

Section I  
Notice of Development of Proposed Rules  
and Negotiated Rulemaking

NONE

Section II  
Proposed Rules

**DEPARTMENT OF CORRECTIONS**

RULE NO.:      RULE TITLE:

33-302.110      Reporting Requirements

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to make some formatting changes to Form DC3-2026, Supervision Report, and to change the payment methods for offenders on supervision. This requires replacing Form DC2-350 with Form DC2-364 and revising Form NI1-118.

**SUMMARY:** The proposed rule change is needed to reflect the new payment methods for offenders on supervision and to make some formatting changes to Form DC3-2026, Supervision Report.

**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), FS.

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:** 944.09 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:

33-302.110 Reporting Requirements.

(1) No change.

(2) When the offender reports, he/she shall provide full and truthful information relating to activities for the previous month including, but not limited to, phone/email changes, residence/employment changes, progress made on special conditions, and actions taken to address goals as specified on Form DC3-2026, Supervision Report. Form DC3-2026 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02346>.

The effective date of the form is 3-13. Additionally, unemployed offenders may be instructed by the probation officer to report job search efforts, which shall be documented and submitted by the offender in writing on regular paper or via Form DC3-2004, Job Search Log. Form DC3-2004 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02344>.

The effective date of the form is 5/4/2004. Offenders participating in support groups shall be required to submit documentation of their attendance, as instructed by their probation officer, on Form DC3-2005, Support Group Meeting Log. Form DC3-2005 is hereby incorporated by reference. Copies of this form may be obtained from the Form Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02345>. The effective date of the form is 7/19/11. Certain sex offenders who are required to maintain driving logs shall be required to record each travel occurrence when the offender is driving, either alone or when accompanied by a passenger (including the name[s] of the passenger if applicable) and submit this log to the probation officer on a monthly basis on Form DC3-244, Sex Offender Probation Driving Log. Form DC3-244 is incorporated by reference in Rule 33-302.108, F.A.C.

(3) No change.

(4) Offenders who are required by supervision order to make payments shall do so by using one of the methods described on NI1-118, Instructions for Payment. Form NI1-118, is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-02347>. The effective date of this form is ~~\_\_\_\_\_ 3-13~~. The payment instruction information can also be accessed at [www.dc.state.fl.us](http://www.dc.state.fl.us) under the How Do I section entitled Pay Court Ordered Payments. If an offender chooses to make payment via the United States Postal Service the offender will ~~complete mail the payment, along with a completed accompanying~~ Form ~~DC2-364 DC2-350~~, Money Order Deposit Form for Restitution & Court-Ordered Payments Court Ordered Payment System Deposit Form to the following address: Florida Department of Corrections, Court Ordered Payment System (COPS) Accounting, Centerville Station, P. O. Box 12300, Tallahassee, Florida 32317-2300. The offender shall send the completed form pursuant to the instructions provided on Form DC2-364. Form ~~DC2-364 DC2-350~~ is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02343>, or the offender's Correctional Probation Officer. The effective date of this form is ~~7-13 3-13~~.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 8-1-01, Amended 11-4-04, 3-24-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jenny Nimer, Assistant Secretary of Community Corrections  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 25, 2013

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

RULE NOS.:        RULE TITLES:  
 40A-1.004        Agreements  
 40A-1.0045       District Funds  
 40A-1.203        Permit Application Procedure  
 40A-1.205        Suspension, Revocation and Modification of District Permits  
 40A-1.209        Emergency Action

PURPOSE AND EFFECT: The overall purpose of the proposed rule amendments is to clarify rule language, streamline the rule by eliminating any rules that simply restate statute, and to address comments made by JAPC about the rule using vague language.

SUMMARY: The amendments delete the rule for temporary permits for consumptive use permitting because it simply restates statute. Other changes include adding language that recognizes that the District can use Electronic Funds transfers. Other changes simplify and clarify rule language without

increasing costs or regulatory burdens on the District or the public.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule changes do not impose any additional burden or costs on the regulated public or on the District.

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: 120.60, 373.046, 373.119, 373.243, 373.244, 373.246, 373.429, 373.439, 373.553 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 72 hours before the workshop/meeting by contacting Lance Laird, 180 East Redstone Avenue, Crestview, FL 32539. 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: Lance Laird, 180 East Redstone Avenue, Crestview, FL 32539

THE FULL TEXT OF THE PROPOSED RULE IS:

40A-1.004 Agreements.

~~The following agreements have been entered into by the District and are hereby incorporated by reference.~~

~~(1) With the Department concerning Mitigation Banking in the Northwest District, dated 1994;~~

~~(2) With the Department concerning permitting of potable wells in areas of contaminated ground water in Jackson County, dated 1990;~~

~~(3) With the Department and the Department of Health and Rehabilitative Services concerning permitting new potable wells in areas of contaminated groundwater, dated 1992;~~

~~(4) With the Office of Trade, Tourism and Economic Development, dated 1997;~~

~~(5) With the Department of Environmental Protection concerning procedures for handling permit applications, dated 1981.~~

Rulemaking Authority 373.044 FS. Law Implemented 373.046, 373.083 FS. History—New 3-2-00, Repealed\_\_\_\_\_.

40A-1.0045 District Funds.

(1) District funds may be disbursed with the Board’s approval by check bearing the signatures or facsimile signatures of the secretary-treasurer or assistant secretary-treasurer, and the chairman or vice chairman. All general and interfund checks issued shall be reported to the Board at its next regular meeting.

(2) The Executive Director shall serve as the assistant secretary-treasurer.

(3) District funds may be disbursed, by wire or electronic transfer. The Executive Director, or his designee, shall authorize and supervise all wire or electronic transfers of District funds, and shall report all wire or electronic transfer transactions to the Board at its regular meeting following such transaction.

(4) The Executive Director shall provide written instructions to each financial entity that will be transferring District funds by wire or electronic transfer indicating which District staff shall have the authority to request wire or electronic transfers of District funds.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.553 FS. History—New\_\_\_\_\_.

40A-1.203 Permit Application Procedure.

(1) through (2) No change.

(2) A permit application shall be:

(a) through (b) No change.

(3) No later than 30 days after receipt of an application for a surface water management permit pursuant to subsection 40A 44.041(2), F.A.C., an agricultural or forestry surface water management permit pursuant to paragraph 40A-44.041(2)(b) or (c), F.A.C., or an Individual water use permit pursuant to Rule 40A-2.031, F.A.C., the District shall publish a notice thereof in a newspaper having general circulation as defined in Chapter 50, F.S. or by any other manner allowed by Statute. In addition, the District shall provide a copy of the notice to any person who has filed a written request for notification of any pending applications affecting the particular designated area. Interested persons may object to or comment upon the proposed permit in writing by the date

specified in the notice. The District may request persons submitting objections or comments to furnish additional information. The District may consider objections or comments received after the designated time period if proposed agency action has not been taken on the application. The District will provide the applicant with a copy of all objections and comments received.

(4) through (5) No change.

(6) If additional information submitted to the District incorporates or results in material changes in the proposed activity for which the applicant seeks a permit, the application will be considered to have been amended and the proposal contained in the original application will be deemed withdrawn. The District shall have 60 ~~90~~ days from the date of receipt of the additional information in which to approve or deny the amended application and such application shall be subject to review for completeness under subsection (5) above.

(7) The District shall notify the applicant of the date on which the application is declared complete. Within a reasonable time thereafter, the District shall prepare a staff report, which shall contain its recommendations regarding the subject application. A Notice of Proposed Agency Action and the staff report shall be furnished to the applicant and to those persons who have filed written requests pursuant to subsection (4). The Notice shall state the District’s intention to recommend that the Board or its designee approve, approve with conditions, or deny the permit application and shall specify a date for filing a petition for administrative hearing which shall be not less than 21 days after the date of mailing of the Notice of Proposed Agency Action. Substantially affected persons shall have the right to request an administrative hearing under Section 120.569, F.S., and Part V of these rules by filing a petition for administrative hearing with the Agency Clerk by the date specified in the Notice of Proposed Agency Action.

(8) through (12) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.60 FS. History—New 10-1-84, Amended 1-5-86, 7-1-98, 3-2-00,\_\_\_\_\_.

40A-1.205 Suspension, Revocation and Modification of District Permits.

(1) The District shall ~~may~~ suspend or revoke a permit, in whole or in part, or employ any of the remedial measures authorized by Section 373.436, F.S., when it determines that the permittee or his agent has:

(a) Submitted false or inaccurate information on an application, operational report, or completion report;

(b) Violated Chapter 373, F.S., and the rules promulgated thereunder, or any other provision of Florida law related to the operations of the District;

(c) Failed to comply with an administrative order issued pursuant to Section 373.119, F.S.;

(d) Violated a condition of the permit; or

(e) Failed to allow inspection of the subject property.

(2) through (4) no change.

(5) ~~A petition for a formal hearing pursuant to Section 120.57(1), F.S., must comply with Rule 40A-1.521, F.A.C.~~ When a formal hearing is requested, the permittee or other affected persons shall admit or deny each finding of fact contained in the Notice of Proposed Agency Action ~~Intention~~, or state that the permittee is without knowledge as to the same, which shall be deemed to be a denial. The District may decline to hold a formal hearing when there are no disputed issues of material fact.

(6) through (9) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.243, 373.246, 373.429, 373.436 FS. History—New 10-1-84, Amended.

40A-1.206 Temporary Permits.

~~The Board or the Executive Director may issue temporary permits for consumptive water use while an application is pending pursuant to Section 373.244, F.S. A temporary permit request must be made in writing by the applicant. Prior to the issuance of a temporary permit, the applicant may be requested to waive any right under Section 120.60, F.S., to have his application approved or denied within 90 days after receipt of the application or additional information requested by the District.~~

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.244 FS. History—New 10-1-84, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lance Laird

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George Roberts, chair  
Northwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 16, 2012

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Community Development**

RULE NO.: 73C-1.001  
RULE TITLE: Definitions and Forms

PURPOSE AND EFFECT: This rule is being repealed.

SUMMARY: The rule is being repealed as it is no longer needed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency has performed a review of the statutory requirements and has determined that its proposed Rule 73C-1.001, F.A.C., has no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The rule is therefore expected be able to take effect without the need of being ratified by the Legislature.

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: 288.7102(7) FS.

LAW IMPLEMENTED: 288.7094(2), 288.7102 FS.

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

DATE AND TIME: May 31, 2013, 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stacy Bouie, (850)717-8533. 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: Stacy Bouie, Grants Specialist V, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399, (850)717-8533

THE FULL TEXT OF THE PROPOSED RULE IS:

73C-1.001 Definitions and Forms.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended 10-10-10, Formerly 27M-3.00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Stacy Bouie, Grants Specialist V, Department of Economic  
 Opportunity, 107 East Madison Street, Caldwell Building,  
 Tallahassee, Florida 32399-4120, Tallahassee, Florida 32399-  
 6545, (850)717-8533

NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Jesse Panuccio, Executive Director  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 5, 2013

### Section III

## Notice of Changes, Corrections and Withdrawals

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Cost Management and Control

RULE NO.: RULE TITLE:  
 59B-12.001 Bone Marrow Transplantation  
 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. 31, February  
 14, 2013 issue of the Florida Administrative Register.

The following changes have been made to the proposed rule:

(4) Any bone marrow transplant performed outside of a  
 clinical trial will be covered when all of the following criteria  
 are met:

- (a) The plan of care follows a clinical trial protocol that  
 meets the requirements of subsection (5);
- (b) Patient cannot be enrolled in the proposed clinical  
 trial;
- (c) Bone marrow transplant treatment is medically  
 necessary;
- (d) Patient is an appropriate candidate for bone marrow  
 transplant; and
- (e) Treatment center is part of the BMT CTN as a core or  
 non-core center.

~~(6)(4) It should be noted that there are other non-malignant  
 (not oncological) diseases that are genetic disorders, or that  
 result in bone marrow failure or lead to immunodeficiency  
 syndromes for which bone marrow transplantation may be  
 appropriate. While these non-malignant diseases are not  
 described in the preceding lists, there are generally accepted  
 and appropriate indications for bone marrow transplantation in  
 these cases. In addition, there are malignant diseases that are  
 uncommon in their occurrence that also are not detailed in the  
 above lists for which the appropriateness of bone marrow  
 transplantation may be determined on a case by case basis.~~

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

##### Family Safety and Preservation Program

RULE NO.: RULE TITLE:  
 65C-16.002 Adoptive Family Selection  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been  
 made to the proposed rule in Vol. 39, No. 81, April 25, 2013  
 issue of the Florida Administrative Register.

SUMMARY: This rule addresses adoptive family selection for  
 children. This rule is being repealed because it is unnecessary  
 and conflicts with Florida Statutes. The current Rule 65C-  
 16.002, F.A.C., requires the courts to give priority  
 consideration to a grandparent's petition for adoption. This  
 requirement was repealed from Section 63.0425, F.S. in 2003.

##### 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 department used a checklist to conduct an economic  
 analysis and determine If there was an adverse impact or  
 regulatory costs of the rule that exceeded the criteria in  
 Section 120.541(2)(a), F.S. Based upon this analysis, the  
 department has determined that this chapter will not have an  
 adverse impact on small business or likely increase directly or  
 indirectly regulatory costs in excess of \$200,000 in the  
 aggregate within one year after the implementation of the rule.  
 A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not  
 expected to require legislative ratification based on the  
 statement of estimated regulatory costs or if no SERC is  
 required, the information expressly relied upon and described  
 herein: The department used a checklist to conduct an  
 economic analysis and determine If there was an adverse  
 impact or regulatory costs of the rule that exceeded the criteria  
 in Section 120.541(2)(a), F.S. Based upon this analysis, the  
 department has determined that the proposed rule is not  
 expected to require legislative ratification.

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:

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

NOTICE IS HEREBY GIVEN that on May 7, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sid Lickton Park Restroom/Press Box/Concession. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-135).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 7, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for USFSP Marine Science Lab. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of

Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-138).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 7, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Richey Woods # 2. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-137).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 7, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Richey Woods # 1. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-136).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 6, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ibis Walk. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.4 and 2.24.2.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-134).

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

NOTICE IS HEREBY GIVEN that on May 7, 2013, the Board of Medicine received a petition for waiver filed by Florence Cabot, M.D., from Rules 64B8-1.007 and 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA profile for the medical licensure application. 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.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

The Florida Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 5, 2013, 6:00 p.m. – 8:00 p.m., CST.

PLACE: Student Center, Building 4200, Pensacola State College, Milton Campus, 5988 Highway 90, Milton, FL 32583

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the first of two public hearings to receive public comment on the draft Blackwater River State Forest 10-year Management Plan. Comments may be presented orally or in writing at the hearing. Written comments may also be emailed to Craig.Iversen@freshfromflorida.com, or mailed to FFS's Blackwater Forestry Center at 11650 Munson Hwy, Milton, FL 32570 to the attention of Craig Iversen and should be submitted so as to arrive at the office by the date of the public hearing.

A copy of the agenda may be obtained by contacting Craig Iversen by email: Craig.Iversen@freshfromflorida.com, by phone: (850)957-6140, or by mail: 11650 Munson Hwy., Milton, FL 32570. A copy of the draft plan and agenda are available before the date of the public hearing online at [http://www.freshfromflorida.com/public\\_notices/](http://www.freshfromflorida.com/public_notices/).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Craig Iversen at (850)957-6140. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

The Florida Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2013, 6:00 p.m. – 8:00 p.m., CST

PLACE: Okaloosa County Extension Office, 3098 Airport Rd, Crestview, FL 32539

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the second of two public hearings to receive public comment on the draft Blackwater River State Forest 10-year Management Plan. Comments may be presented orally or in writing at the hearing. Written comments may also be emailed to Craig.Iversen@freshfromflorida.com or mailed to FFS's Blackwater Forestry Center at 11650 Munson Hwy, Milton, FL 32570 to the attention of Craig Iversen, and should be submitted so as to arrive at the office by the date of the public hearing.

A copy of the agenda may be obtained by contacting: Craig Iversen by email: Craig.Iversen@freshfromflorida.com, by phone: (850)957-6140, or by mail: 11650 Munson Hwy., Milton, FL 32570. A copy of the draft plan and agenda are

available before the date of the public hearing online at [http://www.freshfromflorida.com/public\\_notices/](http://www.freshfromflorida.com/public_notices/)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Craig Iversen at (850)957-6140. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

---

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Division of Forestry

The Florida Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 7, 2013, 8:00 a.m. – 12:00 Noon, CST

PLACE: Building 4900, Pensacola State College, Milton Campus, 5988 Highway 90, Milton, FL 32583

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Blackwater River State Forest Management Plan Advisory Group to review comments from the June 5th and 6th public hearings and to discuss the draft Blackwater River State Forest 10-year Management Plan.

A copy of the agenda may be obtained by contacting Craig Iversen: by email, [Craig.Iversen@freshfromflorida.com](mailto:Craig.Iversen@freshfromflorida.com); by phone, (850)957-6140, or by mail, 11650 Munson Hwy., Milton, FL 32570. A copy of the draft plan and agenda are available before the date of the public hearing online at [http://www.freshfromflorida.com/public\\_notices/](http://www.freshfromflorida.com/public_notices/)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Craig Iversen at (850)957-6140. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

---

## DEPARTMENT OF EDUCATION

### University of South Florida

The University of South Florida announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2013, 10:00 a.m.

PLACE: Patel Center for Global Solutions at the University of South Florida, Tampa

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the initial meeting of the local selection committee for project BR-512, which is funded by Florida's Art in State Buildings program.

A copy of the agenda may be obtained by contacting: Sheena Simmons, Curator of Public Art, (813)974-2203 or [sdsimmo3@usf.edu](mailto:sdsimmo3@usf.edu).

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: Sheena Simmons, Curator of Public Art, (813)974-2203 or [sdsimmo3@usf.edu](mailto:sdsimmo3@usf.edu). 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.

---

## REGIONAL PLANNING COUNCILS

### Tampa Bay Regional Planning Council

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

DATE AND TIME: May 29, 2013, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

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

For more information, you may contact: Mr. John Meyer, (727)570-5151, ext. 29.

---

## WATER MANAGEMENT DISTRICTS

### Southwest Florida Water Management District

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

DATE AND TIME: Monday, May 21, 2013, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Financial Investments Ad Hoc Committee: Determine which responders to the Invitation to Negotiate 014-13 to recommend to the Governing Board for approval.

All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Committee members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at (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). 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: Luanne.Stout@watermatters.org; (800)423-1476 (FL only) or (352)796-7211, x4605.

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid**

**RULE NO.: RULE TITLE:**

59G-4.085: Early Intervention Services

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, May 16, 2013, 2:00 p.m. – 4:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The Agency is scheduling a public meeting for the purpose of discussing the existing August 2007 version of the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, which is located on the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Provider Handbooks.

A copy of the agenda may be obtained by contacting: Gail Underwood, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, telephone: (850)412-4224, email: [gail.underwood@ahca.myflorida.com](mailto:gail.underwood@ahca.myflorida.com). You may also

download a copy of the agenda at [www.ahca.myflorida.com/Medicaid/review/index.shtml](http://www.ahca.myflorida.com/Medicaid/review/index.shtml).

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: Gail Underwood, Bureau of Medicaid Services at (850)412-4224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Hurricane Research Advisory Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 30, 2013, 1:00 p.m. until completion

**PLACE:** meeting to be conducted using communications media technology, specifically conference call and webinar. You must access the teleconference for audio aids only and the webinar for visual aids only.

To join the online meeting (now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=180090817&UID=1385052277&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link:

<https://suncom.webex.com/suncom/j.php?ED=180090817&UID=1385052277&ORT=MIMxMQ%3D%3D>

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: (888)670-3525 (US)

Call-in number: (720)389-1212 (US)

Attendee access code: 606 232 6940

Public point of access: Northwood Centre, Suite 90, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss technical research needed in support of building code and standards development.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940

North Monroe Street, Tallahassee, Florida 32399 or call (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, Phone (850)487-1824 or fax (850)414-8436. 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: Mr. Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or fax (850)414-8436. Website: [www.floridabuilding.org](http://www.floridabuilding.org).

---

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Siting Coordination Office announces a hearing to which all persons are invited.

DATE AND TIME: June 24, 2013, 9:00 a.m. and continuing through June 28, 2013 as necessary; June 25, 2013, 7:00 p.m.

PLACE: June 24 – 28, 2013, the hearing will be held at the Bartow Civic Center, 2250 South Floral Avenue, Bartow, Polk County, Florida. The evening of June 25, 2013, the public hearing will be held at the Palmetto Club at Fishhawk Ranch, 17004 Dorman Road, Lithia, Hillsborough County, FL, 7:00 p.m. – 9:00 p.m. The portion of the hearing from June 24 – June 28, 2013, will relate to the proposed Polk Power Plant 2-5 Combined Cycle Conversion Project. The portion on the evening of June 25, 2013, will relate to the Polk to Fishhawk transmission lines.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Administrative Law Judge Bram D.E. Canter will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Tampa Electric Company, Polk Power Station Units 2-5, application for site certification number PA92-32A3, DOAH Case Number 12-3369, DEP Office of General Counsel Case Number 12-1566, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. Judge Bram D.E. Canter will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board.

Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Economic Opportunity, the Fish and Wildlife Conservation Commission, the water management district, the Department of Environmental Protection, the regional planning council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with Administrative Law Judge Bram D.E. Canter, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to commencement of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. The certification hearing may be cancelled in accordance with Section 403.508(6)(a), F.S.; “No earlier than 29 days prior to the conduct of the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, and if sufficient time remains for the applicant and the department to publish

public notices of the cancellation of the hearing at least 3 days prior to the scheduled date of the hearing.”

A copy of the agenda may be obtained by contacting: Ms. Cindy Mulkey, Program Administrator, Bob Martinez Center, 2600 Blairstone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000.

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: Jessica Dalton, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000. 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: Jessica Dalton, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000.

---

#### DEPARTMENT OF HEALTH

##### Board of Acupuncture

The Board of Acupuncture announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 31, 2013, 9:00 a.m. E.S.T.

PLACE: Conference call: number: (888)670-3525; participant passcode: 6150683063

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

This notice shall replace notice ID 12529895.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. 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: Paula Mask at (850)245-4161.

---

#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

The Probable Cause Panel of the Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 30, 2013, 9:00 a.m. E.S.T.  
PLACE: Conference call number (888)670-3525, conference code 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting the Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact the Board of Pharmacy at (850)245-4292.

---

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

##### Substance Abuse Program

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

DATE AND TIME: May 14, 2013, 9:00 a.m. – 1:00 p.m.

PLACE: 1317 Winewood Blvd., Building 6, Conference Room A (Room 299), conference call line: (888)670-3525, participant code: 5044743281

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of operational and contractual issues with Behavioral Health Managing Entities.

THIS MEETING AND CONFERENCE CALL HAS BEEN CANCELED.

A copy of the agenda may be obtained by contacting: William\_Hardin@dcf.state.fl.us.

---

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

##### Agency for Persons with Disabilities

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

DATE AND TIME: June 11, 2013, 12:00 Noon

PLACE: 404 Imperial Blvd., Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

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

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

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

For more information, you may contact: APD Area 14, (863)413-3360.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

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

DATE AND TIME: May 30, 2013, 9:00 a.m.

PLACE: Larson Building, Room 116, 200 E. Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fidelity National Property & Casualty Insurance Company has requested an average statewide rate change of 28.1% for its homeowners program. The proposed rate would be effective August 1, 2013 for new business and September 25, 2013 for renewal business. The requested rate change is not uniform. Some areas are subject to higher rates.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com; the subject line of your e-mail should read “Fidelity National.”

A copy of the agenda may be obtained by contacting: Ken Tinkham, Esquire, (850)413-4292 or Cindy Walden, (850)413-2616.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Cindy Walden at (850)413-2616, email cindy.walden@flor.com. 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: Ken Tinkham, Esquire, (850)413-4292 or Cindy Walden, (850)413-2616.

Section VI  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE



THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS AFTER PUBLICATION OF THIS NOTICE IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON STREET, MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL

PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 8th day of May, 2013.

/s/ \_\_\_\_\_  
Miriam Snipes, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128  
Telephone: (850)717-8531

By U.S. Mail:

Honorable Ken Philipson, Mayor  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036  
Edward Koconis, Director  
Planning and Development Services  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036  
Ariana S. Lawson  
Village Clerk  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036

By Hand Delivery or Interagency Mail:

Rebecca Jetton, ACSC Administrator, DEO Tallahassee  
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

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.

---