

4.(e) Implanted electronic chips with a unique number that is recorded in a single, central database.

(11) Official test. A test conducted by a method approved by Department rules for the specific disease and animal species.

(12) Poultry, Domestic Fowl or Ratites. Chickens, turkeys, quail, pheasants, chukars, peafowl, guineas, ratites (limited to ostriches, emus and rheas) and waterfowl that are propagated or maintained for commercial or breeding purposes.

(13) Segregated. To maintain a group of animals separate from another group of animals in such a manner as to prevent physical contact between animals of the two groups.

~~(14) Materials. Title 9 C.F.R. § 71.1 (2005) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328. Rulemaking Authority 585.002(4), 585.08(2), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—New 1-19-95, Amended 6-4-95, 6-21-06, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. Thomas J. Holt, State Veterinarian, Director, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, (850)410-0900, Phone: (850)410-0929 Fax

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam, Plaza Level 10, The Capitol, 400 South Monroe Street, Tallahassee, FL 32399-0800, (850)488-3022

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 15, 2013

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
 5C-30 Enforcement and Penalties  
 RULE NOS.: RULE TITLES:  
 5C-30.003 Penalties  
 5C-30.004 Incorporated Materials

PURPOSE AND EFFECT: The purpose of the rule is to include penalties for violation of Chapter 5C-31, F.A.C., Cattle Identification.

SUMMARY: This rule will provide penalties related to Chapter 5C-31, F.A.C., Cattle Identification.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the penalties being an immeasurable quantity dependent on the violation and whether it is the first, second, third or an infinite-numbered infraction of the rule. With the buy-in by industry of the rule and the penalties as exhibited in statewide workshops during rule development, it will be the exceptional errant large business/producer that will

garner fines and at that would still not begin to meet minimum financial SERC requirement standards. Additionally, no interested party submitted additional information regarding the economic impact.

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: 570.07(23), 585.002(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), (2), 585.16, 585.23, 585.40 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: Mr. Stephen Monroe, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, phone: (850)410-0900, fax: (850)410-0929

THE FULL TEXT OF THE PROPOSED RULE IS:

**CHAPTER 5C-30 ENFORCEMENT AND PENALTIES**

5C-30.003 Penalties.

(1) through (2) No change.

(3) The penalties for failure to comply with the health standards for importation or intrastate movement of animals are as provided in Table #1.

**TABLE #1**

**Decision and Penalty Matrix for Division of Animal Industry Movement Violations**

Division of Animal Industry – AI      Equine Infectious Anemia – EIA      Individually Identified – ID  
 National Poultry Improvement Plan – NPIP      Official Certificate of Veterinary Inspection – OCVI (valid for 30 days)  
 Pullorum-Typhoid – PT Test      Tuberculosis – TB

<b>SPECIES</b>	<b>VIOLATION</b>	<b>INTRASTATE (Within State)</b>	<b>INTERSTATE (Import into State)</b>	<b>ADMINISTRATIVE ACTION*</b>
<b>All Animals</b>	Use of forged, altered or counterfeited document.	Quarantine back to premises of origin.	Refuse entry into state.	1 <sup>st</sup> \$500 2 <sup>nd</sup> \$2,500 3 <sup>rd</sup> \$5,000 4 <sup>th</sup> and subsequent violations within 24 months of last violation – \$10,000.
<b>All Animals</b>	Animals showing signs of illness or dead animals.	Contact Division of Animal Industry.	Refuse entry for dead animals. All other animals showing signs of illness, contact the Division of Animal Industry.	Contact Division of Animal Industry.
<b>All Animals</b>	Movement of animals in violation of quarantine.	Quarantine back to premises of origin.	Refuse entry into state.	1 <sup>st</sup> \$500 2 <sup>nd</sup> \$2,500 3 <sup>rd</sup> \$5,000 4 <sup>th</sup> and subsequent violations within 24 months of last violation – \$10,000.
<b>All Animals</b> (Except poultry and deer-see below).	No prior permission number.	N/A	Allow entry into state. Division of Animal Industry will contact issuing veterinarian.	1 <sup>st</sup> Advisory Notice 2 <sup>nd</sup> Advisory Notice 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.

SPECIES	VIOLATION	INTRASTATE (Within State)	INTERSTATE (Import into State)	ADMINISTRATIVE ACTION*
<b>Cattle (Unidentified)</b>	<u>Failure by an Approved Livestock Facility accepting cattle to:</u> <u>(1) tag as an approved tagging site on behalf of the consignor/owner, or</u> <u>(2) place into designated “slaughter only” sale channels, or</u> <u>(3) deny entry to the market.</u>	<u>Administrative Fine</u>	<u>Administrative Fine</u>	<u>1<sup>st</sup> \$25 per animal violation.</u> <u>2<sup>nd</sup> \$50 per animal violation</u> <u>3<sup>rd</sup> 100 per animal violation</u>
<b>Cattle (Identification)</b>	<u>Failure to have official individual identification.</u>  <u>Failure to prevent commingling with cattle under separate ownership.</u>	<u>Quarantine to origin or destination until animals are officially identified.</u>	<u>Quarantine to origin or destination until animals are officially identified.</u>	<u>1<sup>st</sup> Quarantine</u> <u>2<sup>nd</sup> Quarantine and \$25 per animal violation</u> <u>3<sup>rd</sup> Quarantine and \$50 per animal violation</u>
<b>Cattle and Bison (Bovine)</b>	No tuberculosis (TB) test, brucellosis test, ID, or invalid OCVI /no OCVI.	N/A	Quarantine to destination.	1 <sup>st</sup> Quarantine 2 <sup>nd</sup> Quarantine 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.
<b>Deer (Cervidae)</b>	No OCVI or prior permission.	Quarantine back to premises of origin.	Refuse entry into state.	<b>Intrastate Movement</b> Quarantine back to premises of origin.  <b>Interstate Movement</b> -Refuse entry into state.
<b>Goats and Sheep (Caprine and Ovine)</b>	No ID (USDA scrapie tags- required unless consigned to a USDA-approved livestock market).	Quarantine back to premises of origin.	Refuse entry into state.	<b>Intrastate</b> Quarantine back to premises of origin.  <b>Interstate</b> Refuse entry into state.

SPECIES	VIOLATION	INTRASTATE (Within State)	INTERSTATE (Import into State)	ADMINISTRATIVE ACTION*
<b>Goats and Sheep (Caprine and Ovine)</b>	No OCVI/invalid OCVI, TB test, or brucellosis test.	N/A	Quarantine to destination.	1 <sup>st</sup> Quarantine 2 <sup>nd</sup> Quarantine 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.
<b>Goats and Sheep (Caprine and Ovine)</b>	No veterinary disease-free statement as required in paragraph 5C-3.005(1)(b), F.A.C.	N/A	Advisory notice.	Advisory notice.
<b>Horses (Equine)</b>	No EIA test, outdated EIA test, EIA not accurate/legible, or EIA does not match horse.	Quarantine back to premises of origin.	Refuse entry into state if consigned to a show, sale or exhibition.  All other shipments- refuse entry into state; or at owner’s request and expense, call a Florida accredited veterinarian to test for EIA, and quarantine to destination pending outcome of the test.	<b>Intrastate:</b> Quarantine back to premises of origin.  <b>Interstate:</b> Refuse entry or quarantine to destination with pending EIA test.
<b>Horses (Equine)</b>	No OCVI, invalid OCVI, or OCVI does not match the horse.	N/A	Call a Florida veterinarian to issue OCVI, at owner’s expense, and allow entry. If no veterinarian is available, then quarantine to destination.	1 <sup>st</sup> Quarantine 2 <sup>nd</sup> Quarantine 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.
<b>Horses (Equine)</b>	No equine piroplasmiasis (EP) test or treatment if from endemic area.	Quarantine back to premises of origin.	Refuse entry into state.	Refuse entry.
<b>Horses (Equine)</b>	No temperature reading on OCVI.	N/A	Allow entry into state and issue an advisory notice.	Advisory notice.

SPECIES	VIOLATION	INTRASTATE (Within State)	INTERSTATE (Import into State)	ADMINISTRATIVE ACTION*
<b>Pigs (Swine/Porcine)</b>	No pseudorabies test, brucellosis test, no ID, or OCVI/invalid OCVI.	N/A	Quarantine to destination.	1 <sup>st</sup> Quarantine 2 <sup>nd</sup> Quarantine 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.
<b>Poultry (Avian)</b>	No OCVI/invalid OCVI, PT test, or NPIP/VS 9-3.	N/A	Refuse entry into state.	Refuse entry into state.
<b>Poultry (Avian)</b>	No prior permission number with VS 9-3.	N/A	Allow entry and issue an advisory notice.	1 <sup>st</sup> Advisory notice. 2 <sup>nd</sup> Advisory notice. 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.
<b>Poultry (Avian)</b>	No prior permission number with OCVI.	N/A	Allow entry to a single destination and quarantine.	1 <sup>st</sup> Quarantine 2 <sup>nd</sup> Quarantine 3 <sup>rd</sup> and subsequent violations within 24 months of last violation – refuse entry into state.

\*The penalties in Table #1 are listed in the order that they will apply with each succeeding violation.

(4) No change.

Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.003, 585.007(1), 585.08(2)(a), 585.145(1), (2), 585.16, 585.23, 585.40 FS. History—New 5-24-10, Amended \_\_\_\_\_.

5C-30.004 Incorporated Materials.

(1) For purposes of Sections 585.08 and 585.145, F.S., and pursuant to this rule, a Department representative who is not at a department interdiction station and who executes a Notice of Quarantine shall utilize form FDACS-09030 Rev. 12/09, Notice of Quarantine. A Department representative at a Department interdiction station shall issue FDACS-09163 Rev. 12/09, Notice of Quarantine – Interdiction Stations or FDACS-09239 Rev. 12/09, Refuse Entry Notice – Interdiction Stations. A Department representative shall post FDACS-09090 Rev. 12/09, Quarantine Sign, at the location of the animal quarantine. This sign shall not be removed by anyone other than a Department representative. When the Department

determines that the threat of disease ceases to exist and/or animal health requirements have been met, a Department representative will provide notification that the quarantine has been released and is no longer in effect by issuing FDACS-09028 Rev. 12/09, Release of Quarantine.

(2) When an Advisory Notice is prescribed by rule for a particular violation, a Department representative shall issue FDACS-09238 Rev. 12/09, Advisory Notice – Interdiction Stations.

(3) USDA APHIS Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89) and USDA APHIS Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (OCT 2011) (AUG 2005) may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

(4) The following documents ~~All of the foregoing forms~~ are hereby incorporated by reference. Copies of these documents ~~Samples of the foregoing forms~~ may be viewed or obtained ~~from by contacting the Florida Department of Agriculture and Consumer Services;~~ the Division of Animal



Industry, 407 South Calhoun Street, ~~Room 331, Mayo Building~~, Tallahassee, Florida 32399-0800 or online as indicated by visiting <http://www.doacs.state.fl.us/onestop/index.html>.

(a) Release of Quarantine, FDACS-09028, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03307>.

(b) Notice of Quarantine, FDACS-09030, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03306>.

(c) Quarantine Sign, FDACS-09090, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03305>.

(d) Notice of Quarantine – Interdiction Stations, FDACS-09163, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03304>.

(e) Advisory Notice – Interdiction Stations, FDACS-09238, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03303>.

(f) Refuse Entry Notice – Interdiction Stations, FDACS-09239, Rev. 12/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03302>.

(g) USDA APHIS Permit for Movement of Restricted Animals, VS Form 1-27 (JUN 89), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03301>.

(h) USDA APHIS Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (OCT 2011), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03300>. Rulemaking Authority 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 570.36(2), 585.003, 585.08(2)(a), 585.145(1), (2), 585.16, 585.23, 585.40 FS. History–New 5-24-10, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. Thomas J. Holt, State Veterinarian, Director, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, Phone: (850)410-0900, Fax: (850)410-0929

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam, Plaza Level 10, The Capitol, 400 South Monroe Street, Tallahassee, FL 32399-0800, (850)488-3022

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2013

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NOS.:        RULE TITLES:  
5C-31.001        Definitions  
5C-31.002        Application of Official Individual Identification

5C-31.003        Approved Tagging Site Requirements  
5C-31.004        Required Identification for Intrastate Movement

5C-31.005        Documents Incorporated By Reference  
PURPOSE AND EFFECT: The purpose of the rule is to improve the state’s ability to trace bovine livestock (cattle and bison) in the event of an animal disease emergency. Official individual identification enables Florida producers to market animals into other states under federal and state regulations which require official individual identification. This rule provides definitions, reporting procedures and forms for official individual identification of adult cattle and bison moving within the state.

This rule will require that, unless specifically exempt, adult cattle and bison moving intrastate within Florida must have official individual identification. This regulation specifies approved forms of official individual identification which will be accepted.

SUMMARY: The proposed rule is being developed in order to protect the cattle of Florida, manage disease outbreaks and ensure market access for cattle and bison moved to other states. Animal identification is critical to prevent and control dangerous transmissible diseases of such livestock. Identification and record-keeping enable producers and regulatory officials to trace the movement of diseased animals and more quickly and efficiently contain disease outbreaks. Difficulties in identifying the source of individual animals and their cohorts increase the scope and costs of investigations and response.

This rule will provide for identification of adult cattle and bison moving within Florida just as a recently published federal rule does for cattle and bison moving across state lines. This rule will not only support disease control measures but also ensure marketing capability as other states adopt similar requirements.

Impact of Rule: This rule will require producers to identify adult cattle prior to movement in order to support disease tracing and control efforts. This rule will not change existing rules but supports those rules which require official identification of cattle.

**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.

Rule Chapter 5C-31 has been developed with industry consensus, to comply with federal rule, requiring age-specific and destination-specific cattle be identified with approved

identification tags; which will be provided free of charge by the Florida Department of Agriculture and Consumer Services, Division of Animal Industry (FDACS-DAI). Some cattle operations will incur higher operational costs in order to place identification tags on the cattle they sell.

The rule is not expected to have any adverse impacts on economic growth, private sector job creation or employment, or private sector investment; nor will it have an adverse impact on business competitiveness. The rule is not expected to have an adverse impact on productivity and innovation in the cattle industry.

Some operations will have to change their management practices in order to tag cattle or they may elect to pay for tag application at an Approved Tagging Site. Labor costs would increase for producers who chose to apply Official Identification to their own cattle. Costs at Approved Tagging Sites would be established by Tagging Site Managers.

Implementing and enforcing this rule will involve Department personnel time and effort but will be incorporated into current work with cattle producers, market operators, and other enforcement efforts. There is no expected impact to any government entity: state, local or small counties or cities.

There will be no additional revenues raised as a result of Rule Chapter 5C-31. The costs that will be accrued by the cattle industry as a result of the implementation of Rule Chapter 5C-31 are increased operational costs, which by statutory definition qualify as transactional costs. These costs will be borne entirely by private individuals and entities involved in cow-calf operations in the state of Florida; expected total costs to the industry range between \$56,735 and \$170,353 annually, depending on the realized cattle sales and per unit costs of tagging animals.

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.

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: 534.071, 570.07(23), 585.002(4), 585.08(2) (a) FS.

LAW IMPLEMENTED: 570.07(15), 585.08(2) (a), 585.11, 585.145 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Stephen Monroe, Division of Animal Industry, 407 South Calhoun Street, Tallahassee,

Florida 32399-0800, phone: (850)410-0900, fax: (850)410-0929

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 5C-31 CATTLE IDENTIFICATION.

5C-31.001 Definitions.

(1) Approved Livestock Facility. A livestock market or stockyard under state or federal veterinary supervision where livestock are assembled and that has been approved under 9 C.F.R. § 71.20 (2013), as incorporated in Rule 5C-31.006, F.A.C.

(2) Approved Tagging Site. A site or location specifically approved by the department to apply official individual identification to cattle.

(3) Approved Tagging Site Manager. The individual responsible for an approved tagging site.

(4) Cattle. Any bull, steer, ox, cow, heifer, calf, or any other bovine animal including bison.

(5) Moved directly. The transport of cattle, without offloading, from one premises to another.

(6) Official Individual Identification. An individual animal identification that uniquely identifies the animal, the premises of origin or the premises where the animal was uniquely identified, and the state in which the official individual identification was applied, and

(a) Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013) as incorporated in Rule 5C-31.006, F.A.C., or

(b) Is submitted to the department and verified by the department as meeting the requirements for official individual identification such that state officials can determine the herd in which the animal was officially identified.

(7) Premises Identification Number. A nationally unique number assigned by a state, tribal and/or federal animal health authority to a premises that is, in the judgment of the state, tribal and/or federal animal health authority, a geographically distinct location from other premises.

(8) Premises of Origin. The farm or ranch at which the official individual identification is applied, or if the official identification is applied at an approved tagging site, the farm or ranch from which the cattle have been brought to the approved tagging site.

(9) Recognized Slaughter Establishment. Any slaughter establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. §§ 601 et seq.) as incorporated in subsection 5C-3.001(36), F.A.C., or the state meat inspection act of the state in which the establishment is located.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History--New \_\_\_\_\_.

5C-31.002 Application of Official Individual Identification.

(1) Official individual identification may be applied by a cattle owner, veterinarian, or other person employed or contracted by an owner on an owner's premises; or at an approved tagging site, by the tagging site manager or a person employed by such manager.

(2) Official individual identification may be obtained:

(a) From United States Department of Agriculture Approved Providers as provided in 9 C.F.R. § 86.4(a) (1) (2013), as incorporated in Rule 5C-31.006, F.A.C.

(b) From Florida Department of Agriculture and Consumer Services, Division of Animal Industry at no charge. Official individual identification tags may be requested using the form entitled Request For Official Identification Devices, FDACS-09246, Rev. 05/13, as incorporated in Rule 5C-31.006, F.A.C. In order to obtain official identification devices from the department, a premises identification number is required. The premises identification number can be applied for using the form the Application for Premises Registration, FDACS-09215, Rev. 05/13, as incorporated in Rule 5C-31.006, F.A.C. The department shall provide written notification containing a premises identification number to the applicant upon approval.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History--New \_\_\_\_\_.

5C-31.003 Approved Tagging Site Requirements.

(1) Applicant shall submit the Application for Approved Tagging Site and Tagging Site Manager, FDACS-09254, 03/13, as incorporated in Rule 5C-31.006, F.A.C., to the address provided on the application. This application provides the physical location of the proposed site and the signature of the individual of record serving as tagging site manager.

(2) The department shall provide written notification to the applicant upon approval or disapproval of the site as an approved tagging site.

(3) Each approved tagging site shall:

(a) Report any change in management to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, and

(b) Be open to inspection by the Florida Department of Agriculture and Consumer Services, Division of Animal Industry during tagging or as requested for review of official records.

(4) An approved tagging site manager shall:

(a) Maintain records of official individual identification tags applied using the form entitled Record of Official Individual ID Applied to Cattle in Florida, FDACS-09255, 03/13, as incorporated in Rule 5C-31.006, F.A.C., unless official individual identification tags are provided by the owner. If official individual identification tags are provided by the owner to be applied at the approved tagging site, then the tagging site manager is not required to maintain records as provided by paragraph (2)(a) above.

(b) Ensure that official individual identification is correctly correlated to the owner/premises of origin; and

(c) Ensure that official individual identification tags provided by an owner are applied only to cattle belonging to that owner; and

(d) Forward records to Florida Department of Agriculture and Consumer Services, Division of Animal Industry within 7 days of application of tags.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History--New \_\_\_\_\_.

5C-31.004 USDA Approved Livestock Facilities.

Unidentified cattle required to be officially identified in accordance with Rule 5C-31.005, F.A.C. and brought to a USDA approved livestock facility shall be:

(1) Tagged by the market acting as an approved tagging site on behalf of the consignor/owner or

(2) Placed into designated "slaughter only" sale channels or

(3) Denied entry to the market.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History--New \_\_\_\_\_.

5C-31.005 Required Identification for Intrastate Movement.

Cattle 18 months of age or older, moving within the state of Florida, must have official individual identification unless the cattle are:

(1) Being moved directly to a Recognized Slaughter Establishment or through no more than one USDA approved livestock facility and then to a recognized slaughter facility;

(2) Being moved directly to an approved tagging site; or

(3) Being moved from one premises to another premises with the cattle remaining under common ownership as part of normal farm or ranching operations. Cattle shall not be commingled with cattle under separate ownership.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New \_\_\_\_\_.

5C-31.006 Documents Incorporated By Reference.

The following documents are hereby incorporated by reference. Copies of these documents may be obtained from the Division of Animal Industry, 407 South Calhoun Street, Tallahassee, Florida 32399-0800 or online as indicated.

(1) Application for Premises Registration, FDACS-09215, Rev. 05/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03294>.

(2) Request For Official Identification Devices, FDACS-09246, Rev. 05/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03295>.

(3) Application for Approved Tagging Site and Tagging Site Manager, FDACS-09254, 03/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03296>.

(4) Record of Official Individual ID Applied to Cattle in Florida, FDACS-09255, 03/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03297>.

(5) 9 C.F.R. § 71.20 (2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03299>.

(6) 9 C.F.R. § 86.4(a)(1) (2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03298>.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New \_\_\_\_\_.

5C-31.007 Penalties.

Violations of Chapter 5C-31, F.A.C., will be determined as referenced in Rule 5C-30.003, F.A.C.

Rulemaking Authority 534.071, 570.07(23), 585.002(4), 585.08(2)(a) FS. Law Implemented 570.07(15), 585.08(2)(a), 585.11, 585.145 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. Thomas J. Holt, State Veterinarian, Director, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, Florida 32399-0800, Phone: (850)410-0900, Fax: (850)410-0929

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam, Plaza Level 10, The Capitol, 400 South Monroe Street, Tallahassee, FL 32399-0800, (850)488-3022

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 14, 2013

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.: RULE TITLE:  
5J-14.003 Filing Requirements

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend the form incorporated by reference to implement statutory changes and general cleanup.

SUMMARY: The proposed rule updates FDACS-10951 Game Promotion Filing Packet to ensure statutory compliance and to make the registration process more efficient.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions adopt a newly revised form, which was revised to conform to recent statutory changes. There are no regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the 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: 849.094(8)(a) FS.

LAW IMPLEMENTED: 849.094(3), (4)(a), (b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy Topol, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, Phone: (850)410-3662

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-14.003 Filing Requirements.

(1) Any person who intends to conduct a game promotion in this state pursuant to Section 849.094, F.S., including electronic promotions, shall file with the dDepartment

~~FDACS-10951, DACS Form 10951~~, Game Promotion Filing Packet Rev. ~~09/13 07/11~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Game Promotions, 2005 Apalachee Parkway, Terry L. Rhodes Bldg., Tallahassee, Florida 32399-6500 or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-01012>.

(2) If filing a Statement of Trust Account pursuant to Section 849.094(4)(a), F.S., the applicant shall use the Statement of Trust Account terms included in ~~FDACS-10951 DACS Form 10951~~, Game Promotion Filing Packet, Rev. ~~09/13 07/11~~.

Rulemaking Authority 849.094(8)(a) FS. Law Implemented 849.094(3), (4)(a), (b) FS. History—New 3-25-12, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Amy Topol, Assistant Director, Division of Consumer Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 22, 2013

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-8.009  
RULE TITLE: Surrender of License and Wall Certificate

PURPOSE AND EFFECT: The rule is unnecessary and is being repealed.

SUMMARY: The Department does not request the surrender of the wall certificate or license card when a licensee is suspended or revoked. As such, the rule is unnecessary and is being repealed.

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

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

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

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

RULEMAKING AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.331 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.009 Surrender of License and Wall Certificate.

Rulemaking Specific Authority 458.309 FS. Law Implemented 458.331 FS. History—New 1-31-90, Formerly 21M-20.009, 61F6-20.009, 59R-8.009, Repealed.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2013

**Section III  
Notice of Changes, Corrections and  
Withdrawals**

**NONE**

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

NONE

Section VI  
Notice of Meetings, Workshops and Public  
Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Agriculture in the Classroom, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday November 18, 2013, 10:00 a.m.

PLACE: Florida State Fairgrounds, 4800 Highway 301 North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Agriculture in the Classroom, Inc. board of directors will meet for a regularly scheduled board meeting.

A copy of the agenda may be obtained by contacting: Lisa Gaskalla at gaskalla@ufl.edu.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Friday, November 8, 2013, 9:00 a.m.

PLACE: By conference call only: conference line 1(888)670-3525; access code: 3511716520

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general Museum business.

A copy of the agenda may be obtained by contacting: Bruce Piatek at (386)446-7630.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 12, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: The Rock Church of Central Florida, 6641 W. State Road 46, Sanford, FL 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 240200-2

Project Description: Wekiva Parkway Section 7A

The Section 7A project limits are along 3.53 miles of State Road 46 from east of Wekiva River Road to Orange Boulevard. The project consists of designing the limited access toll road along the SR 46 corridor and parallel, non-tolled, frontage roads for local travel.

A copy of the agenda may be obtained by contacting: A flyer will be distributed at the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Mary Brooks, Public Information Officer at (407)694-5505 or via e-mail at info@wekivaparkway.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: Kevin Moss, the FDOT Project Manager at (386)943-5255 or via e-mail at Kevin.Moss@dot.state.fl.us. You also may log onto the project website at www.wekivaparkway.com.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: November 21, 2013, 10:00 a.m.

PLACE: Lake City Fire Department, 205 N. Marion Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67 Place, Gainesville, FL 32653.

Pursuant to the provisions of 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.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2013, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22 or wren@tbrpc.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: Wren Krahl, (727)570-5151, ext. 22 or wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2013, 10:00 a.m.

PLACE: City of Stuart Fire Rescue, 800 Martin Luther King Jr. Boulevard, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the quarterly meeting of Council's Florida District X Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Kathryn Boer at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kathryn Boer at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kathryn Boer at (772)221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2013, 8:45 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Budget Personnel Committee. The Committee will discuss the annual review of Council's Executive Director.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2013, 9:00 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Nominating Committee. The Committee needs to develop a recommendation for the Year 2014 Officers, which will be presented at the December 13, 2013 Council meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060.

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#### REGIONAL PLANNING COUNCILS

##### Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2013, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its Annual meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick, (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick, (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick, (772)221-4060.

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#### REGIONAL PLANNING COUNCILS

##### Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2013, 2:00 p.m.

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PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Ave., Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Council's Comprehensive Economic Development Committee.

A copy of the agenda may be obtained by contacting: Kim Koho, [kkoho@tcrpc.org](mailto:kkoho@tcrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kim Koho, (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kim Koho, (772)221-4060.

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#### REGIONAL PLANNING COUNCILS

##### Apalachee Regional Planning Council

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

DATE AND TIME: Thursday, November 14, 2013, 1:30 p.m., ET

PLACE: ARPC Office, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the ARPC Personnel/Budget Committee. In addition to its regular business, the Committee will review the Budget for FY 13/14.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, (850)488-6211, ext. 103, [JWatson@thearpc.com](mailto:JWatson@thearpc.com).

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

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#### WATER MANAGEMENT DISTRICTS

##### Northwest Florida Water Management District

The Northwest Florida Water Management District announces public meetings to which all persons are invited.

DATES AND TIMES: November 14, 2013: 12:45 p.m., Audit Committee Meeting; 1:00 p.m., Governing Board Meeting; 1:05 p.m., Public Hearing on Regulatory Matters



PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business.

A copy of the agenda may be obtained by contacting: Savannah White.

Pursuant to the provisions of 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: Jean Whitten. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 19, 2013, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Luanne.Stout@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4605 (Ad Order EXE0290).

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#### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: November 14, 2013, 9:00 a.m.; Governing Board Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of the meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or at <https://www.sfwmd.gov>.

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

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

For more information, you may contact: Jacki McGorty at (561)682-2087 or [jmcgorty@sfwmd.gov](mailto:jmcgorty@sfwmd.gov).

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 22, 2013, 10:00 a.m.

PLACE: 1(888)670-3525; pass code: 499-853-5691#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Coordinating Committee will review and discuss strategies to increase electronic health record adoption and health information exchange in Florida.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at: <http://www.fhin.net/content/committeesAndCouncils/index.shtml> seven (7) days 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 5 days before the workshop/meeting by contacting: Carolyn H. Turner at (850)412-3782. If you are 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: Dylan Dunlap at (850)412-3780.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Environmental Assessment and Restoration, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 19, 2013, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Orlando, FL. The meeting can also be accessed via GoToWebinar at: <https://www2.gotomeeting.com/register/829343242>

Parties can register to attend the webinar via their personal computers and will be able to listen using their speakers connected to their computer. Parties will be able to type in questions or make comments that can be addressed at the end of the meeting as time permits.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the second meeting of the Bacteria Technical Advisory Committee (TAC) and is a follow-up to a TAC meeting held on August 20, 2013 in Tallahassee. This meeting will address proposed bacteriological criteria, the impaired waters listing process, and a proposed calculation method for developing bacteriological Total Maximum Daily Loads (TMDLs). The Department will also provide draft rule language for TAC discussion.

A copy of the agenda may be obtained by contacting: Eric Shaw, Florida Department of Environmental Protection, Standards Development Section, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: [eric.shaw@dep.state.fl.us](mailto: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 at (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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Siting Coordination Office (SCO) announces a hearing to which all persons are invited.

DATE AND TIME: November 19, 2013, 9:00 a.m.

PLACE: Florida State Capitol Building, 400 South Monroe Street, Lower Level, Cabinet Hearing Room, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Environmental Protection announces a public hearing of the Governor and Cabinet, sitting as the Electrical Power Plant Siting Board (Siting Board), to consider and act upon the Administrative Law Judge's Recommended Order concerning the proposed certification of the Polk Power Station Units 2-5 Conversion Project, SCO Application No. PA92-32A3 and DOAH Case No. 12-3369EPP, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-403.518, Florida Statutes. The Cabinet Aides will meet on November 13, 2013 at 8:00 a.m., in the same location to review and gather information regarding this item for consideration by the Siting Board.

A copy of the agenda may be obtained by contacting: Connie Byrd, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399 3000, (850)245-2023.

Pursuant to the provisions of 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: Robert Bull, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9111. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cindy Mulkey, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, (850)717-9000.

**DEPARTMENT OF HEALTH**

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-2.010 Apportionment of Trauma Centers within a Trauma Service Area (TSA)

The Department of Health announces a workshop to which all persons are invited.

DATE AND TIME: November 20, 2013, 9:00 a.m. CDST

PLACE: Florida Department of Health in Escambia County, Conference Room 302, 1295 West Fairfield Drive, Pensacola, Florida 32505. Individuals can also participate by conference call: 1(888)670-3525; passcode 1551872498

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear comments on the Department's development of Rule 64J-2.010, F.A.C., Apportionment of Trauma Centers within a Trauma Service Area (TSA).

A copy of the agenda may be obtained by contacting: Sophia Flowers, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399, telephone: (850)245-4005, Sophia.flowers@FLHealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sophia Flowers at the 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).

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services**

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

DATE AND TIME: Wednesday, November 13, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, 5920 Arlington Expressway, Jacksonville, FL 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville 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: Debbie Ansbacher at (904)726-1540 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: Debbie Ansbacher at (904)726-1540 or Taddese Fessehaye at (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: Debbie Ansbacher at (904)726-1540 or Taddese Fessehaye at (407)317-7335.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Workforce Services

RULE NO.: RULE TITLE:

73B-11.015 Continued Claims for Benefits

The Department of Economic Opportunity, State of Florida announces a workshop to which all persons are invited.

DATE AND TIME: November 15, 2013, 9:00 a.m.

PLACE: Department of Economic Opportunity, 107 East Madison Street, Conf. Rm. 110, Tallahassee, Florida 32399, telephonic appearance call: 1(888)670-3525; participant passcode: 7590311118, then press the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Rule addresses the latest date by which a claimant must complete the Initial Skills Review as required by Section 443.091 (I)(c), Florida Statutes.

A copy of the agenda may be obtained by contacting: Peter Penrod, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399, (850)245-7150.

Pursuant to the provisions of 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: Peter Penrod, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399, (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).

**TREASURE COAST EDUCATION AND RESEARCH  
DEVELOPMENT AUTHORITY**

The Treasure Coast Education, Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2013, 2:00 p.m.

PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at (772)467-3107.

Pursuant to the provisions of 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: Treasure Coast Research Park (TCRP) Office at (772)467-3107. If you are 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: Treasure Coast Research Park (TCRP) Office at (772)467-3107.

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**FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.**

The FWCIGA Board of Directors' announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2013, 10:30 a.m.

PLACE: Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board of Directors' will meet for their Annual Board meeting. The agenda will include but not limited to: Minutes, Receiver's Report, Legal Report, Audit and Investment Committee Reports, Operations Report, Claims Report, Financial Report and Board Officer Elections.

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).

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**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC**

The FWCJUA Executive Compensation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 2, 2013, 2:00 p.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The agenda shall cover executive compensation plan matters.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408, or from the FWCJUA's website, [www.fwcjua.com](http://www.fwcjua.com).

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**MRGMIAMI**

The Florida Department of Transportation, District Six announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 14, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: FDOT District Six Auditorium, 1000 NW 111 Avenue, Miami, FL 33172

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** FDOT will be spending nearly \$3 billion over the next five years to improve transportation infrastructure in Miami-Dade and Monroe Counties. The Work Program Public Hearing will be held in order to present the District Six Five-Year Transportation Plan and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

A simultaneous webcast of the public hearing will be held online, and the live question and answer portion of the public hearings will begin at 7:00 p.m. for both live attendees and online participants. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email at [wpcomments@dot.state.fl.us](mailto:wpcomments@dot.state.fl.us) or by phoning in through a local number provided upon pre-registering at [www.fdotmiamidade.com/work-program](http://www.fdotmiamidade.com/work-program).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Alicia Gonzalez, Project Manager at (786)280-6645 or via email at [agonzalez@mrqmiami.com](mailto:agonzalez@mrqmiami.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 seven (7) days before the workshop/meeting by contacting: Brian Rick by phone at (305)470-5349, in writing at FDOT 1000 NW 111 Ave., Miami, FL 33172 or via email at [brian.rick@dot.state.fl.us](mailto:brian.rick@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia Gonzalez, Project Manager at (786)280-6645 or via email at [agonzalez@mrqmiami.com](mailto:agonzalez@mrqmiami.com).

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**Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION  
Florida Gulf Coast University

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida Gulf Coast University, on behalf of Florida Gulf Coast University Board of Trustees, announces that Professional Services in the discipline of master planning will be required for the project listed below:

Project No. BR-1072

Project: Campus Master Plan Update 2015, Florida Gulf Coast University, Fort Myers, Florida

**DESCRIPTION OF PROJECT:**

The project consists of updating the current University's comprehensive campus master plan. Emphasis will be directed toward the resolution of goals and objectives regarding components of the comprehensive plan that have illustrated growth over the past five years. The planning effort will continue to preserve the integrity of the original master plan while strategically aligning the University for Future Growth. The services will include:

1. The development of an Evaluation and Appraisal Report that reviews and appraises implementation of the 2010 Campus Master Plan and provides assistance in confirmation of a projected facilities program for future enrollment accommodation. These facilities will include research, academic, student life, support, housing, parking, infrastructure, utilities, athletics, recreation, and others to be determined in terms of capacity, density, cost, visibility, availability of infrastructure, pedestrian and vehicular access, etc.
2. Development of a comprehensive Campus Master Plan Update 2015 document, which fulfills statutory requirements, including determination of impacts to the Level of Service (LOS) of services/roadways, potential public hearings, and assistance to FGCU in providing information for updating the Development Agreement with host municipality.

The 2015 Year Master Plan will be updated in accordance with Section 1013.30, Florida Statute, and Rule Chapter 6C-21, Florida Administrative Code. The required Elements include Future Land Use, Transportation, Housing, General Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, and Capital Improvements. Ten optional Elements included are Academic Mission, Academic Program, Urban Design, Academic Facilities, Support Facilities, Utilities, Architectural Design, Landscape Design, Facilities Maintenance, and Coastal Management. The successful consultant must demonstrate experience in Campus Planning, including LEED, Sustainability, and resolution of parking and traffic issues, as well as familiarity with statutory and administrative rule requirements. The successful Consultants team must demonstrate the ability to assess the impacts of University facilities development on campus and public facilities/services. Major components that may be included in the services consist of storm water capacity/conveyance/management, chilled water capacity/conveyance, traffic/transportation/parking and campus way finding/signage studies. The successful consultant team must demonstrate experience in sustainable campus planning, including resolution of pedestrian, bike, transit, and traffic issues, as well as familiarity with statutory and administrative rule requirements. The University is

seeking consultants with experience in campus master planning, local government comprehensive planning and concurrency management.

The current FGCU 2010 Campus Master Plan can be viewed on-line at the FGCU Facilities Planning website <http://www.fgcu.edu/facilities/masterplan.html>.

**SELECTION CRITERIA:**

The selected firm shall provide comprehensive consulting services for the referenced project. Any proposed Sub-consultants, as required by the Primary Consultant firm to meet project scope requirements, shall be identified by the generic discipline on the Professional Qualifications Supplements (PQS) form, but shall not be identified by firm name, unless services are provided within the primary consulting firm. Sub-consultant firms shall be recommended after selection, at the time of contract negotiations, for the University’s approval.

Selection of finalist for interview will be made on the basis of the following criterion and associated point values.

- a. Professional qualifications of the proposed design team members, including experience and ability to meet the project requirements goals and objectives of the University’s strategic plan (30 Points)
- b. Past experience with similar University Master Planning projects (30 points)
- c. Design ability(20 Points)
- d. Volume of work (10 Points)
- e. Distance from project (10 Points)

Florida Gulf Coast University is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Woman-owned Business Enterprises (“MBEs”) in the provision of design services. The selected firm will be required to provide computer-generated drawings according to the standards of FGCU. Project development, including professional services, is contingent upon availability of funds. Additional Campus Master Plan Update services may be added to the contract scope for this project subject to the availability of need.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

- 1. A completed Florida Gulf Coast University “Professional Qualifications Supplement,” dated May 2010. Applications on any other form will not be considered.
- 2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An application must be properly

registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the State Department of State to operate in Florida.

- 3. Experience in comprehensive campus planning for major academic institutions in urban/suburban environments.
- 4. Experience in campus planning in regard to American College & University Presidents Climate Commitment.
- 5. Familiarity with Campus Master Planning statutory and administrative rule requirements.
- 6. Demonstrate experience in the resolution of traffic and parking issues and coordination with multi-modal transportation linkages.
- 7. Demonstrates the ability to assess and plan for the economic and infrastructure impacts of university growth and development on both on-campus and off-campus facilities such as storm water management, potable water, sanitary sewer, solid waste, roads, parks and recreation facilities.
- 8. Ability to prepare computer generated master plan maps, figures and text revisions in accordance with the standards of the Florida Gulf Coast University.
- 9. Experience with local government comprehensive plans and concurrency management.
- 10. Role of team members on similar scale master plan projects.
- 11. The volume of work that the firm has currently under contract.
- 12. The distance of the office where the work will be performed from the FGCU campus. Preference will be given to firms that have an office in Southwest Florida.

**SELECTION COMMITTEE:**

To be determined

**SELECTION SCHEDULE:**

The anticipated schedule for selection, award and negotiation is as follows:

Last Day to Submit Questions:	November 13, 2013
Submittals Due:	November 27, 2013
Shortlisting:	To Be Determined
Final Interviews:	To Be Determined
Selection Recommendation Approval:	To Be Determined
Contract Negotiation:	To be Determined

**GENERAL INFORMATION:**

- 1. All applicants will be notified of the results of the short listing in writing. Finalists will be informed of the interview date and time and will be provided with additional information, if available.

2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President’s action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
3. Professional liability insurance is not required for this project.
4. A pre-submittal meeting will not be held. Any requested clarifications by interested applicants must be received in writing or email by November 13, 2013. Any requests after this date will not receive a response.
5. No verbal communication shall take place between the applicants and the employees of the Florida Gulf Coast University. Requests for meetings by individual teams will not be granted. Members of the Selection Committee or other University personnel will not meet with or discuss the project with prospective applicants.
6. The Selection Committee may waive any irregularities and may reject all proposals and stop the selection process at any time. Five (5) copies of the requested submittal data shall be delivered to:  
Tom Mayo, Director of Facilities Planning  
10501 FGCU Blvd. South  
Fort Myers, Florida 33965-6565  
Phone: (239)590-1500

The “Professional Qualifications Supplements (PQS)”, which includes project information and selection criteria, may be obtained at [www.fgcu.edu/facilities](http://www.fgcu.edu/facilities) or by contacting Lidia Hernandez, Facilities Planning, via e-mail at [lhernandez@fgcu.edu](mailto:lhernandez@fgcu.edu), by mail at 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, or by phone at (239)590-1500.

Submittals must be received in the Facilities Planning Office, Edwards Hall – Room 217 by 3:00 p.m. local time, on November 27, 2013. Facsimile (FAX) submittals are not acceptable and will not be considered.

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BDC21-13/14 Florida Keys Overseas Heritage Trail – Kemp Channel Historic Bridge Span Replacement  
NOTICE OF INVITATION TO BID  
STATE OF FLORIDA  
BID NO. BDC21-13/14

The Department of Environmental Protection, Office of Operations, Bureau of Design and Construction is soliciting formal competitive bids from Contractors certified by the Florida Department of Transportation in at least one of the following classifications: R&R Major Bridge – Steel Truss

Construction; R&R Major Bridge – Concrete Segmental Construction; R&R Major Bridge – Bridges of Conventional Construction which are over a water opening of 1,000 feet or more Major Bridge – Steel Truss Construction Flexible Paving Bridge Deck Overlays; R&R Intermediate Bridges.

PROJECT NAME: Florida Keys Overseas Heritage Trail – Kemp Channel Historic Bridge (MM23.6) Span Replacement.

SCOPE OF WORK: The Contractor will provide the necessary labor, materials, equipment, and supervision to replace missing spans and work is to include navigational lighting, picket rail installation, milling and resurfacing, joint cleaning and resealing, rail retrofit and pavement stripping. Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$1,250,000.00

LOCATION: Florida Keys Overseas Heritage Trail (MM23.6)

INSTRUCTIONS: Documents for this bid will be available for download on Friday, November 1, 2013. Any firm desiring a Project Manual for this project may obtain directions by emailing [susan.maynard@dep.state.fl.us](mailto:susan.maynard@dep.state.fl.us), [c.b.hewitt@dep.state.fl.us](mailto:c.b.hewitt@dep.state.fl.us) or [mike.renard@dep.state.fl.us](mailto:mike.renard@dep.state.fl.us). If preferred, a Compact Disk (CD) containing the plans and specifications can be obtained by calling the Contracts Section at (850)245-2632 or (850)245-2630 or emailing the addresses above.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION (DEP): When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489, or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective

communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)245-2630 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

E-VERIFY: Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida and all persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Thursday, December 5, 2013 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3900 Commonwealth Blvd. MS 520, Tallahassee, Florida 32399-3000, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)245-2630. The Department reserves the right to reject any or all bids. (Hand-delivered bids should be taken to the Archie and Marjorie Harris Carr Building, 3800 Commonwealth Blvd., Suite 155, Tallahassee, Florida)

BID POSTING DATE: No later than 4:00 PM (ET), Tuesday, December 17, 2013 unless extended by the Department for good cause.

NOTICE OF RIGHTS; Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Rule 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

## Section XII Miscellaneous

### PUBLIC SERVICE COMMISSION

#### NOTICE OF SECURITIES APPLICATION

The Florida Public Service Commission will consider at its November 14, 2013 Commission Conference, Docket No. 130254-EI, Application for authority to issue and sell securities during 12 months ending December 31, 2014, by Duke Energy Florida, Inc. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue, sell or otherwise incur during 2014 up to \$1.5 billion of any combination of equity securities and long-term debt securities and other long-term obligations. Additionally, the Company requests authority to issue, sell or otherwise incur during 2014 and 2015 up to \$1.5 billion outstanding at any time of short-term debt securities and other obligations, which amount shall be in addition to and in excess of the amount the Company is authorized to issue pursuant to Section 366.04, Florida Statutes, which permits the Company to issue short-term securities aggregating to not more than five percent of the par value of the Company's other outstanding securities.

DATE AND TIME: Thursday, November 14, 2013. The Commission Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

PURPOSE: To take final action in Docket No. 130254-EI.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. For more information, please contact Martha F. Barrera, Office of the General Counsel, (850)413-6212.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida



Coastal Management Program. A list of projects, comments, deadlines and the address for providing comments is 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.

**FINANCIAL SERVICES COMMISSION**  
FSC – Financial Institution Regulation  
Financial Institutions

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may

request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9800		Tallahassee, Florida 32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 21, 2013):

**APPLICATION TO ORGANIZE A SUCCESSOR  
INSTITUTION**

Application to Establish a Successor Institution: Stonegate Acquisition Sub I, Inc., Fort Lauderdale, Florida  
Received: October 31, 2013

**Section XIII**  
**Index to Rules Filed During Preceding  
Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.