

## Section I

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

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.	RULE TITLES:
14-91.002	Definitions
14-91.004	Prequalification Requirements
14-91.005	Public Announcement Procedures
14-91.007	Selection and Award Process

**PURPOSE AND EFFECT:** These rules are being amended or repealed to clarify procedures used in soliciting and awarding design-build contracts.

**SUBJECT AREA TO BE ADDRESSED:** The procedures for selecting a design-build firm.

**RULEMAKING AUTHORITY:** 334.044(2); 337.11(7)(b) FS.

**LAW IMPLEMENTED:** 337.11 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, IF AVAILABLE, IS: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, FL 32399-0458, (850)414-5392; susan.schwartz@dot.state.fl.us

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

RULE NOS.:	RULE TITLES:
60H-10.001	Reports and Records
60H-10.002	Inventory Data

**PURPOSE AND EFFECT:** This rule clarifies specific data elements and definitions for input into the Florida State Owned Lands and Records Information System (FL-SOLARIS), a statutorily required database to record and maintain the inventory of real estate properties that are "owned, leased, rented, or otherwise occupied" by any state government entity. The department was required to develop and maintain this inventory and to provide to the state agencies required to annually submit data into this system a "format prescribed by the department." The department is required to adopt rules to administer this legislative requirement.

**SUBJECT AREA TO BE ADDRESSED:** Florida State-Owned and State-Occupied Facilities.

**RULEMAKING AUTHORITY:** 216.0152(1) FS.

**LAW IMPLEMENTED:** 216.0152 FS.

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

**DATE AND TIME:** Tuesday, February 19, 2013, 2:00 p.m.

**PLACE:** 4050 Esplanade Way, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bryan Bradner, Department of Management Services, 4050 Esplanade Way, Suite 315, Tallahassee, Florida 32399

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.:	RULE TITLE:
69A-60.003	Standards of the National Fire Protection Association, NFPA 1, the Fire Code, Florida 2009 Edition, Adopted

**PURPOSE AND EFFECT:** To discuss whether a Florida-specific amendment to NFPA 1-18.4.5 was omitted from the 2010 Edition of the Florida Fire Prevention Code and should be reconsidered.

**SUBJECT AREA TO BE ADDRESSED:** Minimum fire flow requirements.

**RULEMAKING AUTHORITY:** 633.01(1), 633.022, 633.0215, 633.025, 633.027 FS.

**LAW IMPLEMENTED:** 633.01, 633.022, 633.0215, 633.025, 633.027 FS.

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

**DATE AND TIME:** February 22, 2013, 1:00 p.m. – 4:00 p.m.

**PLACE:** Naples City Council Chambers, 735 8th Street South, Naples, Florida 34102

Pursuant to the provisions of 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: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619, Fax: (850)414-6119. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Casia Sinco, Chief, Bureau of Fire Prevention, (850)413-3620; casia.sinco@myfloridacfo.com

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

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### State Board of Education

**RULE NO.:** 6A-14.0581  
**RULE TITLE:** Sponsorship of Athletic Activities  
**PURPOSE AND EFFECT:** The purpose of this new rule is to ensure that policies and procedures are in place that determine sponsorship of athletic activities that are similar to scholarship sports offered at state universities and Florida College System (FCS) institutions. The effect is a rule that will require FCS institutions to communicate with school districts, provide lists of scholarship athletic activities, and determine the similarity of those activities.

**SUMMARY:** Sections 1006.17 and 1006.70, Florida Statutes, requires the State Board of Education to adopt rules that administer policies and procedures that determine sponsorship of athletic activities that are similar to scholarship sports offered at state universities and Florida College System institutions.

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

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

The Agency has determined that this proposed rule will not affect small businesses, counties or cities. The SERC provides that there is expected to be no transactional or licensing, costs and there will be minimal, if any, operational or monitoring costs. The requirements of the proposed rule merely involve the Florida College System institutions and the district school boards providing minimal amounts of information and, when relevant, coordinating to make a determination on the similarity of offered athletic activities. School districts and Florida College System institutions could incur additional costs if they choose to add athletic programs based upon Sections 1006.17 and 1006.70 F.S., but not as a necessary consequence of the proposed rule. The rule is not expected to require legislative ratification.

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

**RULEMAKING AUTHORITY:** 1006.17, 1006.70 FS.

**LAW IMPLEMENTED:** 1006.17, 1006.70 FS.

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

**DATE AND TIME:** March 19, 2013, 8:00 a.m.

**PLACE:** Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Shanna Autry, Coordinator of Academic Program Support, Division of Florida Colleges, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9472, [Shanna.Autry@fldoe.org](mailto:Shanna.Autry@fldoe.org)

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.0581 Sponsorship of Athletic Activities. Annually, Florida College System institutions shall provide a list of athletic activities or sports for which an athletic scholarship is offered to district school boards within their service area pursuant to Section 1000.21(3), F.S. If a district school board sponsors an athletic activity or sport that is similar to a sport for which a Florida College System institution offers an athletic scholarship, the Florida College System institution and district school board within the Florida College System institution’s service area shall determine which athletic activities are similar.

Rulemaking Authority 1006.17, 1006.70 FS. Law Implemented 1006.17, 1006.70 FS. History—New \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Randy Hanna, Chancellor, Division of Florida Colleges

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 6, 2013

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** December 18, 2012

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Board of Veterinary Medicine

**RULE NO.:** 61G18-15.007  
**RULE TITLE:** Minimum Standards for Limited-Service Veterinary Medical Practices

**PURPOSE AND EFFECT:** Enhance the requirement for provision of services and service hours

**SUMMARY:** The intent of proposed Rule 61G18-15.007, F.A.C., is to enhance the requirements related to the provision of services at limited service veterinary clinics as well as the hours of operation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The following is a summary of the SERC:

- The rule is not likely to raise the price of goods and services.
- The rule is not likely to add regulation that is not present in other states or markets.
- The rule is not likely to reduce the quality of goods and services
- The rule is not likely to cause Florida businesses to reduce workforce.
- The rule is not likely to increase regulatory costs.
- The rule is not likely to make illegal any product or service that is currently legal.
- There are approximately 80 limited service medical practice permit holders.
- No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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

RULEMAKING AUTHORITY: 474.206, 474.215 FS.

LAW IMPLEMENTED: 474.215 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: March 5, 2013, 1:00 p.m.

PLACE: Embassy Suites Hotel, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-15.007 Minimum Standards for Limited-Service Veterinary Medical Practices.

(1) The term "limited-service veterinary medical practice" shall mean a privately or publicly supported vaccination clinic where a veterinarian performs for a limited time vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian may also perform preventative

procedures for parasitic control, and shall not mean a premise otherwise permitted by the Board. ~~With regard to operation of limited-service veterinary medical practice, the term "limited time," shall mean no more often than once every two (2) weeks and no more than four (4) hours in any one day for any single location where a vaccination clinic is held.~~

(2) through (3) No change.

(4) All locations where limited-service veterinary medicine is practiced must have or comply with the following:

(a) Legible sign to identify permit holder and a legible sign to identify the veterinarian(s) on site by name and license number.

(b) through (f) No change.

(g) A sink with fresh, clean running water, disposable towels, and soap for cleaning and first aid; disposable towels and soap must be provided within ten (10) feet of the examination area. Sinks located in restrooms may not be used to satisfy this requirement.

(h) through (j) No change.

(k) Proper handling of vaccinations, biologics, pharmaceuticals and supplies: Facilities must be provided for proper storage, safekeeping and preparation of pharmaceuticals in accordance with federal, state, and local laws. If controlled substances are on the premises, they must be kept in a locking, secure cabinet for storage and an accurate controlled substance log must be maintained. All pharmaceuticals and biologics shall be maintained at the temperature recommended by the manufacturer in a refrigeration device that is powered by a stable energy source and is capable of maintaining a constant temperature. A thermometer shall be included where the pharmaceuticals are being stored.

(l) through (o) No change.

(5) With regard to operation of limited-service veterinary medical practice, the term "limited time," shall mean no more often than once every two (2) weeks and no more than four (4) hours in any one day for any single location where a vaccination clinic is held unless the following additional conditions are met in which case the available hours shall be expanded from four (4) to eight (8) in any one day within the two (2) week period:

(a) The limited service clinic is held inside a climate controlled building which meet all local building and life safety ordinances;

(b) The limited service clinic provider has been operating in such capacity in this State for no less than five (5) years;

(c) The limited service clinic provider has not had their license either suspended or revoked in this or any other state;

(d) The limited service clinic provider possesses professional liability coverage in the amount of \$1,000,000 for each occurrence and \$2,000,000 in the aggregate as well as an umbrella policy of \$3,000,000 for each occurrence and \$3,000,000 in the aggregate.

Rulemaking Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History--New 3-16-95, Amended 7-7-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Veterinary Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 1, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 26, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: 61G18-15.0071 RULE TITLE: Limited Service Patient Records  
PURPOSE AND EFFECT: Enhance the requirement for provision of records

SUMMARY: The intent of proposed Rule 61G18-15.0071, F.A.C., is to enhance the requirements related to the creation and maintenance of medical records generated from the provision of veterinary services at a limited service veterinary clinic in order to more adequately protect the general public.

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

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

The following is a summary of the SERC:

- The rule is not likely to raise the price of goods and services.
- The rule is not likely to add regulation that is not present in other states or markets.
- The rule is not likely to reduce the quality of goods and services
- The rule is not likely to cause Florida businesses to reduce workforce.
- The rule is not likely to increase regulatory costs.
- The rule is not likely to make illegal any product or service that is currently legal.
- There are approximately 80 limited service medical practice permit holders. It is anticipated that no more than five to ten permit holders would hold clinics for longer than four hours.
- No good faith written proposals for a lower cost regulatory alternative to the proposed rule were received.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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

RULEMAKING AUTHORITY: 474.206, 474.215 FS.  
LAW IMPLEMENTED: 474.215 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: March 5, 2013, 1:00 p.m.  
PLACE: Embassy Suites Hotel, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

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

61G18-15.0071 Limited Service Patient Records.

(1) A legible individual record must be maintained for every patient of the clinic, and must include specific information needed for proper identification of the animal and its owner. The immunization or parasitic procedure shall be indicated on the record. A statement of recommendations for future immunizations and procedures should be clearly legible on the record. Records shall be maintained for not less than three (3) years after the date of last entry.

(2) through (4) No change.

(5) Providers of limited service clinics with hours of operation in excess of four (4) hours in one day must make all information required in this section available in electronic format within 24 hours of treatment.

Rulemaking Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History--New 3-20-95, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Veterinary Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 1, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 26, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: 61G18-15.0072 RULE TITLE: Limited Service Written Statement

**PURPOSE AND EFFECT:** Enhance provision of contact information to consumers.

**SUMMARY:** The intent of the proposed Rule 61G18-15.0072, F.A.C., is to enhance the requirements related to the provision of emergency contact information to consumers of limited veterinary clinic services in order to facilitate after hour emergency care that may be necessary to address potential critical situations that arise as the result of earlier treatment at said limited service clinic.

**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:** 474.206, 474.215 FS.

**LAW IMPLEMENTED:** 474.215 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:** March 5, 2013, 1:00 p.m.

**PLACE:** Embassy Suites Hotel, 1100 SE 17th Street, Ft. Lauderdale, FL 33316

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

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

61G18-15.0072 Limited Service Written Statement.

(1) Each client prior to the provision of veterinary medical services must be informed as to the limits of the physical exam provided for the patient and shall receive a written statement that at a minimum contains:

(a) through (d) No change.

(e) The name and telephone number of the veterinarian(s) who provided the medical services at the clinic.

(2) No change.

(3) Providers of limited service clinics with hours of operation in excess of four (4) hours in one day must have the following information conspicuously posted on, or adjacent to, the entrance of the building where the clinic was held for forty eight (48) hours after the conclusion of the clinic:

(a) The telephone number where emergency veterinary care can be obtained;

(b) The name and address of where a client can secure a copy of the patient's records;

(c) A phone number for consultation or referral for follow up care and treatment in case of adverse reaction or failure of the regimen of therapy.

Rulemaking Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History—New 3-20-95, Amended 12-30-97, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Board of Veterinary Medicine

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 1, 2013

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** December 26, 2012

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

**RULE NO.:**  
69V-160.034

**RULE TITLE:**  
Failure to Demonstrate Financial Responsibility Defined

**PURPOSE AND EFFECT:** Section 516.07(1), F.S., allows an applicant to be denied if the person cannot demonstrate financial responsibility. The amendment to Rule 69V-160.034, F.A.C., clarifies that failure to demonstrate financial responsibility means having a general history of unpaid liens, judgments, repossessions, foreclosures, legal debts or having filed a petition for bankruptcy.

**SUMMARY:** The proposed amendment to Rule 69V-160.034, F.A.C., clarifies that the Office is not required to obtain a credit history. Instead, the Office is permitted to review an applicant's general history to demonstrate financial responsibility.

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

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

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

2) based on past experiences with applicants' ability to demonstrate financial responsibility using general financial history and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 516.22(1), 516.23(3) FS.

LAW IMPLEMENTED: 516.07(1) FS.

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

Pursuant to the provisions of 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: French Brown (850)410-9544. If you are 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: French Brown, Director of Legislative and Cabinet Affairs, Office of Financial Regulation, 200 East Gaines Street, Suite 118, Tallahassee, Florida 32399-0379, (850)410-9544

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-160.034 Failure to Demonstrate Financial Responsibility Defined.

As used in Section 516.07(1)(c), F.S., failure to demonstrate "financial responsibility" means having a credit history that reflects any of the following: unpaid liens, judgments, repossessions, foreclosures or an otherwise general history of non-payment of legal debts, or having filed a petition for bankruptcy under the federal Bankruptcy Code.

Rulemaking Authority 516.22(1), 516.23(3) FS. Law Implemented 516.07(1) FS. History—New 10-1-95, Formerly 3D-160.034, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: French Brown, Director of Legislative and Cabinet Affairs, Office of Financial Regulation, 200 East Gaines Street, Suite 118, Tallahassee, Florida 32399-0379, (850)410-9544

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 1, 2012

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

RULE NO.: 69V-560.302  
 RULE TITLE: Renewal Fees, Deadlines, and Requirements

PURPOSE AND EFFECT: Rule 69V-560.302, F.A.C., was identified as unnecessary and is proposed for repeal. Subsection (1) is redundant of Section 560.142, F.S. Subsection (2) is made obsolete by the Office's electronic R.E.A.L. System (Regulatory Enforcement and Licensing), which allows renewals 24 hours a day, 7 days a week.

SUMMARY: Rule 69V-560.302, F.A.C., currently provides that if a statutory deadline falls on a Saturday, Sunday, or legal holiday, the required renewal fees and any applicable late fees must be received by the Office on the next business day. The Office's new electronic R.E.A.L. system allows renewal fees to be paid at any time.

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

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

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

2) no adverse impacts or regulatory costs are likely based on the repeal of this rule. The current rule relates to deadlines that fall on a weekend or legal holiday. The Office's new system allows renewal fees to be filed at any time on any day of the week. Therefore, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 560.105 FS.

LAW IMPLEMENTED: 560.142, 560.403 FS.

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

Pursuant to the provisions of 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: French Brown (850)410-9544. If you are 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: French Brown, Director of Legislative and Cabinet Affairs, Office of Financial Regulation, 200 East Gaines Street, Suite 118, Tallahassee, Florida 32399-0379, (850)410-9544

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.302 Renewal Fees, Deadlines, and Requirements.

~~(1) Chapter 560, F.S., licenses must be renewed in accordance with the provisions of Section 560.142, F.S.~~

~~(2) If any date established in accordance with Section 560.142, F.S., falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the required renewal fees and any applicable late fees must be received by the Office by the close of business on the next business day.~~

Rulemaking Specific Authority 560.105 FS. Law Implemented 560.142, 560.403 FS. History--New 9-24-97, Amended 12-30-98, 11-4-01, Formerly 3C-560.302, Amended 7-15-07, 1-13-09, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: French Brown, Director of Legislative and Cabinet Affairs, Office of Financial Regulation, 200 East Gaines Street, Suite 118, Tallahassee, Florida 32399-0379, (850)410-9544

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

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

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

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.:	RULE TITLE:
6A-1.039	Supplemental Educational Services in Title I Schools

#### NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 39 No. 14, January 22, 2013 Florida Administrative Register has been continued from February 18, 2013 to March 19, 2013.

#### REGIONAL PLANNING COUNCILS

##### South Florida Regional Planning Council

RULE NOS.:	RULE TITLES:
29J-2.001	General
29J-2.002	Meetings, Hearings and Workshops
29J-2.003	Developments of Regional Impact (DRI)
29J-2.004	Intergovernmental Coordination and Review Procedures

#### NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 90, December 13, 2012 issue of the Florida Administrative Register has been withdrawn.

#### DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.226	Youthful Offender Program Participation
33-601.236	Basic Training Program – Operation

#### NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 25, February 6, 2013 issue of the Florida Administrative Register has been withdrawn.

### Section IV Emergency Rules

**NONE**

**Section V**  
**Petitions and Dispositions Regarding Rule**  
**Variance or Waiver**

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.100: Definitions

NOTICE IS HEREBY GIVEN that on January 15, 2013, the Office of Early Learning, received a petition for Variance of subsection 6M-4.100(22), F.A.C., which provides the definition of "working family" in the context of determining the eligibility to receive services for the state's school readiness program. The Petition was filed by the Redlands Christian Migrant Association, 402 West Main St., Immokalee, Florida 34142.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Office of Early Learning, 250 Marriott Drive, Tallahassee, Florida 32399.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.210: Maintaining Eligibility for Financial Assistance; Breaks in Employment

NOTICE IS HEREBY GIVEN that on January 22, 2013, the Office of Early Learning, received a petition for Variance of subsection 6M-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by the Early Learning Coalition of Pinellas County, 5735 Rio Vista Drive, Clearwater, Florida 34689.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Office of Early Learning, 250 Marriott Drive, Tallahassee, Florida 32399.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002: Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

The Criminal Justice Standards and Training Commission hereby gives notice:

That it has issued an order. On January 9, 2013, the Criminal Justice Standards and Training Commission, received an emergency petition for a temporary waiver of subsection 11B-27.002(4), and subsection 11B-35.002(2), F.A.C., by Rodney Kevin Schwartz. Subsection 11B-27.002(4), and subsection 11B-35.002(2), F.A.C., require officers to become employed within four years of beginning basic recruit training.

After a review by Commission staff, it was determined that no emergency existed, for the Commission would vote on the matter prior the expiry of the Petitioner's eligibility for certification. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 39, Number 14, on January 22, 2013. The Petition was supported by the Petitioner's prospective employer, Sweetwater Police Department.

On January 31, 2013, at its regularly scheduled business agenda meeting held in St. Augustine, FL, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's four years to become employed would expire on February 23, 2013. The Commission found that the purposes of the underlying statute, Section 943.1395(1), F.S., to ensure that officers meet strict qualification criteria and minimum training requirements, would be addressed in an alternative method by granting this rule waiver. The Commission granted the Petitioner's waiver request. The Petitioner has six months from the date of the final order in this matter to become employed as a law enforcement officer.

A copy of the Order or additional information may be obtained by contacting Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on January 23, 2013, the South Florida Water Management District (District), received a petition for Variance (Application 130123-11) from The Walt Disney World Company, P. O. Box 10000, Lake Buena Vista, FL 32830. The property is located in Orange and Osceola Counties. The petition seeks relief from provisions in paragraphs 40E-24.201(6)(a) and 40E-24.201(6)(b), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted on specific days based on address, pursuant to Section 120.542, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by e-mail at [permits@sfwmd.gov](mailto:permits@sfwmd.gov); or, by accessing the District's website ([www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting)) using the Application/Permit Search. To be considered, comments must be received by the close of business on February 21, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or e-mail [pmartin@sfwmd.gov](mailto:pmartin@sfwmd.gov).



DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On February 6, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Robb & Stucky Building, filed January 16, 2013, and advertised in Vol. 39, No. 12, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until January 1, 2014 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-010).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 29, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Good Samaritan Medical Center. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-033).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On January 17, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from A Taste of the Mediterranean located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

The Petition for this variance was published in Vol. 39/17 on January 25, 2013. The Order for this Petition was signed and approved on January 31, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure that the three-compartment sink, food preparation and storage areas within Centerplate @ Phase III Kitchen and Centerplate @ PHSDR V Kitchen (SEA5807961 & SEA5811092) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Centerplate @ Phase III Kitchen or Centerplate @ PHSDR V Kitchen (SEA5807961 & SEA5811092) changes, an updated signed agreement for use of the shared facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 28, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Professional Office Bldg One. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-031).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 29, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Verizon. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-032).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on February 1, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sabadell United Bank Building. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial

hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-036).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 31, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Gator Trace Greens Bldg. 1. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5 as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators sump pump operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-035).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on February 4, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Countryside Mall-Westfield. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20 and 2.18. as adopted by Chapter 30, Section 3001.2 Florida Building Code as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-037).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 25, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for UCF Classroom II. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-029).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on January 25, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hampton Inn Altamonte. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-030).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On January 17, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Nathan's located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

The Petition for this variance was published in Vol. 39/17 on January 25, 2013. The Order for this Petition was signed and approved on January 31, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure that the three-compartment sink, food preparation and storage areas within Centerplate @ Phase III Kitchen and Centerplate @ PHSDR V Kitchen (SEA5807961 & SEA5811092) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Centerplate @ Phase III Kitchen or Centerplate @ PHSDR V Kitchen (SEA5807961 & SEA5811092) changes, an updated signed agreement for use of the shared facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

## Section VI

## Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: February 21st, 2013, 6:00 p.m.  
PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL board of directors will discuss fundraising, bylaws, camp scholarships and other financial matters.

A copy of the agenda may be obtained by contacting: Katie.Hart@dos.myflorida.com or (850)245-6379.

For more information, you may contact: Katie.Hart@dos.myflorida.com or (850)245-6379.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, February 21, 2013, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly board meeting of the SWFRPC.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, #232 or ngwinnett@swfrpc.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: The offices of the SWFRPC at (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, February 21, 2013, 8:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue in Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Executive Committee will be meeting for the annual review of the Executive Director's contract.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550 #232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Offices of the SWFRPC at (239)338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Monday, February 25, 2013, 3:00 p.m.

PLACE: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021; (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Cheryl Cook at (954)985-4416 or cherylc@sfrpc.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

The Board of Veterinary Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: March 5, 2013, 8:00 a.m.

PLACE: Embassy Suites Hotel, 1100 SE 17th Street, Ft. Lauderdale, FL 33316; (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850)717-1399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850)717-1399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399; (850) 717-1399.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

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

PLACE: Coral Cay Plantation, 2801 NW 62nd Avenue, Margate, FL 33063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Compton at (888)862-7010.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Compton at (888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Janet Compton, Executive Director, FMHRC, P.O. Box 3047, Tallahassee, FL 32315, (888)862-7010.

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#### DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 15, 2013, 2:00 p.m.

PLACE: (888)670-3525, Participation Code: 780-967-6207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640 ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640 ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Karen Miller at (850)245-4640 ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 22, 2013, 2:00 p.m.

PLACE: (888)670-3525, Participation Code: 780-967-6207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640 ext. 8145 or email her at susan\_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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

For more information, you may contact: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

The Agency for Persons with Disabilities, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 12, 2013, 12:00 Noon

PLACE: 404 Imperial Blvd., Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14 at (863)413-3360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: APD Area 14 at (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact: APD Area 14 at (863)413-3360.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 11, 2013, 9:00 a.m. – 10:30 a.m.

PLACE: (888)942-8686, conference ID: 5743735657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters before the Board.

A copy of the agenda may be obtained by contacting: our website, www.citizensfla.com.

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

contacting: Barbara Walker at (800)807-7647. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from David H. Rogel, Esq., In Re: Pumpkin Cay Garden Home Condominium, Inc., Docket No. 2013004699, filed on February 4, 2013. The petition seeks the agency's opinion as to the applicability of Section 718.111(11), Florida Statutes as it applies to the petitioner.

Whether Pumpkin Cay Garden Home Condominium, Inc. must obtain property insurance for the condominium, which consists only of townhome units and limited common elements, where the owners have insured their units and limited common elements under Section 718.111(11), Florida Statutes.

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

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

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## Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

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

**NONE**

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**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF MANAGEMENT SERVICES**

Advertisement to Bid on Equipment

**PUBLIC ANNOUNCEMENT REQUESTING BIDS**

**EQUIPMENT FOR BID:** Kodak Digimaster 9110 Production System

**EQUIPMENT LOCATION:** 4050 Esplanade Way, Suite 170, Tallahassee, FL 32399-0950.

**BID OPENING:** February 11, 2013.

The KODAK DIGIMASTER 9110 Digital Production System gives you the power and flexibility to quickly and efficiently print a wide range of applications – from publications to transactional documents and direct mail – with exceptional quality. Available as a factory-reconditioned system renewed to Kodak's exacting specifications, this heavy duty, high-volume production cutsheet digital printing system can help you grow your business while minimizing your risk.

Please contact Calvin Anderson at calvin.anderson@dms.myflorida.com or (850)410-3450 for additional information.

**Section XII**  
**Miscellaneous**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from the Florida Department of Transportation, District 3. The application is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Heather Ritchie, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500) Tallahassee, FL 32399-2400.



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.**

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