

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-157.302 RULE TITLE: Facility Only Rates

PURPOSE AND EFFECT: This rule is being amended to move the Rates from the body of the Rule to the Office of Insurance website to facilitate the more rapid updating of the most recently published new business rates and consolidates the rates for facility only, non-facility only and comprehensive categories into one rule.

SUBJECT AREA TO BE ADDRESSED: Long Term Care Rates.

RULEMAKING AUTHORITY: 627.9408(1) FS.

LAW IMPLEMENTED: 627.9407(7) FS.

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

DATE AND TIME: April 17, 2013, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

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

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

Section II Proposed Rules

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-401.401 RULE TITLE: Use of Tobacco Products

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow inmates participating in a community release program to possess tobacco products and lighters.

SUMMARY: To allow inmates in certain situations to possess tobacco products.

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: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, 944.115 FS.

LAW IMPLEMENTED: 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.401 Use of Tobacco Products.

(1) No change.

(2)(a) Pursuant to Section 944.115, F.S., use of any tobacco products shall be prohibited in all indoor areas of any building or office within a state correctional facility except for employee housing on department grounds and inmate maximum security (death row) housing areas. Only unlighted tobacco product use shall be permitted in death row housing and community correctional centers.

(b) No change.

(3) through (5) No change.

(6) Inmates, with the exception of those participating in a community release program under Rule 33-601.602, F.A.C., or as otherwise provided in subsection (7) of this rule, in administrative confinement, disciplinary confinement, close management, and maximum management housing at all institutions shall not be allowed to possess any tobacco products or lighters.

(7) through (9) No change.

Rulemaking Authority 944.09, 944.115 FS. Law Implemented 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS. History—New 12-31-80, Formerly 33-20.01, Amended 3-12-86, 2-24-92, 1-4-94, Formerly 33-20.001, Amended 2-3-00, 10-1-03, 6-18-08, 10-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 13, 2013

DEPARTMENT OF CORRECTIONS

RULE NOS.: 33-601.314
RULE TITLES: Rules of Prohibited Conduct and Penalties for Infractions
33-601.731 Suspension of Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow inmates participating in a community release program to possess tobacco products and cell phones. The rules of prohibited conduct and penalties for infractions rule is being amended to remove possession of these items by inmates participating in a community release program as being an infraction of Department rules. The suspension of visiting privileges rule is being amended to prevent possession of a cell phone resulting in the suspension of an inmate’s visiting privileges if they are participating in a community release program.

SUMMARY: The removal of disciplinary penalties and visitation suspension for the possession of tobacco products and cell phones by inmates participating in a community release program.

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: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.23, 944.279, 944.28, 944.47, 944.8031 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

SECTIONS 1 through 2 No change.

SECTION 3 – CONTRABAND – ANY ARTICLE NOT SOLD IN THE CANTEEN, OR ISSUED BY THE INSTITUTION, OR FOR WHICH YOU DO NOT HAVE A SPECIFIC PERMIT AUTHORIZED BY THE INSTITUTION WHERE PRESENTLY HOUSED

	Maximum Actions	Disciplinary
3-1 Possession of or manufacture of weapons, ammunition, or explosives	60 DC + All GT	
3-2 Possession of escape paraphernalia	60 DC + All GT	
3-3 Possession of narcotics, unauthorized drugs and drug paraphernalia	60 DC + 180 GT	
3-4 Trafficking in drugs or unauthorized beverages	60 DC + All GT	

3-5	Manufacture of drugs or unauthorized beverages	60 DC + 180 GT
3-6	Possession of unauthorized beverages	30 DC + 90 GT
3-7	Possession of aromatic stimulants or depressants, such as paint thinner, glue, toluene, etc.	60 DC + 180 GT
3-8	Possession of negotiables – unauthorized amounts of cash where cash is permitted, cash where cash is not permitted, other inmate’s canteen coupons, other inmate’s cashless canteen or identification cards or gift certificates, checks, credit cards or any other negotiable item which is not authorized	15 DC + 30 GT
3-9	Possession of unauthorized or altered identification – driver’s license, Social security card, cashless canteen identification card, etc.	15 DC + 30 GT
3-10	Possession of unauthorized clothing or linen – State or personal	15 DC + 30 GT
3-11	Possession of stolen property – State or personal	15 DC + 30 GT
3-12	Possession of any other contraband or transfer of item to another inmate resulting in item becoming contraband	15 DC + 30 GT
3-13	Introduction of any contraband	60 DC + All GT
3-14	<u>Unauthorized p</u> Possession or use of a cellular telephone or any other type of wireless communication device, or any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under Section 944.47(1)(a)6., F.S.	60 DC + All GT
3-15	Possession of gang related paraphernalia or related material, gang symbols, logos, gang colors, drawings, hand signs, or gang related documents	30 DC + 30 GT
3-16	Non-death row <u>and/or non-community release program</u> inmates– possession, introduction, or trafficking of tobacco or tobacco-related products such as lighters or cigarette papers.	30 DC + 60 GT
3-17	Death row inmates – Possession of tobacco, other than authorized smokeless tobacco, or possession of tobacco-related products intended for use with smoking tobacco such as lighters or cigarette papers; introduction of tobacco or tobacco-related products to non-death row housing or trafficking in such products.	30 DC + 60 GT

SECTIONS 4 through 11 No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, _____.

- 33-601.731 Suspension of Visiting Privileges.
- (1) Suspension of Inmate Visiting Privileges.
- (a) No change.

(b) Suspension of an inmate’s visiting privileges shall be considered by the ICT as a management tool only when an inmate is found guilty of the following offenses:

1. No change.
2. Unauthorized pPossessing or using: a cellular telephone or other portable communication device as defined in Section 944.47(1)(a)6., F.S.; any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under the statute.
3. through 15. No change.

- (c) through (f) No change.
- (2) through (4) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, 10-23-11, 9-24-12, 12-9-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Upchurch, Assistant Secretary of Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 13, 2013

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-4.091	Publications, Forms and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to incorporate into Rule 40D-4.091, F.A.C., a proposed Applicant’s Handbook Volume II which, together with an Applicant’s Handbook Volume I to be adopted by the Department of Environmental Protection (DEP), will provide guidance to applicants seeking environmental resource permits (ERPs) under the new statewide ERP rules required by Section 373.4131, F.S.

SUMMARY: Section 373.4131, F.S., requires that the Department of Environmental Protection adopt statewide rules for implementation of the Environmental Resource Permit (ERP) program set forth in Part IV of Chapter 373, F.S. The statewide ERP rules will also apply to the state’s five water management districts and any delegated entities responsible for implementing the ERP program. As part of the statewide ERP rulemaking, and to promote greater consistency in rule implementation, the proposed statewide ERP rule under development by DEP will include adoption of an Applicant’s Handbook to provide guidance for applicants in understanding and addressing the requirements for obtaining an ERP. The Applicant’s Handbook will be prepared in two volumes. Volume I will be adopted by DEP for statewide use and will contain information concerning process and procedure, permit thresholds and conditions for issuance, environmental criteria, and operation and maintenance entities and requirements. Each water management district will adopt a Volume II for use within that specific district. Volume II will contain all district-specific performance criteria and design requirements relating to water quality, water quantity and any special basin criteria or other statutory requirements applicable within that water management district.

The District’s proposed Applicant’s Handbook Volume II, to be incorporated in Rule 40D-4.091, F.A.C., is based upon the District’s existing ERP Information Manual Part B, Basis of Review, with minor changes. Volume II will also be incorporated by reference into the statewide ERP rules under development by DEP, which will become Chapter 62-330, F.A.C. It is intended that the District’s Applicant’s Handbook Volume II will not become effective until DEP’s amendments to Chapter 62-330, F.A.C. to establish the statewide ERP rules take effect. Thus, the proposed effective date of the proposed rule amendments is July 31, 2013 or the date that amendments to Chapter 62-330, F.A.C, proposed by DEP to implement the statutory mandate in Section 373.4131, F.S., for statewide ERP rules, take effect, whichever is later.

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: There are no anticipated cost increases to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that 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: 373.044, 373.113, 373.118, 373.149, 373.171, 373.414, 373.4131 FS.

LAW IMPLEMENTED: 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4131(3)(a), 373.4144, 373.416, 373.429, 373.441 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 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2012023)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.091 Publications, Forms and Agreements Incorporated by Reference.

The following documents are hereby incorporated by reference and are applicable to this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) through (6) No change.

(7) Southwest Florida Water Management District Environmental Resource Permitting Applicant's Handbook Volume II (effective date). The document is available from the District's website at www.WaterMatters.org/permits/rules and from the District upon request. Applicant's Handbook Volume II applies only to permit applications, exemptions, notices and petitions for formal or informal delineations that are processed under the statewide environmental resource permit rule to be adopted by the Department of Environmental Protection as Chapter 62-330, F.A.C.

Rulemaking Authority 373.044, 373.046, 373.113, 373.171, 373.414, 373.4131 FS. Law Implemented 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-22-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07(1), 9-25-07(4), 11-26-07, 5-12-08, 5-20-08, 6-22-08, 5-12-09, 5-17-09, 8-30-09, 11-2-09, 11-3-09, 12-9-09, 9-5-10, 12-8-10, 12-12-11, 12-29-11, _____, (to become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later).

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha A. Moore, Assistant General Counsel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-7.669	Definitions
40E-7.670	Competitive Solicitation Preferences
40E-7.671	District Implementation
40E-7.672	Compliance
40E-7.674	Certification Review Procedures
40E-7.675	Recertification Review Procedures
40E-7.677	Reciprocity

PURPOSE AND EFFECT: As part of the continuing evaluation of the program required by the rule and in order to determine what specific provisions require modification, the Procurement Bureau has identified areas within the existing rule that necessitate an amendment.

SUMMARY: This amendment will allow greater access for small businesses to participate in the District's procurement and contracting activities. These areas include, but are not limited to: subcontracting requirements for proposals, compliance, and reciprocity of certification. Additionally, the proposed amendments will streamline business processes and make the program more effective.

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:

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

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.1135 FS.

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

DATE AND TIME: July 11, 2013, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at (800)432-2045, x2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy Bradshaw, Bureau Chief Procurement, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, x2823 or (561)682-2823, or by email to dbradsha@sfwmd.gov. For procedural questions, please contact Charron Follins Senior Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, x6293 or (561)682-6293 or by email cfollins@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

SMALL BUSINESS ENTERPRISE CONTRACTING PROGRAM

40E-7.669 Definitions.

(1) through (3) No change.

(4) "Government Agency" means any state, county, regional or local government in Florida.

(5)(4) "Gross Receipts" means the total sales for the Applicant as specified in its Federal tax return or if a new company which has not filed a Federal tax returns, in its audited financial statement before deductions for returned items, allowances, and discounts.

(6)(5) "Industry Categories" means construction, commodities and services.

(7)(6) "Non SBE Prime" means a business not currently certified by the District as a small business enterprise which submits a bid or proposal for the purpose of being awarded a legally binding agreement as a Prime Contractor for the performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions with the District.

(8)(7) "Prime Contractor" means any individual or contracting entity with whom the District has entered into a legally binding agreement for performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions.

(9)(8) "Responsible" means a business that is capable in all respects of fully performing the contract requirements and which has the integrity and reliability that will assure good faith performance.

(10)(9) "Responsive" means a business's bid or proposal conforms in all material respects to the invitation to bid or request for proposal.

(11)(40) "District Small Business Enterprise (SBE)" means a business certified by the District, whose three (3) year average gross receipts, including affiliates, shall not exceed \$13 million if the business provides construction, \$5 million if the business provides commodities, and \$6 million if the business provides services. Additionally, a District Small Business Enterprise is licensed to do business in the State of Florida if the business requires a license.

(12)(4+) "SBE Prime" means a business certified by the District as a small business that submits a bid or proposal for the purpose of being awarded a legally binding agreement as a SBE Prime Contractor for the performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions with the District.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History--New 8-3-06. Amended 8-29-07, _____.

40E-7.670 Competitive Solicitation Preferences.

The Small Business Enterprise Contracting Rule in this part provides for three types of Competitive Solicitation Preferences designed to assist small businesses. The Bid Equalization, Sheltered Market and Subcontracting Requirements are outlined below.

(1) No change.

(2) Sheltered Market Program. The District ~~may shall~~ provide for sheltered markets to allow ~~for~~ only SBE's to bid on designated solicitations. ~~The District shall be guided in designating a sheltered market by selecting industries in which small businesses have usually not had an opportunity to compete for awards against larger businesses.~~ In order to designate a sheltered market the District must identify at least 3 SBEs available to perform work within the industry identified in the solicitation.

(3) Subcontracting Requirements.

(a) Bids – The District shall set subcontracting goals for all bids based on availability of vendors registered with the District, including SBE firms able to perform work within specific commodity codes. The goals shall be applied as a percentage of the total contract value to be assigned to SBE firms. ~~Availability refers to vendors registered with the District, including SBE firms able to perform work within specific commodity codes. The formula for setting a goal is expressed as the total number of SBE firms within specific commodity codes in a scope of work divided by the total number of vendors registered with the District's Procurement Department within the same commodity codes at the time of the preparation of the solicitation. Numerically, this is expressed as: Total Number of SBE's/Total Number of District Registered Vendors = Subcontracting Goal Percentage.~~

The maximum goal that will be applied to any solicitation will be 25%. When an SBE goal is set bidders shall provide work to one or more SBEs in order to meet the goal. At the time of

submittal of its bid, the bidder shall identify all SBE firms which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise SBE Subcontractor Participation Schedule" effective ~~(August 3, 2006 _____)~~ (add hyperlink), ~~which can be obtained from the District upon request.~~ All bids submitted where SBE participation is required, shall include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise SBE Subcontractor" effective ~~(August 3, 2006 _____)~~ (add hyperlink). This form shall be signed by both the SBE subcontractor, ~~and the bidder and the form~~ Form Nos. 0956 and 0957, together called the SBE Subcontractor Utilization Plan, must ~~shall~~ reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. Failure to submit any of the information as required herein shall lead to the bid being deemed non-responsive. Form Nos. 0956 and 0957 are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436.

Any bidder failing to meet the established goal shall be deemed non-responsive. If an SBE Prime intends to subcontract work to an SBE subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its bid or be deemed non-responsive. If the SBE Prime intends to perform 100% of the work, the SBE Prime does not have to submit the aforementioned forms.

(b) Standard Proposals – For solicitations where a contract is awarded based on an evaluation criteria, and where the scope of work is clearly defined the District shall determine subcontracting goals for each solicitation based on availability of SBE firms as stated above in paragraph (3)(a) award points as reflected in Table 7.6-2. The maximum points will be awarded to the proposer if 25% or more of the total project work is performed by SBE firms. The maximum goal that will be applied to any solicitation will be 25%. The goals shall be applied as a percentage of the total contract value to be assigned to SBE firms. Percentages reflect the amount of the total contract value proposed to be assigned to SBE firms.

TABLE 7.6-2
EVALUATION POINT TABLE

10 POINTS FOR SBE PARTICIPATION	
= 25% =	10 Points
= 23% =	9 Points
= 21% =	8 Points
= 19% =	7 Points
= 17% =	6 Points
= 15% =	5 Points
= 13% =	4 Points
= 11% =	3 Points
= 9% =	2 Points
= 7% =	1 Point

~~(e) At the time the proposal is submitted the proposer shall identify all SBE firms (if any) which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise SBE Subcontractor Participation Schedule," incorporated by reference in paragraph (3)(a) herein. from the District upon request. All proposals with SBE subcontractor participation shall include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise SBE Subcontractor, also incorporated by reference in paragraph (3)(a) herein. from the District upon request. This form shall be signed by the SBE subcontractor and the proposer and the form shall reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. Form Nos. 0956 and 0957 together called the SBE Subcontractor Utilization Plan must reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. If an SBE Prime intends to subcontract work to an SBE subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its proposal. Non-SBE Primes will not receive points if they choose not to use SBE subcontractors. The District will not provide SBE points to a proposer if the District cannot establish the proposer's intent. Any non SBE Prime contractor who fails to meet the established goal shall be deemed non-responsive.~~

(c) Work Order Proposals – For solicitations where a contract is awarded based on evaluation criteria and where the scope of work is not clearly defined resulting in work order contracts, will not contain a goal, but shall require proposers to commit to goals assigned to individual work orders issued throughout the term of the contract. The goal for individual work orders will be based on availability of SBE firms as stated above in paragraph (3)(a). The maximum goal that will be applied to any work order will be 25%. At the time the proposal is submitted, the proposer shall identify all proposed SBE firms that will be utilized as subcontractors. At the time a work order with an SBE goal is assigned, the Prime Contractor shall submit a cost proposal, and identify all SBE subcontractors and the percentage of work that the SBE subcontractor(s) will perform by using Form No. 0956, "Small Business Enterprise Subcontractor Participation Schedule," incorporated by reference in paragraph (3)(a) herein. All cost proposals shall also include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor," also incorporated by reference in paragraph (3)(a) herein. This form shall be signed by the SBE subcontractor. A work order will not be executed with a Prime Contractor whose cost proposal does not meet the established goal for that work order. In addition, failure to meet the goal set by the District for an executed work order will result in a breach of contract by the Prime Contractor.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended 8-29-07.

40E-7.671 District Implementation.

The District shall ensure all small businesses have the maximum opportunity to participate in the District's contracting and procurement processes. The following are examples of efforts to be taken by the District:

- (1) Establish a Small Business Enterprise program office to implement the rules established under this Part.
- (2) through (5) No change.
- (6) Monitor Evaluate the District's efforts to achieve SBE objectives.
- (7) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended

40E-7.672 Compliance.

The District shall monitor and evaluate Program performance and compliance as follows:

- (1) through (3) No change.
- (4) ~~The Prime Contractor shall advise the District of any situation in which regularly scheduled progress payments are not made to SBE subcontractors.~~

~~(4)(5) Prime eContractors must notify the District when the need to add or replace an SBE subcontractor arises. When a SBE substitution is requested, the Contract Specialist will request a letter from the contractor explaining why substitution is needed. The prime contractor and shall provide attach a completed Form No. 1373, "Small Business Enterprise Subcontractor Revised Participation Schedule" effective () (add hyperlink), which contains an explanation of the need for the substitution. Form 1373 is incorporated by reference herein and a copy can be obtained at no cost by contacting the South Florida Water Management District Clerk's Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436. In addition, a completed Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor", incorporated by reference in paragraph (3)(a) herein, must be submitted if applicable plan to the letter.~~

~~(5)(a) Failure of the Prime Contractor to honor the SBE requirements of an awarded contract shall be a material breach of the contract which may result in the Prime Contractor being deemed non-responsive in subsequent bids or proposals and/or suspension or debarment of the firms pursuant to Chapter 40E-7, Part H F.A.C.~~

(6) Each District contract awarded with SBE participation shall contain a provision incorporating the rules under this Part by reference and a statement that failure to comply with the requirements of the bid or proposal submitted to the District by

a contractor shall be considered a material breach of contract which may result in suspension or debarment of the firms or individuals involved pursuant to Chapter 40E-7, Part H F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended

40E-7.674 Certification Review Procedures.

- (1) No change.
- (2) Within ~~sixty (60) thirty (30)~~ days following receipt of the application, the District will request that the applicant business to furnish omitted items or additional information, if any. All requested information must be received by the District within ~~sixty (60) thirty (30)~~ days from the date of the request, or the applicant District will be deemed ineligible for certification. Applicants may re-apply. return the unprocessed application to the applicant business.
- (3) through (4) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 F.S. History–New 8-3-06, Amended 8-29-07.

40E-7.675 Recertification Review Procedures.

- (1) through (2) No change.
- (3) Upon receipt, all recertification requests shall be given an initial screening to ensure appropriate signature and completeness. Within ~~sixty (60) thirty (30)~~ days following initial receipt of the applicant's recertification request, the District will request the applicant to furnish omitted or additional information. If the requested information or items are not received by the District within ~~sixty (60) thirty (30)~~ days from the date of the request, the District will deny the application for recertification.
- (4) through (7) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended

40E-7.677 Reciprocity.

Reciprocal certification application shall be granted to applicant businesses which are have been certified by other jurisdictions that meet the District certification standards as outlined in this rule. Florida Government Agencies provided that the agency has a small business program and that the applicant business is certified as a small business by that agency. Applicant shall provide the District with documentation that provides the date of certification and expiration date. The District reserves the right to request any additional documentation deemed necessary to certify with the District.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Bradshaw
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: South Florida Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 13, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 7, 2012

Prepaid College Board may consider in setting the Administration Fee for the 529 Savings Plan; and to reduce redundancy.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NO.: RULE TITLE:
59B-12.001 Bone Marrow Transplantation

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 31, February 14, 2013 issue of the Florida Administrative Register.

The Notice of Proposed Rule, as advertised on February 14, 2013 omitted a reference to the publication date of the notice of rule development and did not fully address information that should have been included under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification.

Publication date of the notice of rule development: June 10, 2011; Vol. 37, No. 23

Information that should have been included under the 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. The Agency has determined that no SERC is required and that no legislative ratification pursuant to subsection 120.541(3), F.S. is required based upon the Agency's review of information at the time of analysis and the preparation of a checklist to determine the need for the creation of a SERC.

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. The person to be contacted regarding the proposed rule and a copy of the proposed rule, as advertised on February 14, 2013 is: Karin Jacobson, Bureau of Managed Health Care, (850)412-4312.

Section III
Notices of Changes, Corrections and
Withdrawals

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NOS.:	RULE TITLES:
19B-16.001	Application of Rule Chapter; Definitions
19B-16.002	Application for Participation in the Program
19B-16.003	Participation Agreement
19B-16.004	Payment and Minimum Contributions
19B-16.005	Maximum Account Balance Limit
19B-16.006	Change of Benefactor
19B-16.007	Change of Designated Beneficiary
19B-16.008	Contingent Benefactor
19B-16.009	Rollover Distributions
19B-16.010	Termination and Withdrawal; Distributions
19B-16.011	Unclaimed Refunds
19B-16.012	Fee Schedule

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 55, March 20, 2013 issue of the Florida Administrative Register.

The Florida Prepaid College Board is noticing correction of the Notice of Proposed Rule to reflect that the Agency has determined that the proposed rules are 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: Compliance with the proposed rules is not anticipated to require additional time or costs to be expended by the Agency or participants in the Florida College Savings Plan. The primary purposes of the rule amendments are to reflect new Investment Options under the Florida College Savings Program; to recognize a minimum threshold for refunds of fifty dollars (\$50.00) before sending notices one year prior to escheatment; to set forth a right of survivorship for beneficiaries; to set forth factors the Florida

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NOS.:	RULE TITLES:
61K1-3.002	Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.
61K1-3.003	Concessionaire; License; Bond.
61K1-3.004	Physician; License and Duties; Authority
61K1-3.005	Manager; License

61K1-3.006	Contracts Between Manager and Participant
61K1-3.007	Participant; License; Conduct and Other Requirements
61K1-3.008	Judge; License and Duties
61K1-3.009	Announcer; License and Duties
61K1-3.010	Timekeeper or Knockdown Timekeeper; License and Duties
61K1-3.011	Second; License and Duties
61K1-3.012	Referee; License and Duties
61K1-3.013	Trainer; License and Conduct
61K1-3.014	Booking Agent, Representative of Booking Agent; License
61K1-3.015	Insurance Requirements
61K1-3.0165	Weigh-In
61K1-3.018	Emergency Equipment; Other Equipment and Services
61K1-3.019	Arena Equipment; Ring Requirements; Floor Plan and Apron Seating
61K1-3.020	Post-Match Physical Requirements; Suspensions
61K1-3.021	Post-Match Reports Required to be Filed; Penalty for Late Filing
61K1-3.022	Unprofessional or Unethical Conduct
61K1-3.023	Citations
61K1-3.024	Notices of Non-Compliance
61K1-3.025	Records
61K1-3.026	Disciplinary Guidelines
61K1-3.027	Boxing Weight Classes
61K1-3.028	Boxing Participants' Apparel
61K1-3.029	Boxing Bandages and Handwraps; Gloves
61K1-3.030	Boxing Conduct of Bout; Rounds
61K1-3.031	Boxing Scoring
61K1-3.032	Kickboxing Weight Classes
61K1-3.033	Kickboxing Participants' Apparel
61K1-3.034	Kickboxing Bandages and Handwraps; Gloves
61K1-3.035	Kickboxing Conduct of Bout; Rounds
61K1-3.036	Kickboxing Scoring
61K1-3.037	Mixed Martial Arts Weight Classes
61K1-3.038	Mixed Martial Arts Participants' Apparel
61K1-3.039	Mixed Martial Arts Bandages and Handwraps; Gloves
61K1-3.040	Mixed Martial Arts Conduct of Bout; Rounds
61K1-3.041	Mixed Martial Arts Scoring

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 60, March 27, 2013 issue of the Florida Administrative Register.

61K1-3.002 Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.

(1) Licensing and Bond.

(a) Any person desiring to become licensed as a promoter shall submit to the commission Form DBPR-FSBC 07, "Application for Licensure as a Promoter", effective ~~February 2013~~ ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(b) Any person desiring to become licensed as a matchmaker shall submit to the commission Form DBPR-FSBC ~~6 04~~, "Application for Licensure as a ~~Manager, Concessionaire, Matchmaker, or Booking Agent, General~~", effective ~~February 2013~~ ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(c) through (h) No change.

(2) Duties and Conduct.

(a) and (b) No change.

(c) A matchmaker or promoter shall not contract with or negotiate with any person licensed under Chapter 548, F.S., who is under suspension or whose license has been revoked in Florida or any other state. This information may be found at _____.

(d) No change.

(e) Once the contracts are filed and after determination that they are in compliance with these rules, each contract will be affixed with the signature of the executive director or his or her designee ~~commission representative~~.

(f) No change.

~~(g) After the application for a permit has been tentatively approved and a proposed match has been approved, the promoter may provide the names of the participants for the approved match to the media. Under no circumstances shall a promoter advertise, sell or cause to be sold any tickets, distribute or cause to be distributed any complimentary tickets, enter into any contracts or in any way make any obligations, commitments or announcements relative to a match or program of matches unless the match or program of matches has been approved and the permit has been tentatively approved by the executive director or commission representative.~~

(h) ~~The promoter shall, in the case of a substitution in a main event participant or participants, post in a conspicuous place in front of the arena or directly over the cashier windows, notice of the substitution, and if time permits, shall advertise the substitution by radio and in a newspaper expected to have the widest circulation for the intended audience.~~

(g)(~~i~~) The promoter shall be responsible for ensuring that each participant scheduled to be engaged in a match shall have received all pre-match physical tests or medical exams as provided by Rule 61K1-3.016, F.A.C. ~~any medical examination deemed necessary by the commission through its executive director, and that an ophthalmic examination has been performed within the immediate past 12-month period.~~

(~~j~~) ~~The commission representative shall, if there is cause to believe that a participant may have suffered cardiac or neurological injury, direct the participant to undergo an EKG, EEG, neurological examination, MRI, CT scan, or any other exam deemed by a physician licensed by the commission as medically necessary. The interpretation and diagnosis shall be filed with the commission. It is the responsibility of the promoter to ensure that this requirement is satisfied.~~

(k) The promoter shall advise all managers and participants under contract for a match or program of matches of the time and place of the weigh-in as designated by the executive director or his or her designee ~~commission representative~~ and of the time and place of their appearance for the match or program of matches.

(l) The promoter shall be responsible for appointing a licensed announcer.

(m) The executive director shall appoint a minimum of one physician for the weigh-in and a minimum of two physicians for the program of matches. Each physician who is assigned to be present at the weigh-in and program of matches shall be compensated no less than \$700 by the promoter. Each physician who is assigned to be present at either the weigh-in or the program of matches, but not both, shall be compensated no less than \$150, at the discretion of the executive director. Promoters shall reimburse a physician for the actual cost of any medical equipment or kits, such as stitching kits, that are used to provide required medical treatment to licensees during an event.

(n) through (q) No change.

(r) The promoter shall be responsible for providing the proper arena equipment, seating and services as set forth in Rule 61K1-3.019, F.A.C., facilities, personnel, ushers, ticket sellers, security and other equipment, services or personnel necessary, as set forth in Rule 61K1-3.018, F.A.C., to provide for the correct handling of the program of matches. The promoter is solely responsible for ensuring that adequate security from a security company licensed by the Department of Agriculture is on site and prepared to immediately respond to any security related situation. If the seating capacity relative to a live event permit is filed with a seating capacity of 2,000

or greater, the promoter shall ensure that, in addition to other regular security, a minimum of 2 security certified law enforcement officers from a security company licensed by the Department of Agriculture or are located immediately adjacent to each of the red and blue corners and that additional security is certified law enforcement officers are located within the premises of the program of matches in positions to have a clear and unobstructed view of the ring and are able to immediately respond to their fellow officers at ringside.

(s) The promoter shall ensure that all tickets have clearly printed on them the admission price, and the promoter or his or her agent shall not sell the tickets ~~no ticket shall be sold~~ for a price higher than the price shown on its face. In the case of generic tickets that are not printed with the ticket prices, each differently priced ticket shall be a different color. Each complimentary ticket shall by some distinguishing mark indicate the face value of the ticket, and in no case shall the dollar value of a complimentary ticket be less than the lowest ticket price available for sale to the general public.

(t) through (u) No change.

Form DBPR-FSBC 7, "Application for Licensure as a Promoter" has been amended by condensing the sections, using a smaller font, and removing duplicative information.

Form DBPR-FSBC 6, "Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent" is submitted to replace Form DBPR-FSBC 04, "Application for License, General." Form DBPR FSBC 6 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information.

61K1-3.003 Concessionaire; License.

(1) License.

(a) Any person desiring to become licensed as a concessionaire shall submit Form DBPR-FSBC 6 03, "Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent ~~Concessionaire/Manager~~," effective February 2013 ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at

(b) No change.

Form DBPR-FSBC 6, "Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent" is submitted to replace Form DBPR-FSBC 03, "Application for License, Concessionaire/Manager."

61K1-3.004 Physician; License and Duties; Authority.

(1) License.

(a) through (b) No change.

(c) Any person desiring to become licensed as a ringside physician shall submit Form DBPR-FSBC 05, "Application for Licensure, Ringside Physician", effective February 2013 ~~October 2012~~, adopted and incorporated herein, which may be

obtained on the “Boxing, Kickboxing, & Mixed Martial Arts” link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(d) All applicants shall hold a license in good standing to practice medicine as an M.D. or a D.O., and be capable of initiating life-saving procedures and demonstrate education training or practical experience in sports medicine, trauma, neurology, or as a ringside physician.

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

(c) Two physicians shall be present at each match and render service and assistance as necessary, including emergency treatments for injuries sustained by the participants or other licensees, as provided for in these rules. ~~A physician shall be located near each participant’s corner in a designated seat for the duration of each match.~~ No match shall be allowed to begin or continue unless at least one physician is in his designated seat. The physician shall not leave the premises until after the final match has been conducted, all participants participating have been cleared by the physician(s), and the executive director, or his or her designee has cleared the physician to leave.

(d) If, at any time during the match, the physician is of the opinion that a participant has received severe punishment or injury, or that to continue the match would pose the threat of unreasonable harm or injury to a participant, the physician shall advise the referee that the match should be terminated. ~~In this event, however, the referee, the executive director, or commission representative are the only individuals authorized to stop a match.~~

(e) In the event of injury to or illness of any person under the jurisdiction of the commission and while located on the premises where a program of matches is being conducted, the physician shall have complete charge of such person, shall provide medical assistance, and shall be accorded the full cooperation of the executive director, or his or her designee ~~commission representative~~ and all licensees present.

(f) The physician shall not leave the premises until after the decision in the final match has been rendered, the physician is satisfied that his or her services are no longer necessary and the executive director or his or her designee ~~commission representative~~ have cleared the participants to leave.

(g) No change.

Form DBPR-FSBC 5, “Application for Licensure, Ringside Physician” has been amended by clarifying the term ringside physician, condensing the sections, using a smaller font, and removing duplicative information.

61K1-3.005 Manager; License.

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

(c) Any person desiring to become licensed as a manager shall submit Form DBPR-FSBC ~~6 03~~, “Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent Concessionaire/Manager,” effective February 2013 ~~December 2012~~, adopted and incorporated herein, which

may be obtained on the “Boxing, Kickboxing, & Mixed Martial Arts” link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

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

(d) A manager may verbally coach a participant during a round. A manager shall not excessively coach his or her participant while working in the corner. The executive director or his or her designee ~~commission representative~~ shall determine whether a manager’s coaching or behavior is excessive, inappropriate, disruptive, or otherwise unbecoming a sportsman. A manager attempting by word or action to heckle or annoy his or her participant’s opponent or any official is strictly prohibited. A manager shall not enter the corner ring, or fenced area at any time during the match and not interfere with the conduct of a match during the match. If any manager enters the ring or fenced area during any match, the match shall be temporarily stopped and the manager shall be immediately ejected by the referee, and the referee shall order the match to continue. If any manager reenters the ring or fenced area during any match after being ejected once, the match shall be forfeited to the opposing participant. Whenever a person licensed as a manager in this state desires to work in the corner of a participant under contract to the manager, the manager shall be designated a second and shall be deemed to be a second for that specific bout without the need to apply for a second license. When working in such capacity, the manager shall comply with the requirements set forth for seconds in Rule 61K1-3.011, F.A.C.

~~(e) Prior to a participant’s debut, the manager may be required to certify to the commission that the debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:~~

- ~~1. Competence in the elements of offense and defense;~~
- ~~2. Clean hitting;~~
- ~~3. Ring generalship; and~~
- ~~4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.~~

~~(f) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh in by completing and signing Form BPR 0009 481, “Pro Debut Certification and Release,” effective October 2012, adopted and incorporated by reference herein, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>, or at _____.~~

~~(g) A manager shall be issued a citation for the first occurrence if the debut participant is not able to demonstrate the competence and skills listed above.~~

~~(h) A manager shall be issued a citation and fined the manager’s share of the purse for the second occurrence if the debut participant is not able to demonstrate the competence and skills listed above.~~

~~(i) A manager's license may be suspended or revoked for the third occurrence and beyond.~~

Form DBPR-FSBC 6, "Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent" is submitted to replace Form DBPR-FSBC 03, "Application for License, Concessionaire/Manager." Form DBPR FSBC 6 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information.

61K1-3.006 Contracts Between Managers and Participants.

- (1) No change.
- (2) Execution of Contract
 - (a) No change.

(b) Unless otherwise directly by the commission, a contract between a participant and a manager is not valid unless signed by both parties and witnessed and signed by an impartial third party witness ~~notarized at the time of the signing.~~

- (c) through (e) No change.
- (3) Changes to the Contract; Release from Contract.

(a) The commission and all parties to the contract shall be notified immediately of any changes in contractual status, which change shall be in writing, signed by all parties to the contract and an impartial third party witness, notarized, and filed with the commission within 7 calendar days of execution.

- (b) No change.
- (4) through (5) No change.

(6) All contracts entered into in Florida between a manager and a participant, and all such contracts entered into outside of Florida involving participants and managers licensed by or subsequently licensed by the commission, shall expressly contain all provisions specifically as worded in Form BPR-0009-451, "Letter of Agreement Between Participant and Manager", effective February 2013 ~~October 2012~~, adopted and incorporated herein by reference, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>.

- (a) through (e) No change.

61K1-3.007 Participant; License; Conduct and Other Requirements.

- (1) License.
 - (a) No change.
 - (b) No person shall be licensed as a participant if such person:
 - 1. through 4. No change.

5. Has suffered cerebral hemorrhage or any other serious head injury. The executive director, or his or her designee ~~commission representative~~ shall, if the executive director, or his or her designee ~~commission representative~~ has cause to believe that a participant may have suffered neurological injury, direct the participant to undergo an EEG, complete neurological exam, EKG, MRI, CT scan, or other medical

examination deemed necessary by the ringside physician. The interpretation and diagnosis shall be filed with the commission; or

- 6. through 7. No change.

(c) Any person desiring to become licensed as a participant shall submit Form DBPR-FSBC 02, "Application for Licensure, Participant," effective February 2013 ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at

- (2) Conduct and Other Requirements.
 - (a) No change.

(b) Any participant who fails to appear at a match or fails to appear timely at a match for which he or his manager has contracted and does not provide a valid reason or, in the case of physical disability, furnish a physician's certificate, shall be issued a citation by the executive director, or his or her designee ~~commission representative~~, indefinitely suspended by the executive director, fined or any combination thereof for a period to be determined by the commission. In making this determination, the commission shall consider the following factors:

- 1. through 3. No change

Form DBPR-FSBC 2, "Application for Licensure, Participant" has been amended by clarifying the term ringside physician, condensing the sections, using a smaller font, and removing duplicative information and requests for unnecessary information.

61K1-3.008 Judge; License and Duties.

- (1) No change.
- (2) Qualifications

(a) Any person desiring to become licensed as a judge shall submit Form DBPR-FSBC 3 04, "Application for Licensure as Judge, Referee, or Timekeeper—General," effective February 2013 ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at

(b) In order to obtain a license as a judge, applicants must: Applications for a judge license will be reviewed, evaluated, and processed in the following manner:

1. All applicants for a judge license must first be issued a temporary certificate by the executive director. To obtain a temporary certificate, the applicant must demonstrate that he or she has completed the scoring of a minimum of 300 rounds of amateur boxing, kickboxing, or mixed martial arts and has been judging for a minimum of two years for an amateur sanctioning organization. Temporary certificates are required for any person desiring to unofficially score a match for evaluation purposes.

2. ~~Include~~ The application for licensure as a judge shall ~~include~~ a certification from the executive director ~~or his or her designee~~ attesting that the applicant has completed the unofficial scoring of a minimum of 350 rounds of professional boxing, kickboxing, or mixed martial arts held in this state and has been unofficially judging in this state for a minimum of eighteen months with a temporary certificate issued by the commission which is in good standing. The scoring must be of the sport for which the judge is attempting to obtain licensure. The applicant must have a demonstrated record ~~while obtaining the certificate~~, and evidence that he/she has the ability to perform the duties outlined below.

(c) Out of state licensed officials:

~~1.3.~~ Applicants who are licensed as a judge by another state who wish to apply for licensure in Florida shall submit with their application; ~~documentation evidencing that the applicant has completed the scoring of a minimum of 350 rounds of professional boxing, kickboxing, or mixed martial arts in a state that regulates professional boxing, kickboxing, or mixed martial arts, a certified copy of licensure or a letter of good standing indicating initial licensure date from another state and a letter from the other regulating body indicating that the applicant has been judging for a minimum of eighteen months in that state. The scoring must be of the sport for which the judge is attempting to obtain licensure.~~

a. Documentation evidencing that the applicant has completed the scoring of a minimum of 350 rounds of professional boxing, kickboxing, or mixed martial arts in a state that regulates professional boxing, kickboxing, or mixed martial arts. The applicant may provide a certificate from the executive director or his or her designee of the regulating state indicating the applicant demonstrated record while obtaining the certificate, and evidence that he/she has the ability to perform the duties outlined below;

b. A certified copy of licensure or a letter of good standing indicating initial licensure date from another state and a letter from the other regulating body indicating that the applicant has been judging for a minimum of eighteen months in that state. The scoring must be of the sport for which the judge is attempting to obtain licensure.

2. Out of state licensed officials that meet the above qualifications shall be licensed.

~~4. The executive director may issue a temporary license pending final action by the commission. The commission shall render a decision as to whether or not the application for judge license shall be approved, which decision is solely that of the commission. If a license application is not granted by the commission, the commission shall set forth the reasons for not granting the license.~~

(e) Foreign licensed officials may score a bout if they are licensed by the commission to do so. Foreign licensed officials may be temporarily licensed by the executive director upon demonstrating an ability to perform the duties outlined below.

~~The foreign licensed official's record and ability shall be verified by obtaining records from a central repository and any such other information as the executive director deems necessary to qualify the official. After issuance of a temporary license, the chairman of the commission shall approve or disapprove the license, in accordance with these rules.~~

~~(d) At its first meeting after November 1 of each year, the commission shall review the performance of each licensed judge in Florida and shall approve or disapprove any application for renewal or subsequent application.~~

(d) Applicants who cannot provide a certificate from the executive director or his or her designee attesting that the applicant has complied with subparagraph (2)(b)2. above may request to accompany the executive director or his or her designee as an unofficial judge to appropriate matches in order to obtain the necessary experience. No more than three unlicensed judge applicants may attend any professional event.

(e) ~~The executive director shall limit to three the number of unofficial judges at each event. The commission will make arrangements for unofficial judge unofficial judges to enter the premises of the program of matches free of charge and have an appropriate seat from which to unofficially judge the contests, provided however that in the case of televised television and such other publicized events which by their nature severely limit ringside access, permission to sit and unofficially judge at ringside will not be authorized. In the case that the event is sold out, authorization will not be granted to attend the event free of charge. Travel and other expenses of the unofficial judge unofficial judge shall be borne solely by the unofficial judge unofficial judge. Unofficial judge unofficial judge must present their scorecards to the executive director, or his or her designee commission representative prior to the announcement of the result by the announcer and all contests within one program of matches must be judged by the unofficial judge unofficial judge in order for any contest within that program of matches to be included in the judge's statistical record.~~

(3) It shall be the duty of each judge to:

(a) through (d) No change.

(e) Complete and sign the round or match score card and deliver it to the referee, executive director or ~~his or her designee commission representative~~ at the conclusion of each round.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.011, 548.017, 548.056, 548.057 FS. History—New _____.

Form DBPR-FSBC 3, "Application for Licensure as Judge, Referee, or Timekeeper;" is submitted to replace Form DBPR-FSBC 04, "Application for License, General." Form DBPR FSBC 3 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information

61K1-3.009 Announcer; License and Duties.

(1) License.

~~(a) No licensed announcer shall act as an announcer at any match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or international organization recognized by the commission, or at any match held in this state unless the match is sanctioned by the commission.~~

~~(1)(b) Any person desiring to become licensed as an announcer shall submit Form DBPR-FSBC 04, "Application for Licensure, General," effective February 2013 December 2012, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at~~

~~(2) Duties.~~

~~(a) The announcer shall make all announcements in the English language unless approved to do otherwise by the executive director or commission representative.~~

~~(b) Announcers shall be neatly and appropriately dressed while discharging their duties.~~

~~(c) The announcer shall be at all times subject and responsible to the commission representative in the discharge of his duties and shall accept directions only from the commission representative.~~

~~(a)(d) An announcer shall not introduce an individual if the announcer knows or should know that the individual's Announcers shall not make unauthorized announcements or introductions of persons other than the participants and officials unless the commission representative has determined that the announcement or introduction is appropriate for the match. Under no circumstances shall an individual be introduced if his license has been revoked or is currently under suspension.~~

~~(b)(e) After participants and their chief seconds are in the ring, the announcer shall announce the name of each participant, his weight as determined at the weigh-in, and such other announcements as directed by the executive director, or his or her designee commission representative.~~

~~(c)(f) An announcer shall display strict impartiality in word and action while performing his duties.~~

~~(d)(g) The number of the round shall be announced at the 1-minute interval between rounds.~~

~~(e)(h) At the conclusion of each match, the announcer shall make the announcement of the result in the manner and at such time as directed by the commission representative.~~

~~(f)(i) In the event of a knockout or a technical knockout, the announcer shall obtain the result and the official time of the termination of the match from the executive director, or his or her designee commission representative, and shall announce the result, the time and the round in which the knockout or technical knockout occurred.~~

~~(g)(j) At the conclusion of each match and immediately after the announcements have been made, the announcer shall submit to the executive director, or his or her designee commission representative any match score cards used by the judges and the referee that he may have in his possession.~~

~~Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.011, 548.017, 548.057 FS. History—New_____.~~

~~Form DBPR-FSBC 04, "Application for License, General" was amended by condensing the sections, using a smaller font, and removing duplicative information and requests for unnecessary information~~

~~61K1-3.010 Timekeeper or Knockdown Timekeeper; License and Duties.~~

~~(1) License.~~

~~(a) No licensed timekeeper shall act as a timekeeper at any match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or international organization recognized by the commission, or at any match held in this state unless the match is sanctioned by the commission.~~

~~(1)(b) Any person desiring to become licensed as a timekeeper shall submit Form DBPR-FSBC 3 04, "Application for Licensure as Judge, Referee, or Timekeeper, General," effective February 2013 December 2012, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at~~

~~(2) Duties for Timekeeper:~~

~~(a) No change.~~

~~(b) The timekeeper shall be located within his arm length of the bell in a seat designated by the executive director, or his or her designee commission representative. No match shall begin or continue unless the timekeeper is in his designated seat.~~

~~(c) The timekeeper shall not use the whistle, bell, horn, or gong or other instrument during the progress of a round except in the manner and at the time authorized herein.~~

~~(d) Ten seconds before the beginning of each round, the timekeeper shall give warning to the seconds of each participant by blowing the whistle, bell, horn, or gong. Ten seconds before the end of each round, the timekeeper shall give warning by pounding the table three times in succession with a hammer, block of wood or similar object.~~

~~(e) through (f) No change.~~

~~(g) If a match ends before the scheduled number of rounds, the timekeeper shall inform the referee and the executive director, or his or her designee commission representative of the exact duration of the match.~~

~~(h) The timekeeper shall be familiar with and perform such other duties as set forth in these rules.~~

~~(h)~~⁽ⁱ⁾ In the event that an automatic timekeeping machine is available, its use is authorized, provided however, that manual timekeeping is maintained contemporaneously in the event of equipment failure.

(3) Duties, Knockdown Timekeeper.

(a) The knockdown timekeeper shall be located adjacent to the timekeeper in a seat designated by the executive director, or his or her designee ~~commission representative~~. No match shall begin or continue unless the knockdown timekeeper is in the designated seat.

(b) No change.

(c) The knockdown timekeeper shall comply with the rules set forth above that apply to timekeepers ~~be familiar with and perform such other duties as set forth in these rules.~~

Form DBPR-FSBC 3, "Application for Licensure as Judge, Referee, or Timekeeper," is submitted to replace Form DBPR-FSBC 04, "Application for License, General." Form DBPR FSBC 3 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information

61K1-3.011 Second; License and Duties.

(1) License.

(a) A licensed manager may be designated as ~~one of~~ his or her participant's trainer seconds.

(b) No second shall also be licensed as a judge, physician, promoter, ~~or~~ referee, or manager, and shall not act as a judge, physician, promoter, ~~or~~ referee, or manager.

(c) No change.

(d) Any person desiring to become licensed as a second shall submit Form DBPR-FSBC 04, "Application for Licensure, General," effective February 2013 ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(2) Duties.

(a) No change.

(b) The chief second of any participant shall have with him at the ringside the following articles:

1. through 4. No change.

5. The ~~necessary~~ tape and bandages; and

6. ~~Proper~~ Ceastics to stop bleeding of minor cuts and lacerations.

(c) First aid and other ring equipment of a second shall in all cases and at all times before, during, and after use, be available for inspection by the physician, inspector, and the executive director, or his or her designee ~~commission representative~~. ~~The commission representative's decision shall be final as to the propriety of its use.~~

(d) Seconds may verbally coach a participant during a round. A second shall not excessively coach his or her participant. The executive director or his or her designee

~~commission representative~~ shall determine whether a second's coaching is excessive, inappropriate, disruptive, or otherwise unbecoming a sportsman. A second attempting by word or action to heckle or annoy his or her participant's opponent or any official is strictly prohibited. Seconds shall remain seated in place during the fight period of any round and shall not knock or pound on the ring floor, cage fence, or apron.

(e) No change.

(f) If any second steps up onto the ring apron during any fight period of any match unless ordered to do so by the referee, the participant for whom that second is performing as a second shall be immediately determined as the losing participant and the opponent shall be declared the winner by technical knockout, unless the executive director or his or her designee ~~commission representative~~ at ringside determines the act was done to avoid the fighter losing by knockout, in which case the executive director or his or her designee ~~commission representative~~ may order the result be announced and recorded as a knockout and administer the appropriate suspension accordingly.

(g) Only one second per participant shall be allowed in the ring. No second shall enter the ring until the timekeeper has indicated the end of a round. He shall leave the ring at the sound of the timekeeper's whistle indicating the beginning of the next round is imminent. Prior to the beginning of each round, the entire ring platform and ropes shall be cleared of all obstructions, including buckets, stools, towels, and other articles; and none of these articles shall again be placed on the ring platform until the bell has sounded indicating the end of the round.

(h) No second shall harass, threaten or touch opposing participants, managers, or seconds. A second who violates this rule shall be immediately ejected from the premises and shall be subject to disciplinary action ~~automatically banned from any involvement with boxing, kickboxing, and mixed martial arts in this state unless the commission decides otherwise.~~

Form DBPR-FSBC 04, "Application for License, General" was amended by condensing the sections, using a smaller font, and removing duplicative information and requests for unnecessary information.

61K1-3.012 Referee; License and Duties.

(1) License.

(a) Any person desiring to become licensed as a referee shall submit Form DBPR-FSBC ~~3~~ 08, "Application for Licensure as Judge, Referee, or Timekeeper, ~~Referee~~," effective February 2013 ~~December 2012~~, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(b) No change.

~~(e) No referee licensed in this state shall act as a referee at any match in a state without a state boxing commission or similar governmental authority unless the match is supervised by a state boxing commission or similar governmental authority.~~

~~(c)(d) No referee shall also serve as a supervisor of a sanctioning organization or serve on the ratings committee or recommend participants to the ratings committee for a sanctioning body.~~

~~(2) In order to obtain a license as a referee, applicants must. Applicants for a referee's license will be reviewed, evaluated, and processed in the following manner:~~

~~(a) Any person desiring to become licensed for the first time as a referee shall submit the appropriate application as adopted by the commission for licensure.~~

~~(b) At its first meeting after November 1 of each year and following the submittal of the application for license, the commission shall render a decision as to whether or not the license will be granted.~~

~~(a)(e) Applicants for a referee license will be permitted to officiate at the discretion of the executive director for observation purposes. The executive director shall cause to be issued a temporary certificate for this purpose by collecting a license application and fee from the applicant. The executive director shall be cognizant of the relative importance of the match, the number of scheduled rounds and any other factors that may contribute to the health, safety and well being of participants or the referee, or any difficult set of circumstances for a referee early in his career. To obtain a temporary certificate, the applicant must demonstrate that he or she has refereed a minimum of 300 rounds of amateur boxing, kickboxing, or mixed martial arts and has been refereeing for a minimum of two years for an amateur sanctioning organization.~~

~~(d) Applicants for a referee license will be admitted free of charge to professional event venues for the purpose of observing and interacting with licensed referees, provided however, that in the case of television events and such other events which by their nature severely limit ringside access, permission to sit at ringside will not be authorized. In the case that an event is sold out, authorization will not be granted to attend the event. Travel and other expenses will be borne solely by the applicant.~~

~~(e) At its first meeting after November 1 of each year, the executive director shall recommend to the commission a list of referees to be licensed or renewed as officials in this state and the commission shall approve or disapprove the recommendations.~~

~~(b)(f) The applicant must have a demonstrated a record observed by the executive director or his or her designee while obtaining the necessary experience for licensure and evidence that he/she has the ability to perform the duties outlined in this section.~~

(3) How to obtain required professional experience:

(a) Applicants who have been denied due to lack of professional refereeing experience may request to accompany the executive director or his or her designee to appropriate matches in order to obtain the necessary experience. Such individuals may be permitted to officiate at the discretion of the executive director or his or her designee for observation purposes. When determining whether to permit the unlicensed individual to officiate, the executive director or his or her designee shall consider the relative importance of the match, the number of scheduled rounds and any other factors that may contribute to the health, safety and well being of participants or the referee, or any difficult set of circumstances for a referee early in his career. The executive director shall cause to be issued a temporary certificate for this purpose by collecting a license application and fee from the applicant.

(b) Applicants for a referee license will be admitted free of charge to professional event venues for the purpose of observing and interacting with licensed referees, provided however, that in the case of television events and such other events which by their nature severely limit ringside access, permission to sit at ringside will not be authorized. In the case that an event is sold out, authorization will not be granted to attend the event. Travel and other expenses will be borne solely by the applicant.

(3) Duties.

(a) A referee shall submit to an annual physical examination and submit the results of that physical examination to the commission office at the time of application each year, to establish physical fitness. The result of this examination shall be filed with the commission. If, in the opinion of the physician who provides the physical, the referee needs further medical tests to determine whether he or she is able to comply with the duties of a referee, the referee shall obtain the additional medical tests, as directed by the physician, prior to being permitted to act as a referee in a match. The executive director or commission representative may require the referee to be examined by a physician immediately prior to officiating a match at his discretion.

(b) through (c) No change.

(d) The referee shall have the authority to:

1. through 3. No change.

4. Terminate a match if either participant has been injured and is in such condition that to continue the match might subject the participant to a debilitating or life threatening injury, on the advice of ringside physician;

5. No change.

6. Enforce the requirements of licensees in and around the ring, as adopted by the commission, pertaining to the conduct and behavior of participants, managers, trainers, and seconds, during an event.

Form DBPR-FSBC 3, “Application for Licensure as Judge, Referee, or Timekeeper,” is submitted to replace Form DBPR-FSBC 08, “Application for License, Referee.” Form DBPR FSBC 3 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information

61K1-3.013 Trainer; License and Conduct.

(1) License.

(a) through (b) No change.

(c) Any person desiring to become licensed as a trainer shall submit Form DBPR-FSBC 4 ~~06~~, “Application for Licensure, General Trainer,” effective ~~February 2013~~ December 2012, adopted and incorporated herein, which may be obtained on the “Boxing, Kickboxing, & Mixed Martial Arts” link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(2) Conduct.

(a) All applicants for trainer licensure and all trainers licensed by the commission shall obtain and maintain CPR certification from a nationally recognized entity. Failure to obtain and maintain the certification by February 1, ~~2014~~ 2013, shall subject the licensee to disciplinary action.

(b) No change.

(c) A trainer may verbally coach a participant during a round. The executive director or his or her designee ~~commission representative~~ shall determine whether a trainer’s coaching or behavior is excessive, inappropriate, disruptive, or otherwise unbecoming a sportsman. A trainer shall not excessively coach his or her participant while working in the corner. ~~The executive director or commission representative shall determine whether a trainer’s coaching or behavior is excessive, inappropriate, disruptive, or otherwise unbecoming a sportsman.~~ A trainer attempting by word or action to heckle or annoy his or her participant’s opponent or any official is strictly prohibited.

(d) through (f) No change.

~~(g) Upon the proposal of a debut participant, the trainer may be required to certify to the commission that the debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:~~

- ~~1. Competence in the elements of offense and defense;~~
- ~~2. Clean hitting;~~
- ~~3. Ring generalship; and~~
- ~~4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.~~

~~(h) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh in by completing and signing Form BPR-0009-481, “Pro Debut Certification and Release,” effective January 2010, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>, or at _____.~~

~~(i) A trainer shall be issued a citation for the first occurrence if the debut participant is not able to demonstrate the competence and skills listed above.~~

~~(j) A trainer shall be issued a citation and fined the trainer’s share of the purse for the second occurrence if the debut participant is not able to demonstrate the competence and skills listed above.~~

~~(k) A trainer’s license may be suspended or revoked for the third occurrence and beyond.~~

Form DBPR-FSBC 04, “Application for License, General” was amended by condensing the sections, using a smaller font, and removing duplicative information and requests for unnecessary information

61K1-3.014 Booking Agent, Representative of Booking Agent; License.

(1) No person shall act as a booking agent or representative of a booking agent without first having obtained the appropriate license. Any person desiring to become licensed as a booking agent shall submit Form DBPR-FSBC ~~6~~ 04, “Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent, General,” effective ~~February 2013~~ December 2012, adopted and incorporated herein, which may be obtained on the “Boxing, Kickboxing, & Mixed Martial Arts” link at <https://www.myfloridalicense.com/intentions2.asp>, or at _____.

(2) through (3) No change.

Form DBPR-FSBC 6, “Application for Licensure as a Manager, Concessionaire, Matchmaker, or Booking Agent” is submitted to replace Form DBPR-FSBC 04, “Application for License, General.” Form DBPR FSBC 6 is shorter due to the sections being condensed, using a smaller font, and removing duplicative information.

61K1-3.0165 Weigh-In.

(1) Failure of a participant to be present or appears late at the weigh-in, at the time and place designated by the executive director or his or her designee ~~commission representative~~, shall result in the following penalties on the licensee who is deemed by the executive director or his or her designee ~~commission representative~~ as the responsible party for the participant’s delayed presence at the weigh-in. These penalties are in addition to their loss of right to be present at the official weigh-in of the participant’s opponent:

(a) ~~In lieu of suspension or revocation of the license(s)~~ For the first occurrence, the executive director or his or her designee ~~commission representative~~ shall issue a citation and assess a fine of \$50 per licensee;

(b) ~~In lieu of suspension or revocation of a license~~ For the second occurrence, the executive director or his or her designee ~~commission representative~~ shall issue a citation and assess a fine of \$75 per licensee;

(c) The third occurrence shall result in the loss of the participant engaging in the program of matches of the weigh-in violation, and shall subject the participant to further disciplinary action the suspension of the license(s) of the licensee(s) in violation of this rule for a period of time to be determined by the commission; and

(d) No change.

(2) through (3) No change.

(4) At the time of weigh-in, each participant in a match shall be required to provide to the executive director, or his or her designee ~~commission representative~~ for inspection an identification card issued by the Association of Boxing Commissions (ABC).

(a) through (g) No change.

(5) through (6) No change.

61K1-3.018 Emergency Equipment, Other Equipment and Services.

(1) Emergency Medical Equipment and Services.

(a) It shall be the responsibility of the promoter to provide the following at each match:

1. through 3. No change.

4. A minimum of two (2) commission-approved physicians with seats at the immediate ringside of all matches adjacent to each participant's corner in such location and such height that each physician shall have a clear and unobstructed view of the ring, ring floor, the participants' corners, and the referee. If a fenced area is used, the physicians shall be seated at the door where the participants enter and exit.

i. ~~The physician shall hold a license in good standing to practice medicine as an M.D. or a D.O., and be capable of initiating life-saving procedures and demonstrate education training or practical experience in sports medicine, trauma, neurology, or as a ringside physician.~~

i. ~~The physician shall not leave the premises until after the final match has been conducted, all participants participating have been cleared by the physician(s), and the executive director or commission representative has cleared the physician to leave.~~

ii. ~~Physicians shall be prepared to assist if any serious emergency shall arise, and shall render temporary or emergency treatments for cuts and minor injuries sustained by the participants.~~

5. through 6. No change

(b) No match shall begin or continue unless such equipment and personnel are on the premises in a state of readiness and in a pre-designated readily accessible location known to the referee, physicians and the executive director or his or her designee ~~commission representative~~.

(2) No change.

61K1-3.019 Arena Equipment; Ring Requirements; Floor Plan and Apron Seating.

(1) Boxing, Kickboxing, and Mixed Martial Arts Ring Requirements

(a) The ring shall be not less than 18 feet nor more than 24 ~~22~~ feet square inside the ropes.

(b) No change.

(c) Rope requirements:

1. (e) The ring shall be formed of four posts and at least four ropes for boxing and kickboxing, except for San Shou or Sanda style kickboxing. The ropes shall extend in parallel lines 18, 30, 42, and 54 inches in height above the ring floor.

2. The ring shall be formed of four posts and at least five ropes for San Shou or Sanda style kickboxing and mixed martial arts. The ropes shall extend in parallel lines 18, 30, 42, 48, and 54 inches in height above the ring floor.

3. The top three ropes shall be not less than 1 inch in diameter, and the lowest rope shall be not less than 1 1/2 inches in diameter.

4. The lowest rope must be no higher than six inches from the ring floor.

5. All ropes shall be wrapped in velvet or other similarly soft material. Ropes shall be properly adjusted and sufficiently taut to inhibit the participant from falling between the ropes.

6. An additional tie rope shall be centered on all four sides of the ring surrounding the ring ropes to prevent excessive separation of the ring ropes.

7. The juncture of the ropes at each corner shall be padded with at least an inch and one half of foam rubber or other similar padding.

(d) Ring posts shall be not less than 3 inches in diameter and shall extend from the floor of the ring to a height of no more than 58 inches.

(e) The ring platform shall not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the participant in each participant's corner. Steps shall also be provided in a neutral corner ~~for use by the announcer, referee, round card carrier and physicians.~~

(f) through (g) No change.

(h) If the match or program of matches is being held outdoors, the ring, apron and seating for all officials shall be protected from inclement weather by use of a heavy duty weatherproof tarpaulin or cover of similar material. The covering shall be erected in such a manner as to ensure that the ring, apron and seating do not become wet. Under no circumstances will the referee or the executive director, or his or her designee ~~commission representative~~ allow a match to continue if the condition of the ring floor deteriorates such that its condition poses a hazard to the participants or the referee.

(i) Ring posts must be properly padded in one inch of closed-foam padding ~~a manner approved by the commission.~~

(j) No change.

(2) Kickboxing and Martial Arts Fenced Area Requirements.

(a) No change;

(b) The fenced area within the fencing must be padded with Ensolite or ~~similar~~ closed-cell foam with at least a 1 inch layer of foam padding;

(c) The fenced area padding must be covered with canvas, duck or similar material tightly stretched and laced to the platform. Any covering that is slippery or ~~deemed by the commission~~ as unsafe will not be allowed. Material that tends to gather in lumps or ridges must not be used;

(d) No change;

(e) Ring posts shall be made of metal with dimensions of not less than 3 inches nor more than 6 inches in diameter and shall extend from the floor of the building to a height of no less than 60 inches nor more than 84 inches above the floor of the fenced area. Ring posts must be properly padded one inch of closed-foam padding ~~a manner approved by the commission~~. Ring posts padding shall not include abrasive, sharp or potentially injuring materials;

(f) Fencing must be made of a material that will prevent a participant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, ~~without limitation,~~ chain link fence coated with vinyl;

(g) Any metal portion of the fenced area must be covered and padded in one inch of closed-foam padding ~~a manner approved by the commission~~ and must not be abrasive to the participants;

(h) When the fenced area is comprised of ~~equal~~ sections or panels of fencing, metal tubing or pipes are permissible along the outer dimensions or perimeter of the panels for structural purposes. No metal tubing or pipes are allowed within each individual panel running horizontally or vertically from one panel perimeter to another. Each panel should have four sides with no metal tubing or pipes within each individual square;

(i) There must not be ~~an~~ visual obstruction on any part of the fence surrounding the fenced area in which the participants are competing.

(j) Each door must be secured by a latch and pin mechanism or ~~another approved~~ dual locking system.

(3) Other Fight Mediums for Kickboxing and Mixed Martial Arts.

(a) Fight mediums other than a ring as described in subsection (1) above or a fenced area as described in subsection (2) above may be proposed to the commission at least 45 days prior to the proposed date of the live event. ~~At a minimum, D~~ detailed specifications regarding dimensions and materials used must be provided to the executive director. ~~Any other information, including but not limited to video footage, requested by the executive director must be provided no later than 30 days prior to the proposed date of the live event;~~

(b) Proposals are subject to approval by the commission executive director or commission representative. ~~The commission shall consider whether the proposed fight medium will pose a risk to the participants or hinder the ability of other licensees from providing their services as necessary to ensure the safety and wellbeing of the participants and the public.~~

(4) Boxing, Kickboxing, and Mixed Martial Arts Floor Plan and Apron Seating.

(a) ~~The executive director or commission representative shall determine the seating arrangements and space requirements for each location at which a match or program of matches is to be held and shall advise the promoter of the floor plan to be used.~~

(a)(b) The executive director or his or her designee ~~commission representative~~ shall designate seating at the ring apron as provided in these rules. Ring apron seating on all four sides of the ring shall be exclusively controlled by the commission and no person shall be permitted to be seated or have access to the apron without the approval of the executive director or his or her designee ~~assigned commission representative~~. The commission's control of the apron is for the purpose of providing for appropriate control of the event including participant, staff, and audience safety, ensuring that only those officials assigned by the commission are seated at the apron and ensuring that adequate seating for working officials is available at the apron. Apron seating not designated by the executive director or his or her designee ~~assigned commission representative~~ may be utilized as desired by the promoter, provided however that such use does not interfere with any of the officials, the executive director, or his or her designees ~~or commission representatives~~ seated at the ring apron. Alcoholic beverages shall not be consumed by anyone seated at the ring apron. The following seating shall be provided at the ring apron for all matches:

1. through 3. No change.

4. Seats for the executive director, his or her designees ~~commission representatives~~, and each commissioner present shall be located in such location and at such height that the executive director, his or her designees ~~commission representatives~~, and the commissioners shall have a clear and unobstructed view of the ring, ring floor, referee, and timekeeper;

5. ~~A seat for each physician shall be located adjacent to each participant's corner in such location and at such height that each physician shall have a clear and unobstructed view of the ring, ring floor, the participant's corner, and the referee. If a fenced area is used, the physicians shall be seated at the door where the participants enter and exit.~~

(b)(e) No match shall begin or continue unless three judges, the timekeeper, knockdown timekeeper, and at least one physician are located in their designated seats, and the referee is in the ring.

61K1-3.020 Post-Match Physical Requirements; Suspensions.

(1) As a result of injuries or suspected injuries sustained or suspected to have been sustained in any match, the executive director or his or her designee ~~commission representative~~ shall order a medical examination to be given to any participant or referee at any time, if he has cause to believe that the health or safety of the participant or referee is in jeopardy.

(2) through (3) No change.

(4) When it appears to a ringside physician, for whatever reason and regardless of how the injury was sustained, that a participant or referee is no longer able to safely continue to compete or officiate, the physician shall report such findings, in writing, to the executive director or his or her designee ~~commission representative~~. If the physician has so recommended, the participant or referee shall not be permitted to participate until such time as he is certified as fit to participate by a commission licensed ringside physician.

(5) No change.

(6) When a participant is suspended from participating in boxing, kickboxing, or mixed martial arts, the ringside physician who performs the post-match physical shall complete Form BPR-0009-478, "Order of Automatic Suspension", effective October 2012, adopted and incorporated herein by reference, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html>. The order shall be signed by the executive director. A copy of the "Order of Automatic Suspension" shall be provided to the participant, and the executive director or his or her designee ~~commission representative~~. ~~A physician may issue a medical suspension any time he/she believes it to be in the best interest for the safety of a participant.~~

(7) A physician may issue a medical suspension any time he/she believes it to be in the best interest for the safety of a participant.

~~(8)(7)~~ Pursuant to Section 548.046(3)(a), F.S., if the executive director or his or her designee ~~commission representative~~ has requested a urine sample be collected for testing to determine whether a participant has taken a prohibited drug, the participant shall be responsible for the cost of the drug test.

61K1-3.021 Professional Post-Match Reports Required to be Filed; Penalty for Late Filing.

(1) through (3) No change.

(4)(a) Failure to file either or both the report and tax payment within the time frame described in Section 548.06, F.S., shall result in a ~~daily~~ fine of 10 percent of the amount of the tax payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the tax payment due, such fine shall not exceed \$5,000. The fine shall begin the day following the end of the timeframe described above and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) If the report and tax payment filed with the commission is determined to be understated, the fine assessment of 10 percent of the amount of the tax payment due or \$25, whichever is greater, shall apply to the balance remaining after crediting the tax payment filed. The fine shall commence 72 hours following receipt of notice of the underpayment by the promoter responsible for the tax payment.

Rulemaking Authority 548.003 FS. Law Implemented 548.053, 548.06, 548.075 FS. History--New _____.

61K1-3.022 Unprofessional or Unethical Conduct.

Unprofessional or unethical conduct, for professional licensees, as described in Section 548.071(4), FS, shall include, but is not limited to:

(1) through (6) No change.

(7) Discriminating on the basis of race, creed, religion, sex, age or national origin, in the in the practice of a licensee's profession ~~as it relates to human rights and dignity of the individuals;~~

~~(8) Exercising influence on any person in the practice of a licensee's profession for the purpose of financial gain of the licensee or a third party;~~

(9) through (12) No change.

(13) Failing or neglecting attempting to fail to perform any statutory or legal obligation placed upon a licensee;

(14) through (18) No change.

(19) Refusing access to an event or program, or full access to the site of an event or match, including dressing rooms to any Departmental or commission staff or authorized individuals independent contractors designated by the Department, ~~or~~ executive director or his or her designee to attend events or matches;

(20) through (21) No change.

61K1-3.023 Citations.

(1) through (4) No change

(5) The commission hereby designates the following as citation violations for professional licensees, which shall result in a penalty of fifty dollars (\$50.00):

(a) Failure of a participant to be present at the weigh-in, first offense; participant and or any other licensee deemed by the executive director or his or her designee ~~commission representative~~ as a responsible party relative to the participant's timely presence shall be issued this citation;

(b) Failure on the part of a manager for the first occurrence if the debut participant is not able to demonstrate the competence and skills listed in paragraph 61K1-3.013(2)(f), F.A.C. ~~as requested by the commission representative;~~

(c) Failure on the part of a trainer for the first occurrence if the debut participant is not able to demonstrate the competence and skills listed in paragraph 61K1-3.013(2)(f), F.A.C. ~~as requested by the commission representative.~~

(6) The commission hereby designates the following as citation violations for professional licensees, which shall result in a penalty of seventy-five dollars (\$75.00):

(a) Failure of a participant to be present at the weigh-in, second offense; participant and or any other licensee ~~deemed by the executive director or commission representative as a responsible party relative to the~~ who is responsible for the participant's timely presence shall be issued this citation;

(7) The commission hereby designates the following as citation violations for professional licensees, which shall result in a penalty of one hundred dollars (\$100.00):

(a) Failure on the part of a manager for the second occurrence if the debut participant is not able to demonstrate the competence and skills listed in Rule 61K1-3.013(2)(f), F.A.C. ~~as requested by the commission representative;~~

(b) Failure on the part of a trainer for the second occurrence if the debut participant is not able to demonstrate the competence and skills listed in paragraph 61K1-3.013(2)(f), F.A.C. ~~as requested by the commission representative.~~

(8) The commission hereby designates citation violations for professional licensees which shall result in a penalty ranging from fifty dollars (\$50.00) to five thousand dollars (\$5000.00) range, for unethical or unprofessional conduct, amount determined by the executive director or his or her

~~designee commission representative~~ based on seriousness of the violation and the risk to the health, safety, and welfare of participants and/or the public.

(9) No change.

61K1-3.025 Records.

(1) All licensees shall maintain a full, true, and accurate set of books and records in connection with all licensed activities. The records shall be made at or near the time of the occurrence recorded by a person with knowledge of the matters recorded. These records and any other documents required by statute or commission rule shall be kept for at least ~~two~~ five years and shall be open to inspection and audit by representatives of the department or commission upon reasonable notice.

(2) No change.

61K1-3.026 Disciplinary Guidelines.

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

(i) Having loaned her or his license or permit to another person or having borrowed or used the license or permit of another. (Section 548.071(9)., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$1000 fine and probation	denial of licensure or \$2000 fine and suspension to be followed by a term of probation
SECOND OFFENSE	\$3000 fine and suspension	denial of licensure or \$5000 fine and revocation
(j) through (k)	No change	
(l)	Having been disciplined by the commission or similar agency or body of any jurisdiction. (Section 548.071(12)., F.S.)	

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$1000 fine and same penalty imposed by the other Jurisdiction <u>up to \$5000 and revocation</u>	denial of licensure or \$5000 fine and suspension to be followed by a term of probation
SECOND OFFENSE	\$3000 fine and same penalty imposed by the other jurisdiction	denial of licensure or \$5000 fine and revocation
(m)	Having failed to pay a fine imposed under Chapter 548, F.S. (Section 548.071(13), F.S.)	

MINIMUM

MAXIMUM

FIRST OFFENSE	\$1000 fine	denial of licensure or \$3000 fine and suspension to be followed by a term of probation
SECOND OFFENSE	\$5000 fine and probation	denial of licensure or \$5000 fine and revocation

(2) Based upon consideration of the following factors, the commission may impose disciplinary action other than the penalties recommended above not to exceed \$5000 fine and revocation:

- (a) through (c) No change.
- (d) The length of time licensee or registrant has practiced;
- (e) through (m) No change.
- (3) through (4) No change.

61K1-3.029 Boxing Bandages and Handwraps; Gloves.

- (1) No change.
- (2) Gloves:
 - (a) through (b) No change.

~~(e) Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves.~~

(c) Both participants shall wear the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(d) Both participants shall use the same manufacturer of gloves.

- (e) through (h) No change.

61K1-3.030 Boxing Conduct of Bout; Rounds.

- (1) No change.
- ~~(2) No event shall include both amateur and professional matches.~~

(3) Pre-Match Conduct

(a) Participants shall report to the executive director or his or her designee commission representative in charge of dressing rooms at least two hours before the scheduled time of the first match.

(b) No change.

(4) Mouthpiece ejection requirements: The referee shall handle the ejection of the mouthpiece from the participant's mouth in the following manner:

(a) No change.

(b) If the referee believes that the participant spit out or allowed the mouthpiece to fall out of the mouth the referee shall, in addition to the actions required by paragraph (4)(a):

1. Upon the first occurrence, ~~wait until the flurry during which the mouthpiece was ejected has subsided. Referee shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other~~

~~participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that a point will be deducted if participant subsequently spits out or allows the mouthpiece to fall out. The referee shall direct that the fight period immediately continue.~~

2. Upon the second occurrence, ~~wait until the flurry during which the mouthpiece was ejected has subsided. Referee shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other~~ participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that participant will be disqualified if participant subsequently spits out or allows the mouthpiece to fall out. The referee shall direct each judge to deduct a point from the participant's score. The referee shall direct that the fight period immediately continue.

3. Upon the third occurrence, the referee may disqualify the participant who spit out or allowed his mouthpiece to fall out. The opponent of such participant shall be declared the winner due to disqualification of his or her opponent. The executive director or his or her designee ~~commission representative~~ shall immediately advise the promoter that the purse of such participant shall be forfeited and paid over to the commission.

(5) Conduct during Match.

(a) through (c) No change.

~~(d) No match shall begin or continue unless three judges are in their designated seats.~~

(e) through (f) No change.

(6) Knockdown.

(a) No change.

(b) The following procedure shall be followed after a knockdown has occurred:

1. through 2. No change.

3. If a participant is knocked down and is down at the time the bell rings to end the round, the timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the ~~next subsequent~~ round they just completed. If the participant rises before the count of 10 and the referee determines that the contest can continue, both participants shall be afforded the full one minute rest period between rounds, beginning when one of their seconds comes onto the ring apron, regardless of the amount of time used during the knockdown and subsequent

counting by the referee. If a participant is knocked down and is down at the time the bell rings in the final round, the timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the final round.

4. through 9. No change.

(c) through (d) No change.

(7) Fouls.

(a) No change.

(b) The following actions are considered to be fouls, the committing of which may result in a deduction of points:

1. through 18. No change.

~~19. Clinching after warning has been given;~~

(c) through (g) No change.

(h) No licensee shall verbally or physically abuse an official, ~~or commission staff member, executive director or his or her designee representative.~~

(8) Rounds

(a) through (b) No change.

(c) Maximum number of matches/rounds:

~~1. (e) A match shall be scheduled for no more than four, five, six, eight, ten, or twelve rounds, depending upon the experience of the participants and whether or not the match is a main event.~~

2. An event shall be scheduled for no more than 12 matches or 75 rounds. If more than 8 matches or 52 rounds are scheduled by the promoter, the executive director or his or her designee shall appoint the following additional officials, which shall be paid for at the set fees by the promoter:

a. One additional referee;

b. One additional judge; and

c. One additional ringside physician.

~~(d) Championship matches~~

~~1. Men's championship matches shall be scheduled for 12 rounds.~~

~~2. Women's championship matches may be scheduled for no less than 10 rounds.~~

~~(e) A schedule of matches shall be a minimum of 5 matches 24 rounds.~~

61K1-3.031 Boxing Scoring.

(1) No change.

(2) Scoring, Criteria;

(a) The awarding or deducting of points by the judges and referee, the determination as to the occurrence of knockdowns, knockouts and fouls and the procedure to be used following such occurrence shall be accomplished in the following manner and based on the following criteria:

~~1. The only fair punch is a punch delivered with the padded knuckle part of the glove to the front or side of the head or body above the belt, and the participant who delivers such a punch shall be awarded points in proportion to its damaging effects.~~

2. No change.

3. An unintentional foul may result in a deduction of a point, as determined by the referee. The referee shall determine whether or not a point is to be deducted, using as his criteria the severity of the foul and its effect upon the opponent. When the referee determines that he shall deduct a point from a participant, he shall immediately advise the participants, judges, and the executive director or his or her designee commission representative supervising the event of such action. ~~The referee shall not tolerate continual and repeated commission of fouls by a participant.~~ Points for fouls shall only be deducted in the round in which the fouls occurred. A participant shall not be penalized in a subsequent round for fouls that occurred in a previous round.

4. through 9. No change

(3) Determination of Win or Draw.

(a) through (h) No change.

(i) The referee may penalize any participant who fouls his or her opponent during a match contest, by but charging such participant with the loss of points, ~~whether such fouls be intentional or unintentional.~~ However the referee shall use his or her own discretion in determining the number of points, if any, chargeable against the participant in each instance, depending upon the severity ~~or harmlessness~~ of the foul and its effect on the opponent.

1. No change.

2. The referee shall, at the time of the foul, inform each judge and the executive director or his or her designee supervising commission representative of the nature of the foul, the identity of the offending participant, and the number of points deducted.

3. No change.

(j) through (k) No change.

(l) In any case where the executive director or his designee determines that both participants are not honestly competing, that a takedown is intentional and predetermined by both parties or a foul has been pre-arranged so as to cause the match to be terminated, he shall terminate the match not later than the end of the round and order the promoter to surrender the purses of both participants to the executive director or his or her designee commission representative pending an investigation of the alleged violation. The announcer or referee shall inform the audience that no decision has been rendered.

(m) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, and the executive director or his or her designee commission representative is unable to locate another qualified person to act as referee, the match shall be

terminated, no decision shall be rendered and the purses of both participants shall be withheld. The commission shall then rule as to the disposition of the purses based on the following guidelines:

1. Determine the winner by scorecards if:

a. The match is a 4 round match, and 3 of the rounds were completed: or

b. The match is 6,8,10, or 12 rounds if the participants complete 4 rounds or more.

2. Call it a no contest and distributed 25% of the purse to both participants if:

a. The match is a 4 round match and less than 3 of the rounds were completed; or

b. The match is a 6,8,10, or 12 round match and less than 4 rounds were completed.

(4) No change.

61K1-3.034 Kickboxing Bandages and Handwraps; Gloves.

(1) No change.

(2) Gloves:

(a) When the lighter of the two participants in a kickboxing match weighs 154 pounds or less, both participants shall use 8 ounce gloves. Both participants shall wear the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(b) No change.

~~(c) Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves. Both participants shall use the same manufacturer of gloves.~~

~~(c)(d) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the chief inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.~~

~~(d)(e) Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. Velcro shall be located on the back of the wrist and tape shall be applied over the Velcro.~~

~~(e)(f) Gloves shall be adjusted in the ring or the dressing room under the supervision of the inspector.~~

~~(f)(g) Participants shall not supply their own gloves.~~

61K1-3.035 Kickboxing Conduct of Bout; Rounds.

(1) No change.

~~(2) No event shall include both amateur and professional matches.~~

~~(2)(3) Pre-Match Conduct~~

~~(a) Participants shall report to the executive director or his or her designee ~~commission representative~~ in charge of dressing rooms at least two hours before the scheduled time of the first match.~~

(b) No change.

~~(3)(4) Mouthpiece ejection requirements: The referee shall handle the ejection of the mouthpiece from the participant's mouth in the following manner:~~

(a) No change.

~~(b) If the referee believes that the participant spit out or allowed the mouthpiece to fall out of the mouth the referee shall, in addition to the actions required by paragraph (3)(a):~~

~~1. Upon the first occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. Referee shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that a point will be deducted if participant subsequently spits out or allows the mouthpiece to fall out. The referee shall direct that the fight period immediately continue.~~

~~2. Upon the second occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. Referee shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that participant will be disqualified if participant subsequently spits out or allows the mouthpiece to fall out. The referee shall direct each judge to deduct a point from the participant's score. The referee shall direct that the fight period immediately continue.~~

~~3. Upon the third occurrence, the referee may disqualify the participant who spit out or allowed his mouthpiece to fall out. The opponent of such participant shall be declared the winner due to disqualification of his or her opponent. The executive director or his or her designee ~~commission representative~~ shall immediately advise the promoter that the purse of such participant shall be forfeited and paid over to the commission.~~

~~(4)(5) Conduct during mMatch.~~

(a) through (c) No change.

~~(d) No match shall begin or continue unless three judges are in their designated seats.~~

(e) No change.

(f) Only the referee, the ringside physician, and the executive director or his or her designee are authorized to stop a contest.

- ~~(5)(6)~~ Knockdown.
- (a) through (d) No change.
- (6) Fouls.
- (a) No change.

(b) In recognition of the fact that kickboxing encompasses numerous styles of combat, the following actions are considered to be fouls in all styles of kickboxing, the committing of which may result in a deduction of points:

- 1. Punching or kicking below the belt;
- 2. through 21. No change.
- (c) through (f) No change.

(g) No licensee shall verbally or physically abuse an official or executive director or his or her designee ~~commission representative~~.

- (7) Rounds.
- (a) No change.

(b) A match shall be scheduled for not more than twelve rounds if the rounds are two-minute rounds, depending on whether or not the match is a main event or title bout and upon the experience of the participants. ~~The number of rounds up to twelve (12) shall be at the discretion of the executive director.~~

(c) A match shall be scheduled for not more than five rounds if the rounds are three-minute rounds, depending on whether or not the match is a main event or title bout and upon the experience of the participants. ~~The number of rounds up to five (5) shall be at the discretion of the executive director.~~

(d) An event shall be scheduled for no more than 14 matches or 88 rounds. If more than 10 matches or 40 rounds are scheduled by the promoter, the executive director or his or her designee shall appoint the following additional officials, which shall be paid for at the set fees by the promoter:

- a. One additional referee;
- b. One additional judge; and
- c One additional ringside physician.

- 61K1-3.036 Kickboxing Scoring.
- (1) No change.
- (2) Scoring, Criteria.
- (a)1. No change.

2. An unintentional foul may result in a deduction of a point, as determined by the referee. The referee shall determine whether or not a point is to be deducted, using as his criteria the severity of the foul and its effect upon the opponent. When the referee determines that he shall deduct a point from a participant, he shall immediately advise the participants, judges, and executive director or his or her designee ~~commission representative~~ supervising the event of such action. The referee shall not tolerate continual and repeated commission of fouls by a participant. Points for fouls shall

only be deducted in the round in which the fouls occurred. A participant shall not be penalized in a subsequent round for fouls that occurred in a previous round.

- 3. through 8. No change.
- (3) Determination of Win or Draw.
- (a) through (h) No change.
- (i)1. No change.

2. The referee shall, at the time of the foul, inform each judge and the supervising executive director or his or her designee ~~commission representative~~ of the nature of the foul, the identity of the offending participant, and the number of points deducted.

- 3. No change.
- (j) through (k) No change.

(l) In any case where the executive director or his designee determines that both participants are not honestly competing, that a takedown is intentional and predetermined by both parties or a foul has been pre-arranged so as to cause the match to be terminated, he shall terminate the match not later than the end of the round and order the promoter to surrender the purses of both participants to the executive director or his or her designee ~~commission representative~~ pending an investigation of the alleged violation. The announcer or referee shall inform the audience that no decision has been rendered.

(m) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, and the executive director or his or her designee ~~commission representative~~ is unable to locate another qualified person to act as referee, the match shall be terminated, no decision shall be rendered and the purses of both participants shall be withheld. The commission shall then rule as to the disposition of the purses.

- (4) No change.

61K1-3.038 Mixed Martial Arts Participants' Apparel.

- (1) Each male participant shall wear the following:
 - (a) Shorts approved by the executive director or his or her designee ~~the commission representative~~;
 - (b) through (d) No change.
- (2) Each female participant shall wear the following:
 - (a) No change.
 - (b) Shorts approved by the executive director or the executive director or his or her designee ~~commission representative~~;
 - (c) through (f) No change.

- (3) No change.

61K1-3.039 Mixed Martial Arts Bandages and Handwraps; Gloves.

- (1) No change.
- (2) Gloves.
- (a) through (b) No change.

(c) If laces are present, laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. If velcro is present, the chief inspector may require the use of tape to prevent injury or to prevent loosening of the gloves during the match. Whenever the chief inspector decides to require tape, both participants and seconds ~~cornermen~~ must be subject to the same requirement.

(d) through (e) No change.

61K1-3.040 Mixed Martial Arts Conduct of Bout; Rounds.

~~(1) If advertising is conducted, the advertising shall clearly indicate the matches are professional. All matches are to be designated as professional.~~

~~(a) If advertising is conducted, the advertising shall clearly indicate the matches are professional.~~

~~(b) No event shall have both amateur and professional matches.~~

(2) Pre-Match Conduct.

(a) Participants shall report to the executive director or his or her designee ~~commission representative~~ in charge of dressing rooms at least two hours before the scheduled time of the first match.

(b) No change

(3) Mouthpiece requirements

(a) through (b) No change.

(c) 1. No change.

2. If the referee believes that the participant spit out or allowed the mouthpiece to fall out of the mouth the referee shall, in addition to the actions required by subparagraph (3)(c)1.

a. Upon the first occurrence, ~~wait until the action during which the mouthpiece was ejected has subsided. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and~~ warn the participant that a point will be deducted if participant subsequently spits out or allows the mouthpiece to fall out. The referee shall direct that the fight period immediately continue.

b. Upon the second occurrence, the referee may disqualify the participant who spit out or allowed his mouthpiece to fall out. The opponent of such participant shall be declared the winner due to disqualification of his or her opponent. The executive director or his or her designee ~~commission representative~~ shall immediately advise the promoter that the purse of such participant shall be forfeited and paid over to the commission.

(4) Conduct during Match.

(a) through (c) No change.

~~(d) No licensee shall verbally or physically abuse an official or~~ the executive director or his or her designee ~~commission representative.~~

(e) through (f) No change.

(5) through (6) No change.

(7) Rounds.

(a) through (b) No change.

(c) Maximum number of matches/rounds:

1. A match shall be scheduled for no more than five rounds, depending upon the experience of the participants and whether or not the match is a main event.

2. An event shall be scheduled for no more than 14 matches or 40 rounds. If more than 10 matches or rounds are scheduled by the promoter, the executive director or his or her designee shall appoint the following additional officials, which shall be paid for at the set fees by the promoter:

a. One additional referee;

b. One additional judge; and

c. One additional ringside physician.

~~(e) Matches may only be scheduled for 3 or 5 rounds.~~

~~(d) A schedule of matches shall be a minimum of 3 matches, 21 rounds.~~

61K1-3.041 Mixed Martial Arts Scoring.

(1) No change.

(2) ~~Scoring, Criteria, Takedowns, Fouls:~~ The awarding or deducting of points by the judges and referee, the determination as to the occurrence of takedowns, knockouts and fouls and the procedure to be used following such occurrence shall be accomplished in the following manner and based on the following criteria:

(a) through (g) No change.

(3) Determination of Win or Draw.

(a) through (f) No change.

~~(g) When an unintentional foul causes the bout to be interrupted for the purpose of allowing the injured participant time to recover, the referee shall penalize the participant guilty of the foul one or more points.~~

~~(g)(h)~~ No participant shall be awarded a match based on an unintentional foul. During a five round match, if the unintentional foul occurs in any round subsequent to the scoring of the third round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges as a technical decision whereby partial rounds will be scored.

~~(h)(i)~~ When an injury is produced by a fair technique but because of the severity of the injury the match cannot continue, the injured participant shall be declared the loser by a technical knockout.

~~(i)(j)~~ If a participant refuses to continue a match while physically able to do so, the referee shall disqualify him, award the match to his opponent, and shall direct that the purse be withheld. The referee shall provide a written report to the commission. If the commission determines that the participant refused to continue a match while physically able to do so, the

commission shall require that the participant’s purse shall be forfeited to the commission and shall impose a period of suspension for a period not less than 6 months.

(j)(k) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, and the executive director or his or her designee ~~commission representative~~ is unable to locate another qualified person to act as referee, the match shall be terminated, no decision shall be rendered and the purses of both participants shall be withheld. The commission shall then rule as to the disposition of the purses.

(k)(l) In any case where the executive director or his designee determines that both participants are not honestly competing, that a takedown is intentional and predetermined by both parties or a foul has been pre-arranged so as to cause the match to be terminated, he shall terminate the match not later than the end of the round and order the promoter to surrender the purses of both participants to the executive director or his or her designee ~~commission representative~~ pending an investigation of the alleged violation. The announcer or referee shall inform the audience that no decision has been rendered.

(4) No change.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-3.001	Fees
64E-3.003	Qualifications for Examination
64E-3.0034	Speciality Technologists
64E-3.007	Bone Densitometry

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 36, February 21, 2013 issue of the Florida Administrative Register.

The changes include a typographical error correction to Rule number 64E-3.0034 and a revision to the proposed rule text to Rule 64E-3.0034 in response to concerns presented by the Joint Administrative Procedures Committee.

THE FULL TEXT OF THE PROPOSED RULE SHALL READ AS FOLLOWS:

64E-3.0034 Speciality Technologists.

(1) through (2) No change.

(3) The title, initials and duties for speciality technologists certified by the department are as follows.

(a) Computed Tomography.

1. For a person who is currently registered by the ARRT in Computed Tomography, the title is Certified Radiologic Technologist – Computed Tomography (CT) and the initials are CRT-CT.

2. The duties of the CRT-CT are those contained in the June 19, 2011 ASRT “Computed Tomography Practice Standards,” which is incorporated herein by reference and which can be obtained from the internet at _____ or <http://www.doh.state.fl.us/mqa/rad-tech>.

(b) Mammography.

1. For a person who holds current registration from the ARRT in Mammography, the title is Certified Radiologic Technologist – Mammography (M) and the initials are CRT-M.

2. The duties of the CRT-M are those contained in the July 1, 2012 ~~June 19, 2011~~, ASRT “Mammography Practice Standards,” which is incorporated herein by reference and which can be obtained from the internet at _____ or <http://www.doh.state.fl.us/mqa/rad-tech>.

(c) No change.

**Section IV
Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 25, 2013, the Department issued a Final Order that was in response to a Petition for Variance from First Baptist Church of Plant City, filed March 25, 2013, and advertised on March 19, 2013 in Vol. 39, No. 54, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 8.6.4.8.2, ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires articles or materials not necessary for the maintenance or operation of the elevator shall not be store in machinery spaces, machine rooms, control spaces, and control rooms because the Petitioner has not demonstrated that the purpose of the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-084).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 20, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine 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 Quik Chix 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 within another licensed food service establishment under a different ownership on the same premises.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 25, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Florida Dental Implant & Oral Surgery, filed March 18, 2013, and advertised on March 19, 2013 in Vol. 39, No. 54, 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 2.20.4, 2.18.5.1, and 8.11.2.1.3(cc)(1)&(3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code from the

requirement that suspension and governor ropes be no less than 9.5 mm to allow the installation of EcoSpace® elevator system with 6mm governor ropes and 8 mm hoist ropes 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 2013-089).

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

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

On March 25, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Crestwood Nursing Center, filed March 6, 2013, and advertised on March 14, 2013 in Vol. 39, No. 51, 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, 3.10.4(t), 2.7.4, 3.11.1, 3.4.5 and 3.10.3, ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations, in-car stop switch, car emergency signaling devices, restricted door openings, top-of-car operating devices and car illumination 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 2013-072).

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-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 20, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Food Four Thought located in Lauderhill. The above referenced F.A.C. addresses the requirement that at least

one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 21, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine 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 Dippin Dots located in Jacksonville. 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 within another licensed food service establishment under the same ownership and on the same premises.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 21, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7) Florida

Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from Butcher Shop located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under the same ownership for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.018: International Medical Graduates; Qualification Requirements

NOTICE IS HEREBY GIVEN that on March 26, 2013, the Board of Medicine, received a petition for waiver filed by Jesse B. Holmes, M.D., from Rule 64B8-4.018, F.A.C., with regard to core clerkships. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 26, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Northwest Properties II, LTD, of 2011 Universal Application Instructions, Housing Credit Program, Part III, Section B(4)(a), which incorporate the Energy Star Qualified Homes Florida Builder Option Package, Rev. 01/05/2013 (the "Builder Option Package").

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day

after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

FLORIDA HOUSING FINANCE CORPORATION
 NOTICE IS HEREBY GIVEN that on March 26, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Northwest Properties IV, LTD of 2011 Universal Application Instructions, Housing Credit Program, Part III, Section B(4)(a), which incorporate the Energy Star Qualified Homes Florida Builder Option Package, Rev. 01/05/2013 (the "Builder Option Package").

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 9, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via (800)955-8770 (Voice) or (800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: April 10, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via (800)955-8770 (Voice) or (800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

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

DATE AND TIME: Monday, April 8, 2013, 9:00 a.m.

PLACE: ECFRPC Office: 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Executive Committee to discuss the upcoming April 17, 2013 Council Meeting.

A copy of the agenda may be obtained by contacting: Gina Marchica at gmarchica@ecfrpc.org or (407)262-7772.

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: Gina Marchica at gmarchica@ecfrpc.org or (407)262-7772. 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).

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: Wednesday, April 10, 2013, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board members will tour the Lower Hillsborough Flood Detention Area and Tampa Bypass Canal to provide perspective on the facilities and the flood protection it provides for the cities of Temple Terrace and Tampa.

A copy of the agenda may be obtained by contacting: cara.martin@watermatters.org, (800)423-1476 (FL only) or (352)796-7211, x4636.

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 (800)423-1476 (FL only) or (352)796-7211, x4702; TDD (FL only) (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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: cara.martin@watermatters.org; (800)423-1476 (FL only) or (352)796-7211, x4636 (Ad Order EXE0259).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, April 17, 2013, 1:00 p.m. or soon thereafter and Thursday, April 18, 2013, 9:00 a.m. or soon thereafter.

PLACE: The Ritz-Carlton Golf Resort, Naples, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: the Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: the Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF HEALTH

Board of Dentistry

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

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

PLACE: Department of Health 4042 Bald Cypress Way, Room #301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800) 955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2013, 1:00 p.m. – 6:00 p.m.

PLACE: Wildlife Foundation Meeting Room, 676 Live Oak Lane, Monticello, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Wildlife Foundation of Florida will conduct administrative business of the Foundation including the Director update, Marketing update and Financial update.

A copy of the agenda may be obtained by contacting: Mr. Will Bradford, P. O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Will Bradford, P.O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2013, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 252, Marathon Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Wildlife Foundation of Florida will review and award funding for the 2013-2014 Conserve Wildlife and Protect Florida Springs license plate grants.

A copy of the agenda may be obtained by contacting: Mr. Will Bradford, P.O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Will Bradford, P.O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

690-149.003: Rate Filing Procedures

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: April 23, 2013, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on the adoption of proposed amendments to Rule 690-149.003, Florida Administrative Code, published on July 20, 2012 in Vol. 38, No. 29, of the Florida Administrative Register has been changed from April 2, 2013, to April 23, 2013.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Zutell at E-mail Tom.Zutell@flair.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: Tom Zutell at E-mail Tom.Zutell@flair.com.

GULF CONSORTIUM

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: April 5, 2013, 9:00 a.m. – 12:00 Noon, EDT

PLACE: City of Tallahassee City Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentations by State agencies on issues of relevance to Consortium members, interest by municipalities in membership in the Consortium, a Memorandum of Understanding between the Governor and the Consortium, and other matters.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Doug Darling at (850)922-4300 or ddarling@fl-counties.com.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

School Districts

Fresh Milk and Other Dairy Products – B137118BC

PUBLIC NOTICE

ITB #B137118BC

Fresh Milk and Other Dairy Products

Thursday, April 18 2013 at 2:00 p.m. local time

Sealed bids for Fresh Milk and Other Dairy Products will be received from eligible bidders at the School District of Lee County (hereinafter the District), Department of Procurement Services, 2855 Colonial Blvd, Fort Myers, FL 33966, until Thursday, April 18, 2013 at 2:00 p.m. local time. The purpose and intent of this invitation to bid is to secure firm prices and establish a term contract for the purchase of Fresh Milk and Other Dairy Products.

Interested parties must register with the Department of Procurement Services by contacting Procurement Agent Brandi Camelio at BrandiLC@leeschools.net and provide the responding bidder's name, primary point of contact for this Bid, phone number, and e-mail address.

All bids submitted shall be on Attachment A, Bid Response Form included in the bid specifications, a copy of which may be reviewed or obtained at the Department of the Procurement Services or by downloading from the School District of Lee County, Procurement Services' website at: http://procurement.leeschools.net/bids.htm.

Questions: Questions regarding specifications shall be submitted in writing to The Department of Procurement Services, Brandi Camelio at BrandiLC@leeschools.net. Questions are due no later than Thursday, April 11, 2013.

Section XII
Miscellaneous

EXPRESSWAY AUTHORITIES

Orlando-Orange County Expressway Authority

NOTICE

Under the provisions of Section 121.055, Florida Statutes, the Orlando-Orange County Expressway Authority intends to designate the position of Director of Toll Operations and the position of Director of Engineering in the Senior Management Service Class.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

EDA Grant Cycle

The Hardee County Economic Development Authority will accept grant applications for projects that provide economic development and infrastructure within the geographic boundaries of Hardee County. The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits, and public use.

Applications and Program Guidelines are available at the Hardee County Board of County Commissioners Office, 412 W. Orange Street, Room 103, Wauchula, FL 33873; Phone: (863)773-9430; Fax: (863)773-0958; e-mail: bcc@hardeecounty.net.

May 1, 2013, through May 31, 2013, 8:00 a.m. to 5:00 p.m.

Please Note: Site of benefiting business for consideration of these funds must be located entirely within Hardee County.

For more information, please call (863)773-9430.

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.
